

DECEMBER 13, 2008

At 9:00 a.m. the Gallia County Board of Commissioners met on this date for the purpose of approving the minutes of the previous meeting, transfers and appropriations, and approving the current bills. Commissioners present: Mr. David K. Smith, President; Mr. Justin L. Fallon, Vice-President and Mr. Howard J. "Joe" Foster, Member.

David Smith entertained a motion for approval of the December 6, 2007 minutes. Joe Foster made and David Smith seconded a motion of approval as written. Roll call: Mr. Smith, yea; Mr. Fallon, yea; Mr. Foster, yea.

TRAVELJob & Family Services

Shanda Cremeens, Debbie Belville, Terri Jividen, Columbus, 1/8/08, training

David Smith entertained a motion to approve the travel as requested. Joe Foster made and David Smith seconded. Roll call: Mr. Smith, yea; Mr. Foster, yea; Mr. Fallon, yea.

INVESTMENT REPORT

The Treasurer's office provided the October, 2007 investment report for review by the Commissioners. The report is on file in the Commissioner's office.

ANIMAL SHELTER REPORTS

Week ending December 9, 2007: adopted 4; euthanized 16

CONTRACT TO FURNISH EMERGENCY MANAGEMENT TO POLITICAL SUBDIVISIONS

David Smith entertained a motion to sign the approved contract presented by EMA director Mike Null. Joe Foster made and Justin Fallon seconded the motion. Roll call: Mr. Smith, yea; Mr. Fallon, yea; Mr. Foster, yea.

RESOLUTION TO ENTER INTO A WRITTEN AGREEMENT WITH OTHER POLITICAL SUBDIVISIONS TO ESTABLISH EMERGENCY MANAGEMENT SERVICES PURSUANT TO SECTION 307.5 OF THE OHIO REVISED CODE, AND TO CONTINUE TO PROVIDE SUPPORT AND FUNDING PURSUANT TO THE COUNTY AGREEMENT

WHEREAS, there now exists in the County of Gallia an Emergency Management organization pursuant to Chapter 5502.271 of the Ohio Revised Code; and
 WHEREAS, the General Assembly of the State of Ohio has enacted Amended Substitute H.B. No 131, which changed the name of the Disaster Services Agency to the Emergency Management Agency and made other changes in the Civil Defense Law; and
 WHEREAS, there now exists a need to include the terms of Civil Defense and Disaster Services under the title of Emergency Management; and
 WHEREAS, the coordination of emergency management activities within Gallia County, including measures and actions designated or undertaken to minimize the effects upon the population causes or which could be caused by natural, technological or man-made incidents, emergencies, disasters, or enemy attack, is of paramount importance to all of the local governments of the county; and
 WHEREAS, the Board of County Commissioners has been a participant in the Emergency Management Agency of Gallia County and has established the Emergency Management Agency of Gallia County; and
 WHEREAS, the Board of County Commissioners is authorized by Section 307.15 of the Ohio Revised Code to enter into a written contract with other political subdivisions of the county to provide County Emergency Management Services, and to provide financial support to the agency for the protection, health and safety of the citizens of Gallia County pursuant to the legislation and agreement pertaining thereto; now, therefore, upon motion of Commissioner
 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF GALLIA COUNTY, OHIO:
 Section 1. That the attached agreement with other political subdivisions of Gallia County to establish a county Emergency Management Agency is hereby approved.

RESOLUTION FOR SALARY INCREASES FOR 2008

Justin Fallon made the following motion:

To give county employees, under the employ of Gallia County as of 1/1/2008, except employees that have already received raises for 2008 or are under a collective bargaining agreement or having a certified exclusive representative under ORC 4117.1, a \$0.50 per hour raise effective the first pay in January, 2008.

For those departments outside of county general, if the allocation of raises to your

office/department employees depends on what is done by the County Commission, and if you have adequate funds available in your budget to cover the above approved raise, you may do so at your discretion at this time. Please be sure to consider the salary related line items, Worker's Comp., Medicare, PERs, when making this decision.

However, the ultimate decision regarding distribution of the above approved raises to all county employees, under both County General and other funds, is at the discretion of each elected official.

The amounts to be appropriated to department's salary line items for this raise as listed below. Total amount of this raise equals \$66,889.10 plus fringe benefits of \$10,334.36 for a grand total of \$77,223.46 for the County General Fund.

Joe Foster seconded this motion. Upon roll call votes were as follows: David Smith, yea; Justin Fallon, yea; Joe Foster, yea.

I, Barbara J. Umnoe, Clerk of the Board, do hereby certify that the above is a true and accurate copy of the resolution passed this 13th day of December 2007.

s/ David K. Smith, Pres.
s/ Justin L. Fallon, Vice-Pres.
s/ Howard Joe Foster, Commission Member

s/ Barbara J. Umnoe, Clerk of the Board

HEALTH INCENTIVE RESOLUTION

Justin Fallon moved and Joe Foster seconded a motion to approve the following 2008 Health Incentive resolution. Roll call votes: Mr. Smith, yea; Mr. Fallon, yea; Mr. Foster, yea.

WHEREAS, the Gallia County Commissioners find that certain County Employees are able to obtain Health/Hospital Insurance from another source outside the County; and

WHEREAS, the Gallia County Commissioners further find, if any employee obtains insurance from an outside source it would be a financial benefit to Gallia County; and

WHEREAS, the Gallia County Commissioners agree to offer a cash incentive of One Thousand Five Hundred Dollars (\$1,500.00) to employees who obtain Health/Hospital Insurance from another source outside the County, and are not receiving benefits from any County Health Insurance Program in any way (i.e., via Medical, Vision and/or Dental Health Insurance Coverage); and

WHEREAS, the Gallia County Commissioners further find that the Gallia County Engineer's Department, Gallia County Sheriff's Department, Gallia County EMS and the Gallia County Job & Family Services Department receive part funding from the County General Fund. The respective department heads from the Engineer's Office, Sheriff's Department, EMS Department and Jobs & Family Services Department have agreed to offer the same cash incentive of \$1,500 to their respective employees; and

WHEREAS, the Gallia County Commissioners further find that the Gallia County Health Department, Children's Service/Home Department, O. O. McIntyre Park District and the Guiding Hand School are governed by their own respective Boards. The respective Boards of the above stated departments will govern as to whether an employee in those agencies receives the cash incentive as described in this Resolution

NOW, THEREFORE, BE IT RESOLVED that any employee of a department for Gallia County that receives its funding from the County General Fund shall receive a One Thousand Five Hundred Dollar (\$1,500.00) cash incentive (prorated if less than a year) on the last payday of November 2008. This is subject to the amounts specified in respective collective bargaining agreements.

BE IT FURTHER RESOLVED, that any employee who obtains Health/Hospital Insurance from an outside source, and is not receiving benefits from any County Health Insurance Program in any way (i.e., via Medical, Vision and/or Dental Health Insurance Coverage), must sign a release stating that they have obtained Health/Hospital insurance from an outside source and agree to dismiss Gallia County from its obligation to provide said insurance.

BE IT FURTHER RESOLVED that, if, for any reason, any employee's outside insurance is terminated during 2008, the County will re-admit the employee to the County Plan, based upon the County's insurance company's approval.

BE IT FURTHER RESOLVED that, if any employee is re-admitted under the County's plan during 2008, or if employment is terminated for any reason during 2008, the employee will receive the cash incentive on a pro rata basis.

BE IT FURTHER RESOLVED that the cash incentive is offered only to employees who obtain Health/Hospital Insurance from another source outside the County, and are not receiving benefits from any County Health Insurance Program in any way (i.e., via Medical, Vision and/or Dental Health Insurance Coverage).

This resolution shall take effect upon it's signing this 13th day of December 2007.

GALLIA COUNTY COMMISSIONERS

s/ DAVID K. SMITH, PRES.

s/ JUSTIN L. FALLON, VICE-PRES.

s/ HOWARD JOE FOSTER, COMMISSION MEMBER

2007 FINAL SALES TAX REPORT

Karen Sprague, County Administrator, presented the Commission with the 2007 Final Sales Tax Report as following:

- Sales tax totals = \$4,066,236.01
- General Fund totals = \$3,253,221.94 (\$400,000 of this goes to EMS Fund)
- 911 Fund totals = \$813,014.01
- Total 2007 sales tax revenue is \$194,226.81 more than the 2006 sales tax revenue

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

The Governing Board of Commissioners, Gallia County, Ohio, met in regular session on the 13th day of December, 2007, at the office of Gallia County Commissioners with the following members present:

David K. Smith

Justin L. Fallon

Howard Joe Foster

Mr. Justin L. Fallon moved the adoption of the following Resolution:

Resolved, By the Governing Board of Commissioners, Gallia County, Ohio, in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, 2008; and

Whereas, The Budget Commission of Gallia 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 limitation; therefore, be it

Resolved, By the Governing Board of Commissioners Gallia 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

General Fund, Amount \$2,437,307.94, Inside 3.4

169 Board, \$1,133,735.53, Outside 1.8

SCHEDULE B

LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

169 Board voted on 11/4/03 continuous, 0.5 rate, \$314,926.15 yield of levy

169 Board voted on 11/4/03 continuous, 1.3 rate, \$818,809.38 yield of levy 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. Howard Joe Foster seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

Mr. David K. Smith, yea

Mr. Justin L. Fallon, yea

Mr. Howard Joe Foster, yea

3. Charge for the following will be \$10.00 per hour, with a minimum of one hour per callout:
 - Shall provide the services necessary to maintain the reliable operation of the system.
 - Shall be physically at the treatment works for a minimum of three non-consecutive days per week for at least one half hour per day.
 - Shall be available by phone during all periods of treatment works operation.

ARTICLE 2. The Contract Price

The Owner will pay the Sewer Operator for the total costs associated with the services outlined in Article 1 above as follows:

1. \$120.00 per Treatment Plant per month for all testing and reporting
2. \$10.00 per hour for any additional services needed, with a minimum of one hour per callout.

ARTICLE 3. Term of Agreement

This agreement shall be in effect from the date of signing thru December 31, 2008 and may be renewable upon the agreement of both parties.

ARTICLE 4. Contract

The executed contract documents shall consist of the following:

- a. This agreement
- b. Invitation for proposals
- c. Specifications
- d. Signed copy of proposal

This agreement, together with other documents enumerated in this Article 4, which said other documents are as fully a part of the Contract as if hereto attached or herein repeated, forms the Contract between the parties hereto. In the event that any provision in any component part of this Contract conflicts with any provision of any other component part, the provision of the component part first enumerated in this Article 3 shall govern, except as otherwise specifically stated.

IN WITNESS WHEREOF, the parties hereto have caused this AGREEMENT to be executed in one original copy on the day and year first above written.

SEWER OPERATOR:

OWNER:

s/ Glenn K. Soles, Jr.
Signature

s/ David K. Smith
Signature

Glenn K. Soles, Jr.
Typed/printed name

David K. Smith
Typed/printed name

Owner, Technical Assistant in Wastewater Management

President, Board of Gallia County

Title

Commissioners
Title

RIO GRANDE SIDEWALK PROJECT UPDATE

Karen Sprague, County Administrator, advised the Commission she had received confirmation from Rio Grande Village that they would provide the \$13,000 local match for the Sidewalk Project (2007 CDBG grant project) - \$20,000 of 2007 CDBG grant project for this project. It was also noted that ODOT has responded that they will not proceed with the project until notification from Ms. Sprague that the ERR has been released by ODOT-OHCP. Additional \$13,000 is due to construction inflation costs since the original project proposal April 2007.

REVIEW RECORD - B-F-07-025-1

**CERTIFICATION OF DETERMINATION OF SUBSEQUENT EXEMPTION
FOR A CATEGORICAL EXCLUSION PROJECT**

Karen Sprague presented the Commission with the paperwork for approval of the Environmental Review Record for the following project for which a certification of determination of subsequent exemption for a categorical exclusion project could be made:

- #2-Ohio Township – Street Improvement

David Smith entertained a motion to approve the forms as presented. Justin Fallon made and Joe Foster seconded that motion. Upon roll call votes were as follows: David K. Smith, yea; Justin L. Fallon, yea; Howard Joe Foster, yea.

All forms were signed by David K. Smith, as President of the Commission, and they are on file in the County's CDBG files.

FIBER OPTIC LINES

David Smith entertained a motion to send the following letter to Superintendent of GC Local Schools, Charla Evans. Justin Fallon made and Joe Foster seconded the motion. Roll call: Mr. Smith, yea; Mr. Fallon, yea; Mr. Foster, yea.

December 13, 2007

Charla Evans, Superintendent and
Gallia County Local School Board
230 Shawnee Lane
Gallipolis, OH 45631

Dear Superintendent Evans:

This letter is to inform you and your Board that the Gallia County Commissioners are interested in accepting your proposal of transferring your interest in the fiber optic lines that the schools acquired by grant around 1988. As a Board, we would like to clarify several items before agreeing to accept your offer.

- 1) Would there be any financial obligation for Gallia County in accepting the lines either that is still owed by the school board or costs that you would be asking us to incur?*
- 2) The County would also want to make sure that any easement or use of utility poles owned by Buckeye Rural Electric Corp. or AEP acquired by the school would be extended to the County?*

After these two issues are resolved, we would be willing to execute any necessary documents to facilitate the transfer of the fiber optic lines to Gallia County. Your offer of giving Gallia County the use of these fiber optic lines is a good start of reaching our goal to provide broad band computer access availability to aid in the further development of Gallia County.

Respectfully submitted,

David K. Smith, President
Gallia Co. Commissioners

RC&D APPOINTMENT

David Smith entertained a motion to re-appoint Joe Foster to the Ohio Valley Resource Conservation and Development board. Justin Fallon made and David Smith seconded the motion. Roll call: Mr. Smith, yea; Mr. Fallon, yea; Mr. Foster, abstained.

COMMUNITY IMPROVEMENT CORPORATION

Attending: David Wiseman, Robbie Jenkins, Evelyn Morrow, Tammi Brabham

CIC President David Wiseman stated that the CIC is asking for continued funding in the amount of \$50,000. David Smith informed those in attendance that we are working up the 2008 budget but felt that he could not support the \$50,000 request and added that, as a Commissioner, he values the progress being made. David Smith stated his position would be to take this under advisement and do the best possible with what we have to work with.

David Wiseman explained how important it is that the CIC receive funding support and without that support it will be difficult to continue as they have been. Joe Foster stated that he is not willing to make an amount commitment today and with that he stated that as a Commissioner, he will continue to be as supportive as possible. Robbie Jenkins stated that this is a volunteer organization and the funding support is heartwarming when the support does come. No action taken.

EMS DIRECTOR: LARRY BOYER

At 9:55 a.m., David Smith entertained a motion to move into executive session with EMS Director Larry Boyer to discuss contracts and legal issues. Justin Fallon made and Joe Foster seconded a motion for the executive session. Roll call votes: Mr. Smith, yea; Mr. Fallon, yea; Mr. Foster, yea. Returned to regular session at 10:05 a.m. No action taken in executive session.

JFS DIRECTOR

JFS Director Dana Glassburn presented a provider contract for Debbie Holmes, Type B provider, 1 Hickory Lane, Gallipolis, 740.446.2180, effective November 15, 2007 to June 30, 2008. Justin Fallon made and Joe Foster seconded. Roll call: Mr. Smith, yea; Mr. Foster, yea; Mr. Fallon, yea.

Director Glassburn made recommendation to the Commissioners for a promotion for employee Jamie Payne to Account Clerk 2 position #11006.0, effective December 17, 2007. David Smith entertained motion for the promotion based upon Mr. Glassburn's recommendation. Joe Foster made and David Smith seconded. Roll call: Mr. Smith, yea; Mr. Foster, yea; Mr. Fallon, yea.

Director Dana Glassburn made recommendation to the Commissioners for a promotion for employee Jennifer Easter to Account Clerk 1 position #21011.0, effective December 17, 2007. David Smith entertained a motion for the promotion based upon the recommendation of Director Glassburn. Justin Fallon made and David Smith seconded. Roll call: Mr. Smith, yea; Mr. Foster, yea; Mr. Fallon, yea.

LEAVE DONATION APPLICATION

David Smith entertained a motion to approve a donation of 1.98 hours of sick leave to Lynn Mingus for pay period 11/30/07 to 12/13/07 from Robert Kennison, both employees of the E-911 Center. Joe Foster made and David Smith seconded a motion of approval. Roll call: Mr. Smith, ye; Mr. Foster, yea; Mr. Fallon, yea.

**FINAL PERFORMANCE REPORT
FY 2006 STATE ARC GRANT (A-06-025-1)**

Tracy Winters presented the Commission with the Final Performance Report for the County's FY 2006 State ARC Grant (A-06-025-1) for the gas line project, which must be submitted to the Ohio Department of Development. David Smith entertained a motion that the Status Report be approved and signed as presented. Justin Fallon made and Joe Foster seconded that motion. Upon roll call votes were as follows: David Smith, yea; Justin Fallon, yea; Joe Foster, yea. The form is on file in the County's CDBG grant files.

EXTENSION SERVICE

David Smith entertained a motion of approval for him, as President, to sign an agreement for the Youth Development \$10,000 project approved thru partner GC Job and Family Services. Joe Foster made and Justin Fallon seconded. Roll call: Mr. Smith, yea; Mr. Foster, yea; Mr. Fallon, yea.

FRENCH ART COLONY

FAC Director Carrie Napora met to discuss funding for the French Art Colony regarding 2008 programming that she has planned. The Commissioners were given a description of the programs being planned. David Smith stated that the county general budget is being examined for 2008 and no contributions can be considered until that process is complete. No action taken.

QUOTE AWARD - COURTHOUSE WALL PAPER PROJECT

Karen Sprague presented the Commission with a quote from Quality Painting Co. of Galipolis, Ohio, for wallpaper work on the 1st and 3rd floors of the courthouse as follows:

- 1st Floor
 - 6 bolts of wallpaper @ \$116.70 = \$700.20
 - Size walls and hang 54" wallpaper = \$3,045.00
- 3rd Floor
 - 9 bolts of wallpaper @ \$116.70 = \$1,050.30
 - Size walls and hang 54" wallpaper = \$4,485.00
- 3rd Floor – Probation Office
 - 1 bolt of wallpaper @ \$116.70 = \$116.70
 - Size walls and hang 54" wallpaper = \$342.00

Total cost for entire project = \$9,739.20, 50% of 3rd floor and 100% of Probation Office will be paid by Common Pleas Court (\$3,226.35) so county general share will be \$6,512.85. David Clegg, County Building Superintendent, requested the quotes be obtained due to the current condition of the wallpaper in these areas (yellowing, peeling and torn).

David Smith entertained a motion to approve the quote award as requested in the amount of \$9,739.20 for the wallpaper work. Joe Foster made and David Smith seconded that motion. Upon roll call votes were as follows: David Smith, yea; Justin Fallon, yea; Joe Foster, yea.

RESOLUTION: GARBAGE COLLECTION RECEPTACLE GRANTS FOR TOWNSHIPS & VILLAGES

David Smith entertained a motion that the Commission adopt the following resolution to continue to assist townships and villages in Gallia County with garbage collection receptacles that will be monitored and maintained by the townships and villages in year 2008.

WHEREAS, the Board of Gallia County Commissioners has funds available in the County's Incinerator Fund which are approved for use in Gallia County for garbage related purposes; and

WHEREAS, various townships and villages in Gallia County have the need for assistance in monitoring and maintaining proper garbage collection receptacles for their communities.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Gallia County Commissioners as follows:

SECTION 1. Gallia County Commissioners will establish a grant program for fiscal year 2008 to assist townships and villages with garbage collection receptacles.

SECTION 2. This grant program will provide \$15,000.00 for fiscal year 2008 with a limit of \$5,000.00 per township or village.

SECTION 3. The grant program will be a 50/50 match on a reimbursement basis only (no grant funds will be distributed up front). Townships and villages will be reimbursed up to \$5,000 after providing proof (invoices and cancelled checks) that expenses have been made for garbage collection receptacles and/or disposal fees only.

SECTION 4. Townships and villages wishing to participate in this program are required to have a fenced in area for the garbage receptacles and they must also be responsible for monitoring and cleaning the area on an as needed basis.

SECTION 5. Townships and villages will be chosen for this grant program on a first request first serve basis until the total \$15,000.00 has been expended for fiscal year 2008. Townships and Villages must submit a letter of request stating their desire to participate in this program in writing no later than January 31, 2008.

This resolution shall take effect this 13th day of December, 2007.

Justin Fallon moved and Joe Foster seconded the motion to approve this resolution. Upon roll call votes were as follows: David K. Smith, yea; Justin L. Fallon, yea; Howard Joe Foster, yea.

s/ David K. Smith, Pres.

s/ Justin L. Fallon, Vice-Pres.

s/ Howard Joe Foster

APIARY INSPECTOR

Bob Steele, Gallia County Apiary Inspector, met with the Commission to discuss the contract for 2008. 333 hives were inspected in Gallia County from 27 apiaries during 2007 – they all looked however a few had a verona mite infestation that is treatable and Mr. Steele advised how to treat. Everything looks good for Gallia County apiaries and Mr. Steele is hoping for a few new younger apiaries to start up in the future. Commissioner Smith advised that the only change for 2008 would be the mileage reimbursement rate changing from \$0.30 per mile to \$0.40 per mile. David Smith entertained a motion to approve the 2008 contract with a limit of \$1,500. Joe Foster moved and Justin Fallon seconded the motion. Roll call votes: Mr. Smith, yea; Mr. Fallon, yea; Mr. Foster, yea.

EMPLOYEE CHRISTMAS LUNCHEON

At 11:30 a.m., the Commissioners recessed to attend the annual employee Christmas luncheon.

INDIGENT AGREEMENT

At 2:00 p.m., Attorney James Henry met to present a revised agreement. The agreement has not been signed off on by the GC Prosecutor's office. David Smith entertained motion to enter into the agreement pending the Prosecutor's approval by signature. Justin Fallon made and Joe Foster seconded the motion. Roll call: Mr. Smith, yea; Mr. Foster, yea; Mr. Fallon, yea.

EXECUTIVE SESSION

At 2:30 p.m., David Smith entertained a motion to move into executive session to discuss personnel. Justin Fallon made and Joe Foster seconded the motion for executive session. Roll call: Mr. Smith, yea; Mr. Fallon, yea; Mr. Foster, yea. Returned to regular session at 2:46 p.m. No action taken in executive session.

*At 2:47 p.m., Commissioner David Smith left the meeting.

ADJOURN

At 2:54 p.m. David Smith entertained a motion for adjournment. Joe Foster made and Justin Fallon seconded the motion. Roll call: Mr. Fallon, yea; Mr. Foster, yea. Mr. Smith, absent for vote.



David K. Smith, President



Barbara Urroe, Clerk



Justin L. Fallon, Vice-President



Howard J. Foster, Member