

St. Clairsville, Ohio

October 4, 2006

The Board of Commissioners of Belmont County, Ohio, met this day in regular session. Present: Charles R. Probst, Jr., Gordie W. Longshaw and Mark A. Thomas, Commissioners and Jayne Long, Assistant Clerk of the Board. Minutes of the meeting of September 27, 2006, were read, approved and signed. *Note: Commissioner Probst arrived after meeting commenced.*

MEETINGS ARE NOW BEING RECORDED
ALL DISCUSSIONS ARE SUMMARIZED, FOR COMPLETE PROCEEDINGS
PLEASE SEE CORRESPONDING TAPE FOR THIS MEETING DAY.

IN THE MATTER OF ALLOWANCE OF BILLS
AS CERTIFIED IN THE AUDITOR'S OFFICE

"BILLS ALLOWED"

The following bills having been certified in the Auditor's office, on motion by Mr. Longshaw, seconded by Mr. Thomas, all members present voting YES, each bill was considered and it is hereby ordered that the County Auditor issue his warrant on the County Treasurer in payment of bills allowed.

<u>Claim of</u>	<u>Purposes</u>	<u>Amount</u>
A-AT&T	Long Distance/General Fund	442.84
Elan Financial Services	Travel exp.-Longshaw/General Fund	562.90
Elan Financial Services	Travel exp.-Thomas/General Fund	717.38
Elan Financial Services	Travel exp.-Probst/General Fund	644.29
Draft Co. Inc.	Pilot Tax Map Project/GIS General Fund	20,000.00
Joann Kightlinger	Mileage-Clerk of Courts/General Fund	89.00
Tobias Stidd	Probation Mileage/General Fund	179.78
K-Lash Excavating & Paving	06-4 Liquid Bituminous Material/Engineer MVGT Fund	55,965.00
Staples Credit Plan	Supplies/Engineer MVGT Fund	164.21
M-Shadyside Towing & Repair	Vehicle repair/Title IV-E Reimb Fund	821.95
N-CMG Architects, LLP	Services/EMA/EOC Construction Fund	2,688.72
Lash Excavating & Paving	Asphalt/Road & Bridge Improvement & Repair Fund	5,818.50
P-American Electric Power	Service/Oakview Admn. Bldg. Fund	1,719.35
Village of Bellaire Water	Service/Flood Relief/Satellite Bldg. Fund	74.06
S-Belmont Senior Services	Oct. Operating exp/In Home Care Levy-Com on Aging Fund	126,631.89
Beth A. Andes, MS, PCC	Services-GS/District Detention Home Fund	2,240.00
Comcast	October Cable/Western Ct. Computer Fund	125.00
Forensic Diagnostic	Competency Evaluation/Western Ct. Gen. Special Projects Fund	750.00
Lilienthal Southeastern	Supplies/Northern Ct. General Special Projects Fund	436.53
Liquid Media	Envelopes/Western Ct. Computer Fund	694.70
Sommer Steno Services	Transcript/Western Ct. General Special Projects Fund	257.50
Standard Forms Company	Folders/Probate Court Computer Fund	1,114.66
Technology Services Group, Inc.	Services/Eastern Ct. General Special Projects Fund	270.00
W-Delinquent Collectors of Ohio, Inc.	Collections/DRETAC Treasurer's Fund	1,145.80
Judith N. Bruney	Mileage//Prosecutor's Victim Program	236.74
Manatron	6 Computers/DRETAC Treasurer's Fund	9,009.00
Y-90-Eastern Ohio Regional Wastewater Authority	Sewage Disposal/BCSSD Y-90 Fund	142.20
Indoff	Supplies/BCSSD Y-90 Fund	305.44
Treasurer of State of Ohio	Certification/BCSSD Y-90 Fund	2,800.00

IN THE MATTER OF APPROVING RECAPITULATION
OF VOUCHERS FOR THE VARIOUS FUNDS

Motion made by Mr. Longshaw, seconded by Mr. Thomas to approve the Recapitulation of Vouchers dated for October 4, 2006 as follow:

FUND	AMOUNT
A-GENERAL	\$1,864.09; \$19,561.78; \$12,650.64; \$1,224.44; \$888.17;
GENERAL/Attorney Fees	\$1,984.00
GENERAL/911	\$675.31
GENERAL/Sheriff	\$6,359.10; \$10,368.21
B-Dog and Kennel	\$769.39
E-911	\$480.00
H-Job & Family, CSEA	\$7,826.11
Job & Family, Public Assistance	\$3,729.24; \$20,000.00; \$1,303.60; \$37,039.13; \$27,997.47; \$3,643.67; \$790.69
Job & Family, WIA	\$6,779.26; \$8,703.95
K-Engineer MVGT	\$438.38; \$68,609.29
M-Juvenile Court Placement II	\$355.70
N-911 Construction Fund	\$2,500.00
S-District Detention Home Fund	\$4,494.43
S-Job & Family Services, Children Services	\$23,686.29; \$10,120.56
Juvenile Court-Special	\$212.00
Sheriff Commissary	\$3,273.22; \$514.92
Sheriff CCW Fund	\$997.00
Oakview Juvenile Residential Center	\$14,193.88
Y-90-Belmont Co. Sanitary Sewer District	\$7,804.36; \$3,214.72; \$692.76; \$4,073.97

Upon roll call the vote was as follows:

Mr. Longshaw	Yes
Mr. Thomas	Yes
Mr. Probst	Absent

IN THE MATTER OF TRANSFER WITHIN FUND FOR THE BCDJFS PUBLIC ASSISTANCE FUND

Motion made by Mr. Probst, seconded by Mr. Longshaw to approve the following transfer within fund for the BCDJFS Public Assistance Fund.

FROM	TO	AMOUNT
E-2510-H000-H09.000 Travel	E-2510-H000-H14.007 Unemployment	\$ 10,000.00

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Longshaw	Yes
Mr. Thomas	Yes

IN THE MATTER OF TRANSFERS WITHIN FUND FOR THE BELMONT COUNTY SANITARY SEWER DISTRICT

Motion made by Mr. Probst, seconded by Mr. Longshaw to approve the following transfer within fund for the Belmont County Sanitary Sewer District.

FROM	TO	AMOUNT
WWS#2	WWS#2	
E-3701-P003-P31.000 Other Expenses	E-3701-P003-P35.005 Medicare	300.00
E-3701-P003-P25.000 Purchased Water	E-3701-P003-P21.000 Materials	50,000.00
E-3710-P003-P31.000 Other Expenses	E-3701-P003-P23.011 Services	15,000.00
WWS#3	WWS#3	
E-3702-P005-P34.074 Trans Out	E-3702-P005-P21.000 Materials	50,000.00
E-3702-P005-P34.074 Trans Out	E-3702-P005-P25.000 Pur. Water	50,000.00
E-3702-P005-P34.074 Trans Out	E-3702-P005-P28.000 Travel & Exp	600.00
E-3702-P005-P34.074 Trans Out	E-3702-P005-P31.000 Other Exp	20,000.00
SSD#1	SSD#1	
E-3704-P051.P06.000 Contract Repairs	E-3704-P051-P01.002 Salary	3,000.00
E-3704-P051-P03.012 Equipment	E-3704-P051.P13.003 PERS	500.00
E-3704-P051-P09.000 Sew Disposal	E-3704-P051-P05.000 Materials	900.00
E-3704-P051.P06.000 Repairs	E-3704-P051-P07.001 Services	150.00
SSD#2	SSD#2	
E-3705-P053-P16.074 Trans Out	E-3705-P053-P13.003 PERS	3,000.00
SSD#3A	SSD#3A	
E-3706-P055-P15.000 Other Expenses	E-3706-P055-P05.000 Materials	100.00
TOTAL		\$ 193,550.00

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Longshaw	Yes
Mr. Thomas	Yes

IN THE MATTER OF TRANSFER WITHIN FUND FOR THE BELMONT COUNTY SANITARY SEWER DISTRICT

Motion made by Mr. Thomas, seconded by Mr. Longshaw to approve the following transfer within fund for the Belmont County Sanitary Sewer District.

FROM	TO	AMOUNT
SSD#2	SSD#2	
E-3705-P053-P03.012 Equipment	E-3705-P053-P05.000 Materials	\$ 1,000.00

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Longshaw	Yes
Mr. Probst	Yes

IN THE MATTER OF TRANSFER BETWEEN FUNDS/ ENGINEER FEMA FLOOD 2004 FUND & ENGINEER ROAD & BRIDGE IMPROVEMENTS & REPAIR FUND

Motion made by Mr. Thomas, seconded by Mr. Longshaw to approve the following transfers between funds from the Engineer FEMA FLOOD 2004 Fund and Engineer Road & Bridge Improvements & Repair Fund.

FROM	TO	AMOUNT
E-9708-T069-T02.000 Engineer Dept. Reimb.	R-9045-N045-N05.574 Transfers In	\$ 1,416.168.00

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Longshaw	Yes
Mr. Probst	Yes

IN THE MATTER OF TRANSFER BETWEEN FUNDS/ ENGINEER FEMA FLOOD 2004 FUND & ENGINEER MVGT FUND

Motion made by Mr. Thomas, seconded by Mr. Longshaw to approve the following transfers between funds from the Engineer FEMA FLOOD 2004 FUND and Engineer MVGT Fund.

FROM	TO	AMOUNT
E-9708-T069-T03.000 Admin Cost	R-2810-K000-K18.574 Transfer In	\$ 21,456.00

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Longshaw	Yes
Mr. Probst	Yes

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE GENERAL FUND**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to make the following additional appropriation, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of October 4, 2006.

	GENERAL FUND
	BOARD OF ELECTIONS
E-0181-A003-A06.011 Contract Services	\$86.79
E-0181-A003-A03.010 Supplies	\$11,785.89
E-0181-A003-A11.000 Other Expenses	\$13,442.54
Total	\$25,315.22

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Longshaw	Yes
Mr. Thomas	Yes

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE GENERAL FUND**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to make the following additional appropriation, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of October 4, 2006.

	GENERAL FUND
	BOARD OF ELECTIONS
E-0181-A003-A06.011 Contract Services	\$26,500.00
E-0181-A003-A03.010 Supplies	\$5,200.00
E-0181-A003-A11.000 Other Expenses	\$1,500.00
E-0181-A003-A02.002 Salaries (part-time help)	\$5,500.00
Total	\$38,700.00

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Longshaw	Yes
Mr. Thomas	Yes

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE GENERAL FUND**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to make the following additional appropriation, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of October 4, 2006.

	GENERAL FUND
E-0051-A001-A28.000 Other Expenses	\$70,000.00

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Longshaw	Yes
Mr. Thomas	Yes

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE GENERAL FUND/MAGISTRATE**

Motion made by Mr. Probst, seconded by Mr. Longshaw to make the following additional appropriation, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of October 4, 2006.

	GENERAL FUND/MAGISTRATE
E-0063-A002-B25.002 Salaries	\$5,663.26

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Longshaw	Yes
Mr. Thomas	Yes

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE BELMONT COUNTY GENERAL FUND/DRUG COURT WORKS**

Motion made by Mr. Longshaw, seconded by Mr. Thomas to make the following additional appropriation, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of October 4, 2006.

E-0064-A002-B50.002 Salary/Drug Court Works	\$868.77
---	----------

Upon roll call the vote was as follows:

Mr. Longshaw	Yes
Mr. Thomas	Yes
Mr. Probst	Yes

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE GENERAL FUND**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to make the following additional appropriation, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of October 4, 2006.

	GENERAL FUND
	ENGINEERS DEPARTMENT
E-0070-A012-A07.006 Hospitalization/Eng-General	\$1,147.00

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Longshaw	Yes
Mr. Thomas	Yes

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE H000 BELMONT CO. PUBLIC ASSISTANCE FUND**

Motion made by Mr. Probst, seconded by Mr. Longshaw to make the following additional appropriation, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of October 4, 2006.

**BELMONT COUNTY
PUBLIC ASSISTANCE FUND H000**

E-2510-H000-H01.002	Salaries	\$ 1,100,000.00
E-2510-H000-H02.010	Supplies	50,000.00
E-2510-H000-H04-012	Contracts	200,000.00
E-2510-H000-H05.000	Public Assistance	100,000.00
E-2510-H000-H07.000	Purchases of Services	100,000.00
E-2510-H000-H12.003	PERS	100,000.00
E-2510-H000-H16.006	Hospitalization	300,000.00
E-2510-H000-H17.000	Other Expenses	50,000.00
TOTAL		\$ 2,000,000.00

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Longshaw	Yes
Mr. Thomas	Yes

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE H010 BELMONT CO. CSEA ADMN. FUND**

Motion made by Mr. Probst, seconded by Mr. Longshaw to make the following additional appropriation, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of October 4, 2006.

**BELMONT COUNTY
CSEA ADMN. FUND H010**

E-2760-H010-H01.002	Salaries	\$ 100,000.00
E-2760-H010-H13.011	Contracts	100,000.00
E-2760-H010-H15.000	Other Expenses	\$ 400,000.00
Total		\$ 600,000.00

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Longshaw	Yes
Mr. Thomas	Yes

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE STATE HOMELAND SECURITY GRANT P93/EMA**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to make the following additional appropriation, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of October 4, 2006.

STATE HOMELAND SECURITY GRANT P93/EMA

E-1723-P093-P08.000	Other Expenses DOJ 05	\$ 34,105.31
---------------------	-----------------------	--------------

Upon roll call the vote was as follows:

Mr. Longshaw	Yes
Mr. Thomas	Yes
Mr. Probst	Yes

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE S038 RESTITUTION FUND**

Motion made by Mr. Probst, seconded by Mr. Longshaw to make the following additional appropriation, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of October 4, 2006.

**S038 RESTITUTION
JUVENILE COURT**

E-5002-S038-R50.000	Victims of Crime	\$ 2,245.71
---------------------	------------------	-------------

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Longshaw	Yes
Mr. Thomas	Yes

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE S12 PORT AUTHORITY FUND**

Motion made by Mr. Longshaw, seconded by Mr. Probst to make the following additional appropriation, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of October 4, 2006.

S12 PORT AUTHORITY FUND

E-9799-S012-S01.002	Salaries	\$ 12,000.00
E-9799-S012-S08.003	PERS	3,000.00
E-9799-S012-S02.006	Hospitalization	2,000.00
E-9799-S012-S03.012	Equipment	5,000.00
E-9799-S012-S04.010	Supplies	1,000.00
E-9799-S012-S05.000	Travel Expenses	1,000.00
E-9799-S012-S11.005	Medicare	1,000.00
TOTAL		\$ 25,000.00

Upon roll call the vote was as follows:

Mr. Longshaw	Yes
Mr. Probst	Yes
Mr. Thomas	Yes

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE 911 FUND**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to make the following additional appropriation, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of January 6, 2006.

E-2200-E010-E06.000 800 MHZ Radio System \$ 10,000.00

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Longshaw	Yes
Mr. Probst	Yes

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR DISTRICT DETENTION HOME S033 FUND**

Motion made by Mr. Probst, seconded by Mr. Longshaw to make the following additional appropriations, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of October 4, 2006.

DISTRICT DETENTION HOME

E-0910-S033-S33.002 Salaries \$ 35,120.70

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Longshaw	Yes
Mr. Thomas	Yes

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE ENGINEER'S FEMA FLOOD 2004 FUND**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to make the following additional appropriation, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of October 4, 2006.

E-9708-T069-T02.000 Engineer Dept. Reimbursement \$ 1,416,168.00

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Longshaw	Yes
Mr. Probst	Yes

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE ENGINEER'S FEMA FLOOD 2004 FUND**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to make the following additional appropriation, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of October 4, 2006.

E-9708-T069-T03.000 FEMA Flood Admin Cost \$ 21,456.00

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Longshaw	Yes
Mr. Probst	Yes

**IN THE MATTER OF CASH ADVANCE TO THE
PARK HEALTH FUND H030**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to approve the following advance from General Fund to the Park Health Fund H030.

Park Health Fund H030

FROM	TO	AMOUNT
E-0051-A001-A28.000 Other Expenses	R-2150-H030-H17.57Advances In	\$70,000.00

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Longshaw	Yes
Mr. Thomas	Yes

**IN THE MATTER OF APPROVING
THEN AND NOW CERTIFICATE/AUDITOR'S**

Motion made by Mr. Probst, seconded by Mr. Longshaw to execute payment of Then and Now Certification dated September 27, 2006, presented by the County Auditor pursuant to O.R.C. 5705.41(d) 1, and authorizing the drawing of warrant(s) in payment of amounts due upon contract or order.

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Longshaw	Yes
Mr. Thomas	Yes

**IN THE MATTER OF REQUEST FOR CERTIFICATION
OF MONIES FOR THE GENERAL FUND**

Motion made by Mr. Thomas, seconded by Mr. Probst to request the Belmont County Budget Commission certify the following monies.

GENERAL FUND - \$50,000.00 for equipment for Common Pleas (Congressionally mandated grant for courtroom modernization).

GENERAL FUND – Magistrate Salaries - \$5,662.26; Drug Court Works Salaries - \$868.77; Park Health Salaries - \$70,000.00. (These amounts will all be advances into their salary appropriations with expected repayment. Park Health has indicated that their expected repayment date is October 11, 2006. Magistrate and Drug Court Works will depend upon their grant reimbursements. The dates of those repayments are unavailable at this time).

The following represents the amount needed to pay the Board of Elections current outstanding bills: September Misc. Expenses - \$25,315.22 and October Misc. Expenses - \$38,700.00.

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Probst	Yes
Mr. Longshaw	Yes

IN THE MATTER OF GRANTING PERMISSION FOR COUNTY EMPLOYEES TO TRAVEL

Motion made by Mr. Probst, seconded by Mr. Longshaw granting permission for county employees to travel as follows:
AUDITOR – Don Harr to Columbus, Ohio on Oct. 24-26, 2006, for meeting on Weights & Measures with the Ohio Dept. of Agriculture. A county car will be used. Estimated expenses: \$600.00

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Longshaw	Yes
Mr. Thomas	Yes

IN THE MATTER OF CHANGING BOARD OF COUNTY COMMISSIONERS EVENING MEETING OF OCTOBER 25, 2006 TO A DAY MEETING

Motion made by Mr. Thomas, seconded by Mr. Longshaw to change the Board of Belmont County Commissioners evening meeting of October 25, 2006 to a day meeting, commencing at 10:00 A.M. in the Commissioners' meeting room at the courthouse.

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Longshaw	Yes
Mr. Probst	Absent

Note: Commissioner Thomas advised that in 2007 Commissioners may do four (4) Town Hall meetings on the road, with Open Public Forum only. An overview of what was decided at the regular meeting can be given and the public can have the opportunity to ask questions.

IN THE MATTER OF ADOPTING A RESOLUTION ACCEPTING AMOUNTS AND RATES AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

Motion made by Mr. Thomas, seconded by Mr. Longshaw to adopt the Resolution pursuant to Ohio Revised Code 5705.34, accepting the amounts and rates as determined by the Belmont County Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor.

Note: This action is necessary annually as part of the budgetary process. The board is accepting the County Auditors estimates of revenues to be generated by the tax levies for fiscal year 2006.

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR (BOARD OF COUNTY COMMISSIONERS)

Rev. Code, Secs. 5705.34, .35

The Board of County Commissioners of Belmont County, Ohio, met in regular session on the 4th day of October, 2006, at the office of the County Commissioners with the following members present:

*Charles R. Probst Jr.
 Gordie W. Longshaw
 Mark A. Thomas*

Mr. Thomas moved the adoption of the following Resolution:

WHEREAS, this Board of County Commissioners in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, 2007; and

WHEREAS, the Budget Commission of Belmont County, Ohio, has certified its action thereon to this Board together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Board, and what part thereof is without, and what part within, the ten mill tax limitation; therefore be it

RESOLVED, By the Board of County Commissioners of Belmont County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said County the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A

SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION, AND COUNTY AUDITOR'S ESTIMATED TAX RATES

FUND	Amount Approved by Budget Commission Inside 10 M. Limitation	Amount to be Derived From Levies Outside 10 M. Limitation	County Auditor's Estimate of Tax Rate to be Levied	
			Inside 10 M. Limit	Outside 10 M. Limit
General Fund	\$2,143,500		2.30	
Children Service Fund		\$ 248,000.00		.65
Children Service Fund		132,000.00		.35
Mental Health Fund		827,500.00		1.50
Mental Retardation Fund		596,000.00		1.00
Mental Retardation Fund		1,157,000.00		2.00
Mental Retardation Fund		963,300.00		1.50
Mental Retardation Fund		1,906,000.00		2.50
Senior Citizens Fund		325,500.00		.50
Senior Citizens Fund		527,000.00		.50
Senior Citizens Fund		709,500.00		1.00
Sheriff Road Patrol				
Other-Misc. Construction Funds				
Relief/Welfare Special Levy Funds				
Child Welfare Services Special Levy Funds				

Health, Mental Health & Clinic Special Levy Funds				
Airports and Commerce Special Levy Funds				
Parks and Recreation Special Levy Funds				
Other-Miscellaneous Special Levy Funds				
Total	\$2,143,500.00	\$ 7,391,800.00	2.30	11.50

**SCHEDULE B
LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES**

FUND	Maximum Rate Authorized To Be Levied	County Auditor's Estimate of Yield of Levy (Carry to Schedule A, Column II)
GENERAL FUND:	YEAR	
Current expense levy authorized by voters on Not to exceed Years.		
Current expense levy authorized by voters on Not to exceed Years		
Current expense levy authorized by voters on Not to exceed Years		
Current expense levy authorized by voters on Not to exceed Years		
TOTAL GENERAL FUND OUTSIDE 10 M. LIMITATION		
SPECIAL LEVY FUNDS:		
Levy authorized by voters on Children Services 11-2 2004 not to exceed 10 Years	.65	\$ 248,000.00
Levy authorized by voters on Children Services 5-2 2006 not to exceed 10 Years	.35	132,000.00
Levy authorized by voters on Mental Health 11-8 2005 not to exceed 10 Years	1.50	827,500.00
Levy authorized by voters on Mental Retardation 11-4 1980 not to exceed Continuous Years	1.00	596,000.00
Levy authorized by voters on Mental Retardation 5-7 1985 not to exceed Continuous Years	2.00	1,157,000.00
Levy authorized by voters on Mental Retardation 11-4 1986 not to exceed Continuous Years	1.50	963,300.00
Levy authorized by voters on Mental Retardation 5-4 1999 not to exceed Continuous Years	2.50	1,906,000.00
Levy authorized by voters on Senior Citizens 11-8 2005 not to exceed 5 Years	.50	527,000.00
Levy authorized by voters on Senior Citizens 11-4 2003 not to exceed 5 Years	.50	325,500.00
Levy authorized by voters on Senior Citizens 11-6 2001 not to exceed 5 Years	1.00	709,500.00
Levy authorized by voters on not to exceed Years		
Levy authorized by voters on not to exceed Years		

And be it further

RESOLVED, That the Clerk of this Board be and she is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

Mr. Longshaw seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows:

<u>Mr. Thomas,</u>	<u>Yes</u>
<u>Mr. Longshaw,</u>	<u>Yes</u>
<u>Mr. Probst,</u>	<u>Absent</u>

Adopted the 4th day of October, 2006
Year

Jayne Long /s/
Assistant Clerk
Board of County Commissioners of Belmont County, Ohio.

IN THE MATTER OF ENTERING INTO AUCTION SALE AGREEMENT WITH DAVID JONES, CAI AUCTIONEER

Motion made by Mr. Thomas, seconded by Mr. Longshaw to enter into Auction Sale Agreement with David Jones, CAI Auctioneer, to conduct the Belmont County Annual Auction to be held Saturday, October 14, 2006 at 10:00 am.

Note: The auction will be held at the pole barn located behind 310 Fox Shannon Place.

Auction Sale Agreement

Date: Sept. 25, 2006

1. I hereby grant unto David Jones the exclusive right and authority to sell the personal property of Belmont County Commissioners described on the auction inventory or auction advertising at public auction. Located at St. Clairsville, OH
2. Auction will be held on Oct. 14, - 10:00 a.m.
3. I have the full power and authority to sell the personal property and that the said property is free and clear of all liens and encumbrances. Except as follows: NONE
4. I agree to pay David Jones Auctioneer a commission of 15 percent of the gross proceeds of personal property, 7 percent of vehicle.
5. I the seller agree to pay for all paper ads. Approx. price of 5-600.00 and the following other expenses _____.
6. The terms and conditions are Cash or a good check day of auction. Collection of bad checks, debts and collection of unpaid money will be the responsibility of David Jones Auctioneer in cooperation of the seller.
7. The auctioneer's policy will not accept absentee bids.
8. All proceeds will be deposited in David Jones escrow account. Settlement will occur within 15 days of the date of the auction unless advised otherwise.
9. Any unsold items will be the responsibility of the seller. The auctioneer will dispose of [Unsold items at our auction center]
10. Auction shall be a reserve auction as defined in ORC 4707.01
11. I AGREE NOT TO SELL OR REMOVE ANY ITEMS FROM THE PREMISES AFTER THE DATE OF THIS CONTRACT EVEN THOUGH THEY MAY NOT BE ON ANY ADVERTISEMENT
12. The seller agrees to indemnify and save harmless David Jones and his employees, against any and all claims, demands, action or causes of action whatsoever in any manner arising by the execution of this contract.
13. It is mutually agreed that this contract shall be binding upon the undersigned and the separate heirs, administrators, executors, assigns and successors in interest of the undersigned.
14. The auctioneer may hire other auctioneers to assist him in any auctions he may conduct.
15. The undersigned auctioneer is licensed by the Ohio Department of Agriculture and bonded by the state of Ohio under the auction recovery fund.
16. In witness whereof the parties have hereunto executed this contract in duplicate on the date set forth above.
17. I have read the above contract and agree to the conditions thereof. I hereby acknowledge receipt of a copy of this agreement.

By: Gordie W. Longshaw /s/ Address 101 W. Main Street Ph. 740-699-2155
 By: Mark A. Thomas /s/ St. Clairsville, OH 43950 Ph. 740-699-2155
 By: Charles R. Probst, Jr., /s/
 Auctioneer: David Jones, CAI /s/ 740-391-3710

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Longshaw	Yes
Mr. Probst	Absent

IN THE MATTER OF PROPOSED ROAD NAME CHANGE } {Bel. Co. Commissioners
PORTION OF TWP. RD. 354 TO LAKE ROAD #354 } {Court House
FLUSHING TOWNSHIP SEC 19 & 25, T-10, R-6 } {St. Clairsville, OH 43950
AND KIRKWOOD TOWNSHIP SEC 30, T-9, R6 } {Date October 4, 2006

Motion made by Mr. Thomas, seconded by Mr. Longshaw to authorize the Assistant Clerk to set the date and time for a hearing for the proposed road name change for a portion of Flushing Township Road located in Sections 19 and 25, T-10, R-6 and Kirkwood Township Road 354 located in Section 30, T-9, R-6, requested by the Flushing Township Trustees and as recommended by the Belmont County Engineer, pursuant to O.R.C. 5541.04.

Note: The Trustees are requesting the portion of Twp. Rd. 354 off Rouggen Road be changed to Lake Road #354

NOTICE OF HEARING FOR PROPOSED NAME CHANGE FOR COUNTY OR TOWNSHIP ROAD

Revised Code Sec. 5541.04

To Constance Amos, F.O., Flushing Township Trustees, 329 High St., Box 438, Flushing, OH 43977; Mary Lou Barricklow, F.O., 65000 Barnes-Hendrysburg Rd., Barnesville, OH 43713

You are hereby notified that the 18th day of October, 2006, at 11:30 o'clock A. M., has been fixed as the date, and the office of the Commissioners, in the Courthouse, St. Clairsville, Ohio, as the place where the Commissioners will act on the above stated matter.

By order of the Belmont County Commissioners.

Jayne Long /s/
Assistant Clerk of the Board

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Longshaw	Yes
Mr. Probst	Absent

IN THE MATTER OF PROPOSED ROAD NAME CHANGE } **{Bel. Co. Commissioners**
TWP. RD. 305 TO BARTONVIEW LANE } **{Court House**
COLERAIN TOWNSHIP SEC 24, T-6, R-3 AND } **{St. Clairsville, OH 43950**
TWP. RD. 1111 TO RILEY ROAD } **{Date October 4, 2006**
COLERAIN TOWNSHIP SEC 30, T-6-R-3 }

Motion made by Mr. Thomas, seconded by Mr. Longshaw to authorize the Assistant Clerk to set the date and time for a hearing for the proposed road name change for Colerain Township Road 305, Section 24, T-6, R-3 and Colerain Township Road 1111, Section 30, T-6, R-3, requested by the Colerain Township Trustees and as recommended by the Belmont County Engineer, pursuant to O.R.C. 5541.04.

Note: The Colerain Township Trustees are requesting Twp. Rd. 305 be changed to Bartonview Lane and that Twp. Rd. 1111 be changed to Riley Road. These 2 roads have never been officially named or recorded.

**NOTICE OF HEARING FOR
PROPOSED NAME CHANGE FOR
COUNTY OR TOWNSHIP ROAD
Revised Code Sec. 5541.04**

---****---

To William Nagel, F.O., Colerain Township Trustees, 53979 Colerain Pike, Martins Ferry, OH 43935.

You are hereby notified that the 18th day of October 2006, at 11:15 o'clock A. M., has been fixed as the date, and the office of the Commissioners, in the Courthouse, St. Clairsville, Ohio, as the place where the Commissioners will act on the above stated matter.

By order of the Belmont County Commissioners.

Jayne Long /s/
Assistant Clerk of the Board

Upon roll call the vote was as follows:

Mr. Thomas Yes
Mr. Longshaw Yes
Mr. Probst Absent

**IN THE MATTER OF APPROVING APPLICATION FOR
USE OF MUNICIPAL STREET FUNDS/VILLAGE OF BETHESDA**

Motion made by Mr. Thomas seconded by Mr. Longshaw to approve the Village of Bethesda's application in accordance with O.R.C. Section 4504.04 for the use of Municipal Street Fund/Vehicle License Tax in the amount of \$18,941.50, based upon the recommendation of Belmont County Engineer, Fred Bennett, for proposed improvements to the following:

Main Street

The estimated cost will be \$18,941.50 all of which is from the vehicle license tax fund.

Upon roll call the vote was as follows:

Mr. Thomas Yes
Mr. Longshaw Yes
Mr. Probst Absent

**Note: Commissioner Probst arrived at 10:58 a.m.*

**IN THE MATTER OF ENTERING RENEWAL OF AGREEMENT
WITH BELMONT TECHNICAL COLLEGE ON BEHALF OF BCDJFS
FOR THE DAYCARE TRAINING PROGRAM**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to enter into renewal of Agreement with Belmont Technical College, on behalf of Belmont County Department of Job and Family Services, for the Daycare Training Program in an amount not to exceed \$2,800.00, effective October 5, 2006 through May 30, 2007.

**BELMONT COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES
AGREEMENT**

This agreement is made and entered into on this 14th day of September, 2006, by and between the Belmont County Department of Job and Family Services (hereinafter referred to as the Department) and Belmont Technical College doing business at 120 Fox-Shannon Place, St. Clairsville, OH 43950 (hereinafter referred to as the Provider).

PURPOSE

Subject to the terms and conditions set forth in this Agreement and the attached Exhibit (such exhibit is deemed to be a part of this Agreement as fully as it is set forth herein), the Department agrees to purchase and the Provider agrees to deliver those services as described in said Exhibit for the Daycare Training Program.

AGREEMENT PERIOD

This Agreement will be effective from October 5, 2006 through May 30, 2007, unless otherwise terminated.

COST

Cost to the Department for services provided shall not exceed \$2,800.00 (two thousand eight hundred dollars) within the Agreement period.

PAYMENT FOR SERVICES

The Provider shall submit itemized invoices detailing services provided. Invoices must be received before the tenth of the month in order for the Provider to receive payment in that month with the exception of the month of December when the County Auditor requires that invoices be submitted by the third of December or sooner if the third falls on a weekend. Department will provide reimbursement within 30 days of receipt of billing or as soon as County Auditor processes payment. Payment for all services provided in accordance with the provisions of this agreement is contingent upon the availability of Federal and State funds.

CIVIL RIGHTS

Department and Provider agree that as a condition of this Agreement, there shall be no discrimination against any individual because of race, color, sex, religion, national origin, or any other factor as specified in Title VI of the Civil Rights Act of 1964 and subsequent amendments. It is further agreed that the Provider will comply with all subsequent amendments. It is further agreed that the Provider will comply with all appropriate federal and state laws regarding such discrimination and the right to any method of appeal will be made available to all persons served under this Agreement.

TERMINATION

In the event that the Provider does not faithfully and promptly perform his/her responsibilities and obligations under this Agreement, as determined by the Department, the Department may terminate the Agreement by providing the Provider with written notice 30 days in advance of the termination date.

In the event that the Department does not faithfully and promptly perform its responsibilities and obligations under this Agreement, the Provider may terminate the Agreement by providing the Department with written notice 30 days in advance of the termination date.

AMENDMENT OF CONTRACT

This Agreement may be amended at any time during the Agreement period by a written addendum signed by both parties.

CONFIDENTIALITY

To the extent provided by Ohio public records laws, the Provider agrees that the use or disclosure of any information concerning qualified recipients for any purpose not directly related to the delivery of purchased services is prohibited except upon written consent of the recipients or their guardians.

SIGNATURES

Dwayne D. Pielech /s/ 9-28-06
Dwayne D. Pielech, Director Date
Belmont County Department of Job and Family Services

Rebecca J. Kurtz, Ph.D /s/ 9-27-06
Date
Dr. Rebecca Kurtz
Vice President of Learning and Student Success

John S. Koucoumaris /s/ 9-21-06
John Koucoumaris Date
Vice President of Administrative Affairs

Kellie Loudin /s/ 9-26-06
Kellie Loudin Date
Associate Dean of Workforce Development
Mark A. Thomas /s/ 10-04-06
Belmont County Commissioner Date
Charles R. Probst, Jr. /s/ 10-04-06
Belmont County Commissioner Date
Gordie W. Longshaw /s/ 10-04-06
Belmont County Commissioner Date
Chris Berhalter /s/ 9-28-06
Belmont County Prosecutor

Upon roll call the vote was as follows:

Mr. Thomas Yes
Mr. Longshaw Yes
Mr. Probst Yes

IN THE MATTER OF APPOINTMENTS AND REAPPOINTMENTS TO THE WIA AREA 16 YOUTH COUNCIL FOR THE BCDJFS

Motion made by Mr. Thomas, seconded by Mr. Longshaw to make the following appointments and reappointments to the WIA Area 16 Youth Council for the Belmont County Department of Job and Family Services, effective immediately through June 30, 2008.

Appointments:

Mike Schlantz, BCDJFS

Reappointments:

Susan Stobbs, CAC of Belmont County
James Bittengle, Belmont Co. Education Service Center
John LaRoche, BCDJFS

Upon roll call the vote was as follows:

Mr. Thomas Yes
Mr. Longshaw Yes
Mr. Probst Yes

IN THE MATTER OF APPOINTMENTS TO THE AREA 16 WORKFORCE INVESTMENT BOARD FOR THE BCDJFS

Motion made by Mr. Thomas, seconded by Mr. Longshaw to make the following appointments to the Area 16 Workforce Investment Board for the Belmont County Department of Job and Family Services, effective immediately through June 30, 2008:

- 1. Franklin Shaffer, President**
United Food and Commercial Workers #23
Bellaire, OH 43906
- 2. Barb Godwin, Owner**
MOS, Bellaire, OH 43906
- 3. Larry Merry, Director**
Belmont County Port Authority
- 4. Eva Lunder, Director**
Belmont County Economic Development Office
- 5. Jack Cera, Administrator**
Belmont County Workforce Investment Programs
St. Clairsville, OH 43950
- 6. Doug Longenette, Vice President**
United Dairy
Martins Ferry, OH 43935
- 7. Beth Brill, Administrator**
Barnesville Community Hospital
Barnesville, OH 43713
- 8. Carol Campbell, Manager**
East Ohio Regional Hospital
Martins Ferry, OH 43935
- 9. Charles Howard**
Ohio Department of Job and Family Services
Columbus, Ohio 43213

Upon roll call the vote was as follows:

Mr. Thomas Yes
Mr. Longshaw Yes

Mr. Probst Yes

IN THE MATTER OF APPROVING PURCHASE OF FOUR (4) PORTABLE RADIOS FOR BELMONT COUNTY 911

Motion made by Mr. Thomas, seconded by Mr. Longshaw to approve the purchase of four (4) portable radios from Staley Communications for the Belmont County 911 at a cost of \$13,478.00 to be paid from the 911 Fund, as approved by the Belmont County 911 Board.

Upon roll call the vote was as follows:

Mr. Thomas Yes
 Mr. Longshaw Yes
 Mr. Probst Yes

IN THE MATTER OF APPOINTMENTS TO THE BELMONT CO. 911 BOARD

Motion made by Mr. Thomas, seconded by Mr. Longshaw, to make the following appointments to the Belmont County 911 Board effective immediately, based upon the recommendation of the Belmont County Mayors' Association, to fill the unexpired terms of Mayor Beverly Bargar and Mayor Lloyd Shrodes.

- Mayor Les Douglas, Martins Ferry-Expires December 31, 2006 (Shrodes)
- Mayor Mark McVey, Powhatan Point-Expires December 31, 2009 (Bargar)

Upon roll call the vote was as follows:

Mr. Thomas Yes
 Mr. Longshaw Yes
 Mr. Probst Yes

IN THE MATTER OF APPROVING AN UPDATE TO THE "BASIC PLAN" FOR BELMONT CO. EMERGENCY OPERATIONS CENTER

Motion made by Mr. Thomas, seconded by Mr. Longshaw to approve an update to the "Basic Plan" for the Belmont County Emergency Operations Center to include the following information under Section C.

C. Interjurisdictional Relationships:

8. *Belmont County and its political jurisdictions will utilize the processes, guides, protocols and procedures prescribed in the National Incident Management System (NIMS). The NIMS standardizes incident management for all hazards, regardless of scale or capability of the incident, across all levels of government. The NIMS structure is based on the Incident Command System (ICS) and the Unified Command System (UCS) for the command and management of emergency responses.*

Note: The purpose of the Emergency Operations Plan is to predetermine, to the extent possible, actions to be taken by the governmental jurisdictions of Belmont County to prevent avoidable disasters and respond quickly and adequately to emergencies in order to protect the lives and property of the residents of Belmont County.

BASIC PLAN

1. PURPOSE

The purpose of this Emergency Operations Plan is to predetermine, to the extent possible, actions to be taken by the governmental jurisdictions of Belmont County to prevent avoidable disasters and respond quickly and adequately to emergencies in order to protect the lives and property of the residents of Belmont County.

2. SITUATION AND ASSUMPTIONS

A. Situation

1. Belmont County is located in the southeast quadrant of the state. It is bounded by Harrison and Jefferson Counties to the north, the Ohio River to the east, Monroe County to the south and Guernsey and Noble Counties to the west.
2. According to the 2000 Census estimate, the population of Belmont County is 70,226. The Highest concentration of residents live in the cities of St. Clairsville, Bellaire, and Martins Ferry.
3. The County's industrial/manufacturing base includes publishing and printing, paving products, stone and gravel, limestone quarrying, machining, metal stamping and fabrication, tin plating, iron casting foundaries, construction materials, stone cutting, glassware, lumber, corrugated packaging, feed and grain, clothing, fireworks, strip and deep coal mines and dairy.
4. Interstates 70 and 470 passes east/west through the County. Major routes also include U.S. 40 and 250. State Routes include 800, 148, 379, 265, 147, 331, 149, 9, 647, 7 and 872. Rail lines border the Ohio River and also run east/west through the County. The Ohio River borders the entire eastern edge of County. Three small airports are located in the County (Howell, Bradfield, and Alderman).
5. High-risk hazards most likely to affect the residents of Belmont County, as identified by the Hazard Identification presented in the introductory portions of this EOP and by NAPB (Nuclear Attack Planning Brochure) are the following: floods, winter storms, tornadoes, and hazardous material releases on highways and at facilities.

The following are estimates of the population at risk in Belmont County for the identified High-risk hazards:

Hazard	Population at risk
a. Floods	30,000
b. Winter Storms	all
c. Tornadoes	37,000
d. Hazardous Materials (waterway/railway/roadway)	30,000
e. Hazardous Materials (facilities)	30,000

BP TO BEL CO EOP

BP-1

9/2006

A. Interjurisdictional Relationships

1. The Chief Executive Officers of each jurisdiction within Belmont County are ultimately responsible for protecting lives and property in an emergency or a disaster situation within their jurisdictions. Should there be an occurrence that affects only one jurisdiction within the county, emergency operations will take place under that jurisdiction's direction and control with the county-wide agency supporting the operation through augmentation of manpower, equipment and materials.
2. Should there be an occurrence that effects 2 or more jurisdictions within the county, emergency operations will take place under each jurisdiction's direction & control with the county wide agency coordinating the operation and managing resources for the affected areas.

Section #1. Purpose. The Port Authority and its staff agrees to perform work for the Board using their expertise as Economic Developers. The nature of the work is centered around retention and expansion of the Belmont County, Ohio businesses through offering advice and indicating different opportunities to local businesses. The Authority will also advocate and advise companies outside of Belmont County, Ohio to relocate their businesses to and in Belmont County, Ohio. This advice to companies will be based on known advantages of the Belmont County, Ohio. The Port Authority and its staff will also determine options for relocating companies, in regard to financing and grants.

Section #2. Duration. This Contract shall be effective from September 1, 2006 to December 31, 2006, inclusive, or the date relevant pursuant to section 10 below, whichever date occurs first.

Section #3. Consideration. For the work defined in this Contract, the Board will charge back BCDJFS for their share of the contract expenses after the work is performed. The Board shall submit an invoice for each cost to BCDJFS. In the event within agreement is terminated, then the Board, on behalf of the Port Authority shall be paid only for work performed, to the date of termination.

Section #4. Income Verification Form. In utilizing TANF funding, this program is designed to primarily help the Belmont County, Ohio population under 300% of the FPG. The Port Authority will verify this group through an "Income Verification Form" to be completed by every retained local employee or new hire created in Belmont County, Ohio from the direct or indirect assistance of the Port Authority. The Income Verification Form will be forwarded to BCDJFS for monitoring and audit purposes. Such information will be viewed as extremely confidential material and shall be the exclusive property of BCDJFS. The Port Authority and its staff and the Board shall not disclose any information without prior written consent of BCDJFS.

Section #5. Conflict of Interest. Neither the Board or the Port Authority and its staff, nor any member of their immediate family, nor any business entity in which they have an ownership interest and/or employment or agency relationship, a member of their immediate family has an ownership interest or employment or agency relationship, or in which they are employed or have a controlling position, shall receive any benefit whatsoever, from businesses with which they have become engaged through their obligations under within Contract. Neither the Board or the Port Authority, nor any member of their immediate family, nor any related business entity, being one in which they have an ownership interest or employment or agency relationship, a member of their immediate family has an ownership interest or employment or agency relationship, or in which they are employed or have a controlling position, shall receive any benefit of any kind or anything of value, except for consideration stated herein for or as a result of their Economic Development work under within Contract.

Section #6. Liability Insurance. As an expressed condition precedent to the execution of within Contract, the Port Authority, being in a contracted position, agrees to accept and continually maintain a public liability insurance policy with minimum limits of \$1,000,000.00 with a public liability carrier licensed to do business in the State of Ohio, paid by BCDJFS.

Section #7. Reporting requirements; prior ratification of media statements; provision of legal documents. The Port Authority shall directly report to the Board. The Board shall outline for the Authority and its staff available benefits and other county resources to assist with economic development. In addition to the monthly reports to the Board, the Authority will meet with the Board on a regular basis to evaluate their performance and receive a complete summary from them of the businesses contacted, businesses being solicited, barriers that need to be overcome, attended and upcoming trade shows or seminars pertinent to the position, recommendations, and any other items deemed necessary for discussion. The Port Authority shall submit a written report to the Board a minimum of once per calendar month. The report shall consist of businesses they are currently working with inside and outside of Belmont County, Ohio, any and all pertinent information that involves the Board in a potential decision, and information requested by the Board. This report may contain confidential information and this should be communicated to the Board when confidential information is included in the report. The report shall be the exclusive property of BCDJFS and the Board.

The Port Authority shall provide the Board any news releases for review before the news releases are disseminated to the media. If a response to delay publication is received from a majority of the Board, in a reasonable period of time, then the Port Authority may not disseminate said news release until the majority of the Board ratifies the content.

The Port Authority shall provide the County with all agreements and legal documents. They have no authority to act as the County's agent in entering into agreements of any kind, without the express consent of a majority of the Board.

Section #9. Proprietary information and contacts. Upon termination of within contract, the Port Authority agrees not to use any contacts in the companies located in Belmont County, Ohio or expanded in Belmont County, Ohio for other economic development purposes in any manner whatsoever.

Section #10. Termination of Contract. This Contract may be immediately terminated on the basis of adverse findings of an audit or at any time upon a thirty (30) day written notice to the other party of its intention to terminate. In addition, the Contract shall be terminated immediately for breach of this Contract, malfeasance, misfeasance, or misconduct, determined by the Board and the County Prosecutor.

Section #11. Indemnification by Consultant. The Port Authority agrees to indemnify BCDJFS and the Board, against all claims, damages, losses, and expenses, including reasonable attorney fees, arising out of performance of their work, that are caused in whole or in part by the Port Authority's act or omission.

Section #12. Non-Discrimination. BCDJFS, Board, and the Port Authority agree that as a condition of this contract, there shall be no discrimination against any participants because of race, color, age, religion, sex, national origin, handicap, political affiliation, belief, or any other factor as specified in Title VI of the Civil Rights Act of 1964, the Rehabilitation Act of 1973 and subsequent amendments. It is further agreed that the Recipient and Provider will comply with all appropriate federal and state laws regarding such discrimination and the right to appeal, with the method of appeal being made available to all persons under this contract that report a discrimination occurrence. Any agency found not to be in compliance with this paragraph may be subject to investigation by the Office of Civil Rights of the Department of Health and Human Services and possible termination of this agreement.

Section #13. Confidentiality. The Port Authority agrees to maintain strict confidentiality of all information of the Economic Development & Grant Writing Programs. Breach of confidential information will result in termination among any other available legal remedies.

Section #14. Non-Assignment. The parties and responsibilities of this Contract are considered personal and material to the individuals identified below, and therefore cannot be assigned and/or delegated to anyone other than the individuals identified below.

Section #15. Jurisdiction; Applicable law; Venue. This contract shall be construed under and in accordance with the laws of the State of Ohio and the United States of America and all obligations of the parties created thereunder are justiciable in Belmont County, Ohio and shall be litigated in Belmont County, Ohio.

Section #16. Severability. In case any one or more of the provisions contained in this contract shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision thereof and this contract shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein. All rights and remedies of the BELMONT COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES under this contract shall be cumulative and none shall exclude any other right or remedy at law. Such rights and remedies may be exercised and enforced concurrently and whenever and as often as occasion therefore arises.

Section #17. Amendment or Modification; Waiver. No amendment, modification or alteration of the terms hereof shall be binding unless the same be in writing, dated subsequent to the date hereof, and duly executed by the parties hereto with the same formality as this contract. The forbearance and/or failure of the Belmont COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES to insist upon strict performance of any of the provisions of this Contract will not be construed as a waiver of any subsequent default of the same or similar nature.

Section #18. Consideration. The parties acknowledge and affirm that the consideration for this contract is the exchange of promises and commitments herein made, and that such consideration is valuable and adequate.

Section #19. Potential partial invalidity. If any provision of this Contract is held to be invalid or unenforceable, all other provisions will nevertheless continue in full force and effect.

Section #20. Entire agreement contained in this writing. This Contract contains the entire understanding of the parties and there are no representations, warranties, covenants, or undertakings other than those expressly set forth herein.

Section #21. Compliance. Consultant shall comply with all written standards or procurement and acquisition that govern all purchases of services, supplies, and equipment. All activities are to be performed in accordance with applicable state law and regulations including all the requirements of the ODJFS Administrative Procedure Manual, and applicable federal law and regulations including 7 CFR 3016.36 applicable

to expenditure of food and nutrition services, 29 CFR 95 to not for profit organizations expending Department of Labor (DOL) funds, 29 CFR 97 applicable to governments expending DOL funds, 45 CFR 74 to not for profit organizations expending health and human services (HHS) funds, and 45 CFR 92 applicable to government expending HHS funds, and OMB Circulars A-87, A-102, and A-133.

Section #22. Evaluation and Monitoring. In an effort to ensure such compliance, BCDJFS staff representative will schedule routine, on-site visits with the Economic Development Program to review program files, application processing, purchasing activities, and all bookkeeping methods and reconciliations. These visits will be scheduled no less than on a quarterly basis, but may be scheduled more frequently as the need might indicate.

Section #23. Availability of Funds. This contract is contingent upon the availability of federal, state, or local funds appropriated or allocated for payment of this contract. If funds are not allocated and available for the continuance of the products or services provided by the Port Authority, BCDJFS may terminate the products or services provided by the Board and the Port Authority at the end of the period for which funds are available. BCDJFS will notify the Board and the Port Authority at the earliest possible time any of the products or services are affected by a shortage of funds. No penalty shall accrue to BCDJFS in the event this provision of the contract is exercised, and BCDJFS shall not be obligated or liable for any future payments due or for any damages resulting from termination under this provision.

In witness of this contract upon these terms and conditions, the undersigned BELMONT COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES, THE BELMONT COUNTY BOARD OF COMMISSION, ON BEHALF OF THE PORT AUTHORITY, hereto execute this contract.

Signed and acknowledged this 4th day of October 2006: **BELMONT COUNTY BOARD OF COMMISSION**

Charles R. Probst, Jr. /s/

by: Charles R. Probst

Gordie W. Longshaw /s/

by: Gordie Longshaw

Mark A. Thomas /s/

by: Mark A. Thomas

Signed and acknowledged this 21st day of September 2006: **BELMONT COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES**

Dwayne Pielech /s/

by: Dwayne Pielech

Signed and acknowledged this 21st day of September 2006: **BELMONT COUNTY PORT AUTHORITY**

Martin R. Gould /s/

By: Marty Gould, Chairman

Approved to Form:

Chris Berhalter /s/

Chris Berhalter, Prosecuting Attorney

Upon roll call the vote was as follows:

Mr. Thomas Yes
Mr. Longshaw Yes
Mr. Probst Yes

IN THE MATTER OF APPROVING PAYMENT OF INVOICE #10436 TO CMG ARCHITECTS AND ENGINEERS, LLP/ BELMONT CO. EMERGENCY OPERATIONS CENTER BUILDING EXPANSION PROJECT

Motion made by Mr. Thomas, seconded by Mr. Longshaw to approve payment of Invoice #10436 for CMG Architects and Engineers, LLP for Architect/Engineering fees for the period of 8/1/06 thru 8/31/06 for the Belmont County Emergency Operations Center Building Expansion Project.

Upon roll call the vote was as follows:

Mr. Thomas Yes
Mr. Longshaw Yes
Mr. Probst Yes

IN THE MATTER OF APPROVING MINUTES OF REGULAR BOARD OF COMMISSIONERS MEETING

Motion made by Mr. Thomas, seconded by Mr. Longshaw to approve the minutes of the Belmont County Board of Commissioners regular meeting of: September 13, 2006.

Upon roll call the vote was as follows:

Mr. Thomas Yes
Mr. Longshaw Yes
Mr. Probst Yes

OPEN PUBLIC FORUM – Helen Stanford was present to request a records commission meeting. Commissioner Probst advised that in the near future the Department of Job & Family Services will donate scanning machines to put county records on disc. Ms. Stanford asked if it was safe to put up a mailbox at the Mediterranean Building. Commissioner Probst stated that would be up to her group or organization to take care of that. It is unknown how long records will be stored there. Commissioner Probst reminded Ms. Stanford that back in March he suggested building a new building for approximately \$40,000.00 to \$45,000.00 instead of spending \$65,000.00 on repairing the Mediterranean, which has no fire protection, no fire suppression system, and no running water. “We want to take care of you and the county records, but I don’t want to see us putting that kind of money in that type of building, whenever we could build something new,” advised Commissioner Probst. Commissioner Probst said Ms. Stanford came to the Commissioners quite a while ago and offered to volunteer her services to clean some county records. She started out at the Annex and when that building was condemned, the Commissioners moved her to the Mediterranean Building at her request. Commissioner Probst made a strong point that the county did not budget for her organization. They have tried to accommodate her various requests, by working on the heating and using county workers to help out, but it was never planned to budget her offer to donate her services. There is no extra money at the present time for this project. The time volunteered and efforts spent by Ms. Stanford are much appreciated by the Commissioners. Commissioner Thomas noted that the Mediterranean at this point is serving a great purpose, though long-term it is unsure. He reiterated that money is tighter than it has ever been in Belmont County.

11:15 Agenda Item: Subdivision Hearing-Highland Park Estates, Phase III, Colerain Twp.

**IN THE MATTER OF FINAL PLAT APPROVAL
FOR HIGHLAND PARK ESTATES – PHASE III
COLERAIN TOWNSHIP SECS 13 & 19, T-7, R-3**

“Hearing Had-11:15 A.M.”

Present for this hearing was Ruth Graham, Engineer’s Drafting Technician and Eric Ayres of The Times Leader. Mrs. Graham advised that they are adding lots to existing subdivision with Health Department approval and no objections from Colerain Township Trustees.

“FINAL PLAT APPROVAL”

O.R.C. 711.05

Motion made by Mr. Thomas to grant the final plat for the following:

RESOLUTION

WHEREAS, this day there was presented to the Board for approval the Final Plat for Highland Park Estates-Phase III, Colerain Township Secs 13 & 19, T-7, R-3, which appears to be regular in form and approved by the proper parties;

THEREFORE, said plat is hereby approved, upon recommendation of the County Engineer and with concurrence of the Township Trustees.

Mr. Longshaw seconded the motion and upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Longshaw	Yes
Mr. Probst	Yes

BREAK 11:24 a.m.

11:30 Agenda Item: Dr. Troy Balgo, Belmont County Coroner

Re: Various requests

Dr. Troy Balgo, Belmont County Coroner, along with Jack Morgan, Coroner Investigator, was present to discuss various issues concerning their need for a transport vehicle and office space. Mr. Morgan has been using his own vehicle for transports including when autopsies are needed and it is necessary for the body to be taken to Licking County and back. Once the Coroner’s Office is called to a death scene, the body is their responsibility until an autopsy is done and local Emergency Squads cannot transport. Commissioners will check into the possibility of purchasing a used vehicle and if there are specific vehicle requirements.

The Coroner’s Office has no official office space. Dr. Balgo uses his private practice office or handles his duties on the road. Space will soon be needed for new electronically issued death certificates and for equipment and storage needed for disaster preparation. Board members advised of the availability of the second floor of the Port Authority office on Newell Avenue along with a basement that could be utilized for storage.

IN THE MATTER OF ADJOURNING
COMMISSIONERS MEETING AT 11:53 A.M.

Motion made by Mr. Probst, seconded by Mr. Longshaw to adjourn the meeting at 11:53 a.m.

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Longshaw	Yes
Mr. Thomas	Yes

Read, approved and signed this 11th day of October, 2006.

COUNTY COMMISSIONERS

We, Charles R. Probst, Jr., and Jayne Long, President and Assistant Clerk respectively of the Board of Commissioners of Belmont County, Ohio, do hereby certify the foregoing minutes of the proceedings of said Board have been read, approved and signed as provided for by Sec. 305.11 of the Revised Code of Ohio.

PRESIDENT
ASSISTANT CLERK