

September 11, 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 September 4, 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	Justin Fallon	9/10/08	Columbus	Broadband with Public Works
	Justin Fallon David Smith Joe Foster	9/16/08	Columbus	Broadband Mtg
Info Tech	John Grubb	9/16/08	Columbus	Annual Farm Science Review
			Geauga County	Ohio County Info Tech Assoc Mtg
JFS	Tannya Henry Kathy Campbell Mark Coleman Sam Hamilton	10/22-23/2008	Columbus	fs: the ineligible class
	Sonja Kisner Jackie Figgins Candy Baughman Angie Dunfee	11/6-7/2008	Columbus	fs: the ineligible class

Justin Fallon entertained a motion to approve travel requests as submitted. David Smith made and Joe Foster 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
9/7	1	0	25	0	7	0	33

208 FACILITY PLAN

David Smith made a motion to send the following letter to the City of Gallipolis and Joe Foster seconded the motion. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Mr. Smith, yea.

Gallipolis City Commission
518 Second Avenue
Gallipolis, Ohio 45631

RE: Village of Gallipolis 208 Plan

Dear City Commissioners:

We recently received the attached letter from the Ohio EPA regarding your 201 facility plan submittal. In light of this letter and our recent meeting with you to request acceptance and treatment of the waste from our proposed Green Township Sewer Phase 1 Project, we thought it appropriate to write this letter.

The OEPA letter states, "when a 201 facility plan is proposed, all local governments having the legal authority for wastewater treatment must be involved in the plan's development and in agreement with the plan's content, prior to Ohio EPA incorporating it into a 208 Plan Update."

Since Gallia County was not included in the development of the Gallipolis 201 facility plan it would be hard for us to be in agreement with the plan's content. In fact, we did not find out that Gallipolis had submitted the plan until well after the fact and our sewer engineering firm had to obtain a copy of the plan from OEPA by means of a public records request.

City Commissioner Saunders stated in our recent meeting that the County should recognize the Gallipolis 208 plan and City Commissioner Davis stated it was time for Gallipolis and Gallia County to work together on a master plan for sewerage both Gallia County and Gallipolis.

We agree with Commissioner Davis that the City and County should work together to develop a plan for sewerage Gallia County and Gallipolis that is mutually beneficial. At a minimum there are two contingencies that would need to be agreed to before we could enter negotiations with Gallipolis regarding a 208 plan: 1) The plan would need to contain language that would not mandate annexation; and 2) The plan would need to contain language that would grant a discount to the County for areas outside the Gallipolis limits when the county builds and maintains the collection system and Gallipolis only treats the waste.

Gallia County cannot support a plan that does not allow a discounted rate for sewage treatment. The regular outside Gallipolis rates in your existing rate plan are based on Gallipolis building and maintaining the collection system as well as treating the waste. If Gallia County builds and maintains the sewer collection system and Gallipolis only treats the waste, then it is only fair that the County receive a rate that is discounted from the outside rates charged to your existing customers outside of Gallipolis.

We look forward to working with Gallipolis to develop a plan that will benefit all residents of Gallia County. A plan that spells out the areas where Gallipolis is willing to accept treatment of waste from the County and what the established rates will be would allow Gallia County to proceed with proposed sewer projects knowing these terms in advance, thus not slowing the process each time in order to arrive at an agreement.

We have not received an answer from OEPA regarding our counter proposal to the recent findings and orders in the Rodney area of Green Township. As soon as we receive their answer we will work quickly to provide Gallipolis with the information requested during our meeting with you.

Thank you in advance for your continued cooperation and consideration in this regard.

Respectfully submitted,

Gallia County Commissioners
Justin L. Fallon, President
David K. Smith, Vice-President
Howard Joe Foster, Commission Member

GCC/kls

cc: Dan Dudley, OEPA
George Elmaraghy, OEPA
Dan Messerly, OEPA
Barb Bradley, Gallia County Health Department
Gary Silcott, Jr., PE, Stantec Consulting, Inc.

STATE ISSUE II - CLEAN OHIO FUND

David Smith made a motion to endorse the passage of State Issue II - Clean Ohio Fund and adopt the following resolution. Joe Foster seconded the motion. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Mr. Smith, yea.

A resolution of the Board of County Commissioners of Gallia County in support of a fully-funded renewal of the Clean Ohio Fund bond package which will be placed on the November 4, 2008 ballot, in order to meet the growing demand for water and green space conservation projects, brownfield revitalization, recreational trail development, farmland preservation and other important projects related to the Clean Ohio Fund.

Commissioner David Smith moved the adoption of the following resolution:

WHEREAS, the State of Ohio is home to many beautiful natural areas and vibrant urban areas that are in need of conservation and revitalization; and

WHEREAS, voters across the State of Ohio will be asked to vote yes on Issue 2, which will be funded by the sale of bonds and not from a new tax levy, in November of this year; and

WHEREAS, conservation purposes includes conservation and preservation of natural areas, open spaces and farmlands and revitalization purposes includes providing for and enabling environmentally safe and productive development and use or reuse of publicly and privately owned lands through mediation or clean up and reuse; and

WHEREAS, to date the Clean Ohio Fund has funded over 700 projects in 86 of 88 counties, preserving over 26,000 acres of natural areas and 16,000 acres of farmland, creating more than 216 miles of recreational trails, and cleaning up 173 polluted sites; and

WHEREAS, renewal of the Clean Ohio Fund would help Ohioans maintain and enhance their current quality of life, will create jobs and will improve the environment for this and future generations of Ohioans

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS OF GALLIA COUNTY does hereby fully support the renewal of the Clean Ohio Fund and urges a "Yes" vote for the Clean Ohio Program Renewal, also known as Issue 2, on the November 4, 2008 general election ballot.

Seconded by Commissioner Howard "Joe" Foster.

Roll Call Vote: s/Commissioner Justin Fallon Yes No _____

s/Commissioner David Smith Yes No _____

s/Commissioner Howard "Joe" Foster Yes No _____

COMMUNITY DEVELOPMENT AND FAMILY AND CONSUMER SCIENCES

Amy Corbin, Community Development and Family and Consumer Sciences Educator (CD/FCS) updated the Commissioners on the most recent Building Entrepreneur Friendly Community meeting which was held Tuesday and well attended. Ms. Corbin also advised that she was taking advantage of several upcoming training opportunities.

*** 9:55 a.m. Commissioners Foster & Smith left the meeting to attend the September 11th Ceremony at the Veteran's Service Offices.**

RECORDS COMMISSION

As required by Ohio Revised Code Section 149.38, the Records Commission met on this date at 10:00 a.m. to hold the second meeting of 2008. The Commission reviewed applications for one-time record disposal and schedules of records retention and disposal submitted.

*** 11:00 a.m. Commissioners Foster & Smith back in attendance.**

ORDER TO INITIATE REAPPRAISAL FOR TAX YEAR 2011

Commissioners received a copy of an order from Ohio Department of Taxation Tax Commissioner Richard A. Levin stating the following:

County Auditor Larry Betz had requested the Tax Commissioner to order the commencement of the 2011 reappraisal at a date earlier than would otherwise be required. Auditor Betz certified that sufficient moneys were available to do so. The Tax Commissioner further ordered that the Auditor shall commence the reappraisal within sixty days after receipt of the entry dated 8/25/08 and shall conduct the reappraisal in the manner provided by law and by the rules and regulations prescribed and issued by the Department of Taxation. The reappraisal and reassessment is to be completed by March 31, 2011 and to enter the revised assessed values of real property on the tax list created for tax year 2011. This order shall not be affected by any succession to the office of Auditor of Gallia County. A copy of this order is on file in the County Commissioners office.

The Commission and Auditor Betz also discussed the real estate delinquencies and procedures for collections.

2006 FY GRANT AUDIT FINDINGS - RESOLUTION

Juvenile Probate Court Director Greg Shrader met with the Commissioners regarding the 06 FY Grant Audit findings. There was \$1699.32 disallowed in this grant. The Court appealed the finding and the Ohio Department of Youth Services found in our favor except for \$217.20. These funds were used to purchase an airline ticket to send a youth back to Florida. DYS states that this is an unallowable cost under the department rules. DYS has stated that this matter can be rectified on the local level by paying this amount from the general fund to the 018 Subsidy Grant Fund. If we do this process, DYS will not proceed with the exception. If we do not do it this way DYS will invoice the county for the amount and it will go to the state. Commissioner Smith stated that we want the findings removed but do not want to make a general practice of doing business this way. Joe Foster made and David Smith seconded the motion to approve the following resolution. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Mr. Smith, yea.

Resolution

Whereas the Ohio Department of Youth Services has disallowed \$217.20 from the Audit of the FY 2006 DYS Grant it is moved that the amount of \$217.20 be paid from the County General Fund to the 018 Subsidy Grant Fund. This will nullify the audit finding.

CHILDRENS HOME BUILDING

Matthew Henry met with the Commissioners to discuss the old Children's Home structure located off Shawnee Lane. He had been in contact with County Administrator Karen Sprague about an available facility for a group home which provides continual care. The Commissioners expressed their concern over past ventures of this type and Mr. Henry

assured them that this facility would be under the supervision of a pastoral board. He inquired as to what would be needed to move forward with this project. Commissioners advised they would expect to see a business plan and proposal; and a facility of this type would have to address economic issue as well as the neighbor concerns in this area, particularly Children Services. There is a definite need for this in our area however; the success of this will depend on strong leadership from the beginning. They suggested that he view the building with the county building superintendent to see if it would meet their needs and encouraged him to discuss the project with Judge Margaret Evans and put together a board and a proposal and return to meet with them.

KANAUGA-ADDISON WASTEWATER COLLECTION PROJECT

The Commissioners signed the following documents as submitted by County Administrator Karen Sprague. This will allow USDA RD to act as the administering agency for the ARC federal funds for this project. David Smith made and Joe Foster seconded the motion. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Mr. Smith, yea.

- *Revised Letter of Conditions*, Form RD 1942-46
- *Letter of Intent to Meet Conditions* and Form RD 1940-1
- *Request for Obligation of Funds*

ISSUE 6 – MYOHIONOW.COM

David Carter representing myohionow.com met with the Commissioners regarding the upcoming Issue 6 on the fall ballot. Mr. Carter explained that Issue 6 will allow a \$600 million first class gambling and entertainment destination casino resort to be built in southwest Ohio at Interstate 71 and State Route 73 near Wilmington, Dayton, Cincinnati and Columbus which will create up to 5,000 new jobs in Ohio with average projected salaries of \$34,000. Issue 6 will generate thousands of new construction jobs required to develop and construct the casino, hotel, restaurants, golf course, live theater and other amenities one finds at a first class casino resort. Issue 6 will annually generate an estimated \$200 million dollars from a special tax that only the casino operator will pay. The vast majority of this tax will be distributed to every Ohio county government based on the county's population. Mr. Carter answered questions and thanked the Commission for their time.

EMANCIPATION PROCLAMATION

The following were present for the 2008 Annual Emancipation Celebration proclamation presentation: Emancipation Committee President Andrew Gilmore & Vice President Glenn Miller; City Commissioners Jim Cozza & Jon Lynch The following proclamation was read:

Proclamation

Whereas, *The Emancipation Proclamation has been celebrated and honored in Gallia County since 1863, and*

Whereas, *it began on September 22, 1863, the first anniversary of President Lincoln's Proclamation on slavery, and has continued consecutively to pay tribute to this historic document, and*

Whereas, *the 145th Annual Emancipation Celebration is scheduled for Saturday, September 20 & Sunday, September 21, 2008, at the Gallia County Fairgrounds.*

THEREFORE, BE IT HEREBY RESOLVED, *that the Board of Gallia County Commissioners proclaim September 20th & 21st, 2008 as the*

2008 Annual Emancipation Celebration Weekend

in Gallia County and lend our full support to the efforts of the Emancipation Celebration Committee.

s/Justin L. Fallon, President

s/David K. Smith, Vice-President

s/Howard Joe Foster, Commission Member

Joe Foster made and David Smith seconded the motion to lend their full support to the Emancipation Proclamation Celebration set for September 20 & 21st at the Gallia County Fairgrounds and honored them with the above proclamation. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Mr. Smith, yea.

DOG WARDEN

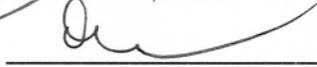
Joe Foster made and David Smith seconded a motion to suspend Dog Warden Paul Williams 40 hours without pay for performance issues and hereby authorize the HR Manager to proceed with necessary paperwork and implementation of this procedure. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Mr. Smith, yea.

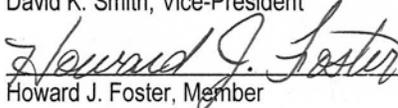
ADJOURN

At 1:22 p.m. Justin Fallon entertained a motion for adjournment. David Smith made and Joe Foster seconded the motion. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Mr. Smith, yea.


Justin L. Fallon, President


Terry Hemby, Clerk


David K. Smith, Vice-President


Howard J. Foster, Member