

August 21, 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 and approving the current bills. Commissioners present: Mr. Justin L. Fallon, President; Mr. David K. Smith, Vice-President and Mr. Howard J. "Joe" Foster, Member.

Justin Fallon entertained a motion for approval of the August 14, 2008 minutes. David Smith made and Joe Foster seconded a motion of approval as written. Roll call: Mr. Smith, yea; Mr. Foster, yea; Mr. Fallon, yea.

TRAVEL REQUESTS				
DEPARTMENT	NAME	DATE	TO	RE:
Commissioners	David Smith	8/21	Pike County	OVRDC Meeting
	Justin Fallon	8/26	Columbus	Broadband
		8/29	Columbus	CORSA

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

ANIMAL SHELTER REPORT

Week Ending	Adopted	Reclaimed	Euthanized	Died of natural causes	Rescued	Destroyed in field	Total Month
8/10	1	2	15	0	6	0	24
8/17	2	0	39	0	8	0	49

HVAC MAINTENANCE AGREEMENT

Joe Foster made a motion to approve the submitted agreement with Casto Technical Services for \$4,640.00 per year, payable at the rate of \$1,160.00 per quarter in advance; David Smith seconded the motion. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Mr. Smith, yea.

OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT PROGRAM

David Smith made and Joe Foster seconded the motion. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Mr. Smith, yea.

AUTHORIZING LEGISLATION

A RESOLUTION AUTHORIZING Glenn A. Smith TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure, and
WHEREAS, the Gallia County Engineer is planning to make capital improvements to Gallia County Road Resurfacing, and
WHEREAS, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the OPWC programs,

NOW THEREFORE, BE IT RESOLVED by Gallia County:

Section 1: The Gallia County Engineer is hereby authorized to apply to the OPWC for funds as described above.

Section 2: The Gallia County Engineer is further authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

Passed: 8/21/08
s/Justin L. Fallon
s/David K. Smith
s/Howard J. Foster

KANAUGA/ADDISON SEWER UPDATE

County Administrator Karen Sprague presented the Commission with a letter from USDA-RD advising the plans, specifications and bidding documents for the Kanauga/Addison Sewer Project are in the process of being approved. There were three minimal items requested to be changed before USDA-RD will approve. Sprague noted this was good news, meaning upon approval of the CDBG Water/Sewer Grant in August/September 2008 and the ARC Grant in October the project will be ready to go to bid.

RESCIND MOTION: INDEPENDENT CONTRACTOR AGREEMENT

County Administrator Karen Sprague presented the Commission with written documentation from OPERS as follows: "a retiree cannot continue to receive benefits and work as an independent contractor under a contract for any period of time for the employer from which they retired. This prohibition is applicable regardless of the number of hours or days actually worked." Due to receipt of this written documentation, Ms. Sprague recommended the Commission take action to rescind their motion to approve an Independent Contractor Agreement with David Clagg dated 7/17/08 and being a part of Commissioners Journal Volume 43 Page 259. Joe Foster moved and David Smith seconded a motion to rescind the motion as recommended. Roll call votes: Mr. Fallon, yea; Mr. Smith, yea; Mr. Foster, yea.

HIRE RE-EMPLOYED RETIREE

Ms. Sprague reviewed the following budget figures with the Commission regarding the current salary and benefits for Building Superintendent David Clagg and the cost of hiring as a re-employed retiree beginning November 1, 2008:

- Current Salary & Benefits total \$53,623.32 annually
- Hire Clagg as a re-employed retiree part-time (80 hours per month) temporary for a period of 12 months at current rate of pay = \$18,940.80 annually (Note: part-time employees are not eligible for county health insurance)
 - OPERS requires County to pay PERS at 14% = \$2,651.71 annually

- Workers Comp at 2.713% = \$513.86
- Total cost annually = \$22,106.37
- This results in an annual savings of \$31,516.95
- Cost of a new full-time employee at minimum wage with full benefits and health insurance = \$22,479.94
- This results in an overall annual savings of \$9,037.01

Based on the above information Ms. Sprague recommended that the Commission take action to approve the following:

1. Hire David Clagg as a re-employed retiree part-time (80 hours per month) temporary for a period of 12 months at a rate of \$18,940.80 annually effective November 1, 2008.
2. Begin solicitation of applicants November 1, 2008 for a full-time custodial worker position to be hired after January 1, 2009.

Ms. Sprague advised this action would save the county \$9,037.01 per year in the general fund for salary & benefits; give the county 1.5 employees versus 1 employee and save the county an estimated \$40,000 to \$50,000 per year in contract repair work the county would otherwise have to hire out with a local contractor.

David Smith moved and Joe Foster seconded a motion to approve the action as recommended by Ms. Sprague. Roll call votes: Mr. Fallon, abstain; Mr. Smith, yea; Mr. Foster, yea.

EXECUTIVE SESSION - PERSONNEL

At 10:00 a.m. Justin Fallon entertained a motion to enter into executive session with County Administrator Karen Sprague, Prosecutor Jeff Adkins and Assistant Prosecutor Tommy Moulton for personnel issues. David Smith made and Joe Foster seconded the motion. Returned to regular session at 10:29 a.m.; no action taken.

DATA PROCESSING

A Data Processing Board meeting was held at 10:30 a.m. with the following in attendance: Commissioner Justin Fallon, Auditor Larry Betz, Deputy Auditor Jim Clark, Recorder Roger Walker, Clerk of Courts Noreen Saunders and I.T. representative Shawn Huston.

EXECUTIVE SESSION - RECORDER

At 10:38 a.m. Justin Fallon entertained a motion to enter into executive session with Recorder Roger Walker for personnel issues. David Smith made and Justin Fallon seconded the motion. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Mr. Smith, yea. Returned to regular session at 10:50 a.m.; no action taken.

DJFS

Director Dana Glassburn presented for approval the following Purchase of Service Contract between the Gallia County DJFS and Gallia County Children Services for the purchase of Child Welfare Services which is funded by TANF/Title XX numbered 93.558. The contract is effective 7/1/08 through 6/30/09 for a total amount that cannot exceed \$56,655.00 but may be amended quarterly based on the contractor expenditures in the previous quarter. Joe Foster made and David Smith seconded a motion to approve the contract as presented. Roll call: Mr. Smith, yea; Mr. Fallon, yea; Mr. Foster, yea.

EXECUTIVE SESSION - DJFS

At 10:58 a.m. Justin Fallon entertained a motion to enter into executive session with JFS Director Dana Glassburn for legal and personnel issues. David Smith made and Joe Foster seconded the motion.

OVERTIME REQUEST

JFS Director Dana Glassburn submitted a request for overtime payment for 8/16/08 for 8 hours. Justin Fallon entertained a motion to approve the overtime. David Smith made and Joe Foster seconded the motion. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Mr. Smith, yea.

ENGINEER - GRADALLS

County Engineer Glenn Smith advised the Commissioners that they received no bids for the old used gradalls however, Gradall makes a clipper that goes on the end of the boom that will cut a 10-inch limb which he has purchased. Since they had no bids on the older equipment they will install the clipper on one of the older gradalls and still get use from the equipment.

BREASTFEEDING AWARENESS PROCLAMATION

WIC representative Rebecca Terry presented to the Commissioners a Breastfeeding Awareness Proclamation which the Commissioners signed with a motion by David Smith made and a second by Joe Foster. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Mr. Smith, yea.

In Recognition of Breastfeeding Awareness Month

The residents of Gallia County are deserving of good health throughout their lives.

The health benefits of breastfeeding for children include:

- A 20 to 30 percent reduced risk of obesity,
- Reduced risk of dying from SIDS,
- Fewer ear and respiratory infections,
- A reduced risk of developing juvenile and Type II diabetes and
- An average increase of 6 points in IQ at age 6 ½.

The health benefits for mothers who breastfeed include:

- A 24 percent lower risk of developing breast cancer,
- A lower risk of developing osteoporosis later in life, and
- A reduced risk of developing Type II diabetes.

The economic benefits of breastfeeding include:

- An average infant formula cost savings of \$800 per year and
- Greatly decreased health care costs compared with formula-fed babies (\$4,000 vs. \$68,000 in a six month period for a matched group).
- Breastfeeding protects the environment by decreasing energy used to process formula and dispose of container waste.

Ohio ranks 44th in breastfeeding initiation rates at 59.6% as reported by The Centers for Disease Control and Prevention (CDC) Breastfeeding Report Card issued in April 2008.

The CDC Guide to Breastfeeding Interventions lists six areas where breastfeeding supportive practices are proven effective:

- Maternity Care,
- Workplace Breastfeeding Support,
- Breastfeeding Mom-to-Mom Support,
- Educating Mothers and Families,
- Health Professional Support and
- Media and Social Marketing efforts.

Gallia County joins the United States Breastfeeding Committee and the medical community in the belief that Ohio breastfeeding rates will improve if effective actions are taken to institute policies and procedures throughout our society that support breastfeeding mothers and their families.

For all of these reasons, WE, The Gallia County Commissioners, do hereby designate August 1-31, 2008 as Breastfeeding Awareness Month.

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

FAA GRANT AGREEMENT APPROVAL
GALLIA-MEIGS REGIONAL AIRPORT PROJECT

Karen Sprague, County Administrator, presented the Commission with a second grant agreement from the FAA for the FY 2008. This second grant agreement is for the Airport Master Plan Phase 2 Project for the FAA Airport grant. Justin Fallon entertained a motion to approve and sign the grant agreement as presented, noting the fund has already been created and the funds already appropriated. The 95% grant amount is \$27,045 grant and the 5% local match is \$1,423, which totals \$28,468. These funds will cover the costs of the FAA required Airspace Survey as a part of the Master Plan.

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

DISTINGUISHED SERVICE AWARD - CHARLOTTE SEAMON

Justin Fallon entertained a motion to present the following award to Board of Elections employee Charlotte Seamon upon her retirement:

GALLIA COUNTY
DISTINGUISHED SERVICE AWARD

PRESENTED TO
Charlotte Seamon

ON THIS THE 22ND DAY OF AUGUST, 2008

HEREBY RECOGNIZING HER FAITHFUL SERVICE TO GALLIA COUNTY
FROM

1/20/1980 through 8/29/2008

IN THE GALLIA COUNTY BOARD OF ELECTIONS OFFICE

GALLIA COUNTY COMMISSIONERS

s/Justin L. Fallon
s/David K. Smith
s/Howard "Joe" Foster

David Smith made and Joe Foster seconded the motion. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Mr. Smith, yea.

UTILITY EASEMENTS - BRIAR WOOD

Melvin Mock met with the Commissioners regarding water and electric easements to his property. Joe Foster made and David Smith seconded the motion to approve both easements as presented upon the recommendation and approval of County Building Superintendent David Clagg. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Mr. Smith, yea. Water agreement to be signed next week; electric agreements as follows:

Easement & Right of Way

Easement No. _____

Board of County Commissioners, "Grantor(s)",
 in consideration of \$1.00, the easement terms, and other good and valuable consideration from Calumet Bus Southern Power, an
 Ohio corporation, 700 Morrison Rd., Gahanna, Ohio 43230-6642, "Grantee", the receipt and sufficiency of which is acknowledged, grants
 and conveys with general warranty covenants to Grantee, a right of way and easement "Easement", for electric, other energy or
 communication purposes for current/future uses, overhead and underground, in, on, over, through and across the following described lands
 situated in Spring Field Township, GALLIA County, Ohio, and being part of Section
 No(s) 1 Township No(s) 6 and Range No(s) 15
 Survey _____, in Deed/Official Volume(s) 61
 Page(s) 240 of the GALLIA County Recorder's Office:

30' RW

This Easement grants all necessary and convenient rights for the Easement's use, including, without limitation, the rights to: construct, operate, maintain, inspect, protect, replace, enlarge, upgrade, relocate within the Easement, extend or remove utility facilities, with poles, anchors, guys, supporting structures, conductors, conduits, service pedestals, grounding systems, foundations, manholes, devices and associated equipment, as it may deem appropriate, adding thereto from time to time; perform grading or filling for such facilities; cut, trim, remove and/or otherwise control, at Grantee's option, without any liability to Grantor, any trees, overhanging limbs or branches, brush, shrubs, undergrowth, of whatever size, (including those that are dead, diseased, weak, or leaning), buildings, structures, or other obstructions that in Grantee's reasonable judgment endangers or will endanger the safety of, interfere with or encroach upon the use of its facilities, both within and adjoining the Easement. Within the Easement, Grantor shall not: place any buildings, structures, pile or debris, interfere with lateral support, construct any swimming pool, change the level of the ground by excavation or mounding without Grantee's written consent, allow any construction that would be inconsistent with the National Electric Safety Code or Grantee's design standards, and, for underground lines, permit or cause any excavation, except for other utilities, provided such utilities rights do not conflict with this Easement. This Easement also conveys the right of Ingress and egress in and over any reasonable routes at all times. If any governmental authority requires Grantee to relocate the facilities contemplated by this grant, this Easement conveys the right to relocate such facilities to a comparable location.

Grantor may use its property for all purposes not inconsistent with the full enjoyment of the Easement, but Grantor acknowledges high voltage electric lines will be constructed within the Easement and Grantor shall conduct construction/maintenance activities on its property consistent with all applicable safety rules and regulations for working near electric lines. Safety/required clearance issues may be referred to Grantee's Engineering Group and if Grantor initiates any construction or building activities on its property, always call the applicable utility protection service before the activity begins. Grantee shall restore the premises or pay reasonable damages done to fences, drains, seeded lawns (not landscaping), gates, ditches and crops caused by Grantee's use of the Easement. Grantor has authority to grant this Easement. No delay or omission by Grantee in exercising any right hereunder shall operate as a waiver or forfeiture of such right. This Easement grant is effective and binding upon the parties, their respective successors, assigns, lessees, licensees, heirs and legal representatives, and if any term hereunder is held invalid, the remainder shall not be affected thereby. Easement attachments, if any, are incorporated herein by this reference.

WITNESS, Grantor(s) signed this Easement on the 21st day of August 2008.

Signed and Acknowledged in the Presence of:

<u>X</u> <u>Justin L. Fallon</u>	<u>X</u> <u>absent</u>
Print Name: <u>JUSTIN L. FALLON</u>	Print Name: <u>DAVID K. SMITH</u>
<u>X</u> <u>Howard J. Foster</u>	_____
Print Name: <u>HOWARD J. FOSTER</u>	Print Name: _____
_____	_____
Print Name: _____	Print Name: _____
_____	_____
Print Name: _____	Print Name: _____

CALL BEFORE YOU DIG !!!

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*12:15 p.m. Commissioner Smith left for an OVRDC meeting in Pike County.

ADJOURN

At 1:07 p.m. Justin Fallon 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.

Justin L. Fallon
 Justin L. Fallon, President

David K. Smith
 David K. Smith, Vice-President

Howard J. Foster
 Howard J. Foster, Member

Ferry Hemby
 Ferry Hemby, Clerk