

THE BOARD OF COUNTY COMMISSIONERS OF COLUMBIANA COUNTY, OHIO,
MET IN REGULAR SESSION IN THEIR OFFICE IN THE COURTHOUSE, LISBON, OHIO
ON WEDNESDAY, AUGUST 29, 2012 AT 9:00 A.M.

ROLL CALL: MR. HOPPEL, MR. PAYNE
EXCUSED: MR. HALLECK

CLERK: SCHERRY WILSON

PRAYER WAS GIVEN BY PAMELA GABLE

Columbiana County Commissioners
August 29, 2012
Opening Prayer

Father of creation and Father of us all, we pause on this beautiful day to thank you for the opportunities the summer has given us to be with family, to rest, to have moments of fun in our community. We thank you for the new things that lie ahead for all of us. We ask your protection and care of the children who have returned to school this week and your strength and patience for teachers and all school personnel who welcome them back! And as Labor Day approaches, Lord, we give you special thanks for the laboring men and women among us. We ask your blessings upon them and their families. And we also remember those in our County who remain unemployed, though they wish they could work. Care for them, Lord, and show us how we can each be helpful to them when there are needs that arise. Bless these Commissioners and their staff with all the resources they each need to do their jobs well. May Commissioners Hoppel, Payne, and Halleck and Ms. Wilson be blessed with health and strength, not today only, but through the days ahead. We pray in the name of your son Jesus, amen.

RE: MINUTES

Motion by Mr. Payne, seconded by, Mr. Hoppel to dispense with the reading of the minutes and the bills of the regular meeting of August 22, 2012 and approve them as written.

VOTE RESULTED:
AYES: HOPPEL, PAYNE
NAYES: NONE
MOTION CARRIED

RE: TRAVEL

NONE

RE: THEN & NOW BILLS

Motion by Mr. Payne, seconded by Mr. Hoppel to approve Then & Now's as presented:

JUVENILE	PO#454556	JUSTICE BENEFITS	\$6,694.60
EXACT 9-1-1	PO#454439	BRIDGESTONE	\$4,899.61
DRUG TASK	PO#454578	MOTOROLA CORP	\$6,573.60
DRUG TASK	PO#454581	MOTOROLA CORP	\$4,855.00
COMMISSIONERS	PO#454461	R&R PAVING	\$22,915.00
COMMISSIONERS	PO#454629	HUDSON GROUP	\$123,612.64

VOTE RESULTED:
 AYES: HOPPEL, PAYNE
 NAYES: NONE
 MOTION CARRIED

RE: AMENDED CERTIFICATE AND APPROPRIATIONS

Motion by Mr. Payne, seconded by Mr. Hoppel to; accept as presented by the Office of Budget Commission the Amended Certificate dated August 29, 2012 and the following appropriations:

CERTIFY:

A00-S01	\$3,195,625.04	A00-M01	\$4,500.00
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APPROPRIATE:

A00-S01-E-1457	\$1,695,625.04	A00-S01-E-1326	\$1,500,000.00
C01-E-1009	\$200,000.00	M01-E-0002	\$8,300.00
M01-E-0008	\$2,500.00	M01-E-0010	\$6,600.00
M01-E-0020	\$600.00	S10-E-1009	\$750,000.00
S10-E-1450	\$20,000.00		

VOTE RESULTED:
 AYES: HOPPEL, PAYNE
 NAYES: NONE
 MOTION CARRIED

Commissioner Payne announced that the Second Harvest Food Bank received a check for \$17,000.00 from Ohio Department of Development to go towards an extra truck to delivery to Hanover and Franklin Townships.

RE: DONATE FIRE EXTINGUISHERS TO VILLAGE OF NEW WATERFORD

Motion by Mr. Payne, seconded by Mr. Hoppel to; donate six fire extinguishers from the old Job and Family Services Building to the Village of New Waterford.

VOTE RESULTED:
AYES: HOPPEL, PAYNE
NAYES: NONE
MOTION CARRIED

RE: DONATE EMERGENCY RESPONSE VEHICLE EAST LIVERPOOL FIRE DEPARTMENT

Motion by Mr. Payne, seconded by Mr. Hoppel to; donate the Emergency Response Vehicle to the East Liverpool Fire Department for use as a HAZMAT vehicle. Homeland Security Advisory Committee requested the following stipulations to the donation:

1. If the IRV is not fully operational within one year of the fire department getting their HAZMAT certification, the ELFD will relinquish the IRV back to the CCEMA.
2. If the HAZMAT team disbands, the IRV will be relinquished to the CCEMA.
3. If the IRV is needed in other areas of the county for emergencies, and is not already being used, it must respond to the scene.

VOTE RESULTED:
AYES: HOPPEL, PAYNE
NAYES: NONE
MOTION CARRIED

RE: ESTABLISH NEW FUND N70 RESERVE BALANCE CAPITAL PROJECTS #2

Motion by Mr. Payne, seconded by Mr. Hoppel to; establish a new fund, N70 Reserve Balance Fund Capital Projects #2.

VOTE RESULTED:
AYES: HOPPEL, PAYNE
NAYES: NONE
MOTION CARRIED

RE: FUND TRANSFER A00-S01-E-1457 TO N70-N70-R-0600

Motion by Mr. Payne, seconded by Mr. Hoppel to; approve a Fund Transfer from A00-S01-E-1457 to N70-N70-R-0600 in the amount of \$1,695,625.04.

VOTE RESULTED:
AYES: HOPPEL, PAYNE
NAYES: NONE
MOTION CARRIED

RE: ADOPT RESOLUTION #36-2012 CAPITAL PROJECTS FUND

Motion by Mr. Payne, seconded by Mr. Hoppel to; adopt Resolution #36-2012 establishing a capital projects fund for the accumulation of resources for the acquisition, construction, or improvement of fixed assets of the county.

RESOLUTION NO. 36-2012

RESOLUTION ESTABLISHING A CAPITAL PROJECTS FUND FOR THE ACCUMULATION OF RESOURCES FOR THE ACQUISITION, CONSTRUCTION, OR IMPROVEMENT OF FIXED ASSETS OF THE COUNTY.

OHIO REVISED CODE SECTION 5705.13(C)

The Board of County Commissioners of Columbiana County, Ohio, met in regular session on the 29th day of August, 2012, at the office of the Board with the following members present:

Commissioner HOPPEL
Commissioner PAYNE

Commissioner PAYNE moved the adoption of the following Resolution:

WHEREAS, Ohio Revised Code Section 5705.13(C) authorizes a taxing authority of a subdivision to establish a capital projects fund for the purpose of accumulating resources for the acquisition, construction or improvement of fixed assets of the subdivision;

WHEREAS, this Board anticipates a need for resources relating to the acquisition, construction, or improvement of fixed assets.

NOW THEREFORE, be it resolved by the Board of Commissioners of Columbiana County, Ohio, that:

Section 1. A capital projects fund shall be established for the purpose of accumulating resources for the acquisition, construction or improvement of fixed assets of the subdivision.

Section 2. Said capital projects fund shall be funded with \$1,695,625.04 with a transfer from the general fund, which amount is from a bonus payment relating to an oil & gas lease.

Section 3. Said capital projects fund may receive additional funds, at the discretion of the Board, for a period of time not to exceed that allowed by Ohio Revised

VOTE RESULTED:
AYES: HOPPEL, PAYNE
NAYES: NONE
MOTION CARRIED

RE: FUND TRANSFER S10-S10-E-1450 TO S07-S07-R-0600, BOARD OF DD

Motion by Mr. Payne, seconded by Mr. Hoppel to; approve a Fund Transfer from S10-S10-E-1450 to S07-S07-R-0600 in the amount of \$20,000.00.

VOTE RESULTED:
AYES: HOPPEL, PAYNE
NAYES: NONE
MOTION CARRIED

RE: INVESTMENT ADVISORY BOARD MEETING

Members present: Treasurer Nick Barborak, Tony Dattilio, Commissioner Hoppel, Commissioner Payne.

Treasurer Nick Barborak called the Investment Advisory Board Meeting to order.

Treasurer Nick Barborak distributed the daily balance sheet, the Quarterly Investment Portfolio Report and the Investment Summary thru June 30, 2012 to the Board.

Nick stated that the funds are safe and secure.

Treasurer Nick Barborak adjourned the meeting.

RE: APPROVE CONTRACT CSEA & CLERK OF COURTS

Motion by Mr. Payne, seconded by Mr. Hoppel to; approve the IV-D contract between the Columbiana County Child Support Enforcement Agency and the Columbiana County Clerk of Courts for the purchase of services for the effective administration of the support enforcement program including filing Judgment Entries on Columbiana County IV-D Cases. Contract term is October 1, 2012 through September 30, 2013. Ceiling amount is \$135,441.26. Funding source is Non-Federal Share (\$46,050.03) and FFP Reimbursement (\$89,391.23).

VOTE RESULTED:
AYES: HOPPEL, PAYNE
NAYES: NONE
MOTION CARRIED

RE: APPROVE CONTRACT CSEA & COMMON PLEAS

Motion by Mr. Payne, seconded by Mr. Hoppel to; approve the IV-D contract between the Columbiana County Child Support Enforcement Agency and the Columbiana County Court of Common Pleas for the purpose of providing Magistrate services to enforce all child support orders and to assure that all orders comply with applicable laws and regulations. Contract term is October 1, 2012 through September 30, 2013. Ceiling amount is \$114,874.77. Funding source is Non-Federal Share (\$39,057.42) and FFP Reimbursement (\$75,817.35).

VOTE RESULTED:
AYES: HOPPEL, PAYNE
NAYES: NONE
MOTION CARRIED

RE: APPROVE CONTRACT CSEA & JUVENILE COURT

Motion by Mr. Payne, seconded by Mr. Hoppel to; approve the IV-D contract between the Columbiana County Child Support Enforcement Agency and the Columbiana County Juvenile Court effective for the period from October 1, 2012 through September 30, 2013 for the purpose of providing Magistrate services to the Columbiana County Child Support Enforcement Agency. Services shall include paternity hearings, child support and medical order establishment, child support collections, and enforcement of child support and medical orders. Contract ceiling is \$295,457.34. Funding source is Non-Federal Share (\$100,455.49) and FFP Reimbursement (\$195,001.85).

VOTE RESULTED:
AYES: HOPPEL, PAYNE
NAYES: NONE
MOTION CARRIED

RE: APPROVE CONTRACT CSEA & PROSECUTING ATTORNEY

Motion by Mr. Payne, seconded by Mr. Hoppel to; approve the IV-D contract between the Columbiana County Child Support Enforcement Agency and the Columbiana County Prosecuting Attorney's Office for the purpose of providing legal services and representation on CSEA initiated IV-D cases. Legal services included in this contract have been expanded due to those services which were previously contracted privately being included herein. Contract term is October 1, 2012 through September 30, 2013. Contract ceiling is \$215,701.09. Funding source is Non-Federal Share (\$73,338.37) and FFP Reimbursement (\$142,362.72).

VOTE RESULTED:
AYES: HOPPEL, PAYNE
NAYES: NONE
MOTION CARRIED

Jim Kerr and Tom Butch presented the Board of Commissioners with the following Press Release:

Save Beaver Creek State Park
P. O. Box 2212
East Liverpool, Ohio 43920

PRESS RELEASE: For Immediate Release - August 29, 2012

CONTACT: Jim Kerr at 330/301-0019

About 25 people attended the third meeting of The Save Beaver Creek State Park Coalition on August 20th at St. Clair Township Community Building. State Representative Craig Newbold attended the meeting, and informed the group that he had contacted the Ohio Department of Natural Resources to express his concern about drilling and logging in Beaver Creek State Park. He read a letter from ODNR Director Jim Zehringer which stated there is no intention to drill or log within the State Park. According to the Zehringer letter, there will be no logging except for regular maintenance. Senator Schiavoni, our new senator as of January due to redistricting, has also contacted ODNR to express his support for our concerns.

ODNR lacks mineral rights to 1,200 acres of the 2,700 acre total. The identity of the owner is unknown and is being researched, as this owner could elect to drill in the park. If this occurs, ODNR stated it would negotiate aggressively to minimize adverse impacts from drilling

Jim Kerr and Tom Butch reported on their Columbus meeting with Glen Cobb, Chief of the Department of Parks and Recreation who had already spoken with State Representative Newbold and State Senator Schiavoni about the Coalition's concerns. Chief Cobb stated that there is no intention to drill or log within Beaver Creek

State Park at this time. If that changes he pledged to accept input from the Coalition. He said the Park will be leased for sub surface drilling. Jim Kerr presented him with 1,500 signed letters from area residents opposed to drilling and logging within the park.

The Save Beaver Creek State Park coalition decided to continue obtaining signed support letters from area residents for use if circumstances change in state government.

Tom Butch reported on water withdrawal concerns. Currently, a company can withdraw up to 100,000 gallons of water per day from any Ohio stream or river, without registering with the ODNR Division of Soil and Water Resources. There is no regulatory process in place. If a company wants to withdraw more than 100,000 gallons per day it must register with ODNR.

After discussion the group agreed to ask our State Representative Newbold and State Senator Schiavoni to introduce legislation that would place reasonable restrictions on water withdrawal from ODNR/US Dept. of the Interior designated Wild & Scenic River Systems, rivers and streams of exceptional water quality and species diversity, and rivers and streams that support significant recreational opportunities and/or agriculture. Little Beaver Creek is a state and federally designated Wild & Scenic river system and would fall in the first category of streams in the proposed legislation. The Coalition proposes that a commission be appointed to review and approve water withdrawal plans for those rivers and streams.

The next meeting was set for October 10, 2012 at 6 p.m. at the St. Clair Township Community building.

RE: APPROVE ROAD USE MAINTENANCE AGREEMENT CR 417

Motion by Mr. Payne, seconded by Mr. Hoppel to; approve a Road Use Maintenance Agreement between Columbiana County and Chesapeake Exploration, LLC, for 0.3 miles of Stookesberry Road (CR417).

VOTE RESULTED:
AYES: HOPPEL, PAYNE
NAYES: NONE
MOTION CARRIED

RE: APPROVE ROAD USE MAINTENANCE AGREEMENT CR 411

Motion by Mr. Payne, seconded by Mr. Hoppel to; approve a Road Use Maintenance Agreement between Columbiana County and Chesapeake Exploration, LLC, for 1.3 miles of Teegarden Road (CR411).

VOTE RESULTED:
AYES: HOPPEL, PAYNE
NAYES: NONE
MOTION CARRIED

RE: BID OPENING HOMEWORTH BRIDGE REPLACEMENT

Motion by Mr. Payne, seconded by Mr. Hoppel to; accept all bids for KNO-203-29 Main Street Homeworth Bridge Replacement. All bids were opened and referred to the County Engineer for recommendation.

Bid results:

1108,000.⁰⁰

Project: <u>KNO-203-29 / MAIN STREET</u>		BERT DAWSON PE, PS		Bid Date: <u>August 29, 2012</u>	
Work Item: <u>BRIDGE RELACEMENT</u>		COLUMBIANA COUNTY ENGINEER		Bid Time: <u>9:39 AM OHIO TIME</u>	
LISBON, OHIO					
BIDDER	BASE BID	ALTERNATE - BID	BONDING		
A. P. O'HORO COMPANY					
CRAIG EDWARD SUSANY, INC.	244,539.79				
DOT CONSTRUCTION CORP.	205,687.71				
JET EXCAVATING COMPANY	140,802.50				
L.E.B. CONTRACTING, INC.					
MARUCCI & GAFFNEY EXC.	144,675.98				
McCOY CONSTRUCTION, INC.	133,804.99				
SHELDON GANTT, INC.	129,391.29				
SHOOK BROTHERS	120,187.29				
STANLEY MILLER CONSTRUCTION					
SUBURBAN MAINTENANCE & CONSTRUCTION, INC.					
UTILITY CONTRACTING					

VOTE RESULTED:
AYES: HOPPEL, PAYNE
NAYES: NONE
MOTION CARRIED

RE: ADJOURN

Motion by Mr. Hoppel, seconded by Mr. Payne to adjourn the regular meeting of Wednesday August 29, 2012 and resume the next meeting on Wednesday, September 5, 2012 at 9:00 A.M. in the Board of Commissioners Meeting Room.

VOTE RESULTED:
AYES: HOPPEL, PAYNE
NAYES: NONE
MOTION CARRIED