

September 18, 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 11, 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:
Auditor	Steve Stinson	Oct. 21-24	Columbus, OH	ODA Weights & Measure Fall Training School
	Larry Betz	9/19/08 10/2/08	Washington County, Dublin, OH	SE District Mtg. CAAO Legislative & Exe Mtg
Commissioners	Justin Fallon	9/24/08	Wellston, OH	Solid Waste Policy Committee Mtg
	David Smith Joe Foster Justin Fallon	9/25/08	Jackson, OH	OVRDC Annual Banquet Mtg

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
9/14/08	0	0	12	0	3	0	15

CRIMINAL JUSTICE QTRLY SUBGRANT REPORT

Commissioners reviewed and signed the quarterly sub grant report as submitted by Sheriff David Martin. David Smith made and Joe Foster seconded the motion to sign the submitted report. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Mr. Smith, yea.

YOUTH SERVICES SUBSIDY GRANT

Juvenile Court submitted the Ohio Department of Youth Services Subsidy Grant Juvenile Court Funding application update for review and signature. David Smith made and Joe Foster seconded the motion to approve as submitted. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Mr. Smith, yea.

UPDATE USDA COMMUNITY FACILITIES GRANTS FOR FY 2009

Commissioners were updated on the status of the FY 2009 USDA Community Facilities Grant applications for a new EMS Station and a new fire substation for Ohio Township. According to an email received from USDA the projects will not be able to receive grant funding during for FY 2009. The email asked if either project could proceed with loan funding instead as those funds were available. The email advised the particulars of the loan program would not be available until the 2009 fiscal year starts in 2 weeks. Commission instructed the County Administrator to get the loan information as soon as available so they could make this determination for the EMS project. It was noted the USDA request was \$50,000 grant and \$100,000 loan. No action taken.

CDBG - FY 2008 FORMULA GRANT APPROPRIATION APPROVAL**B-F-08-025-1**

Commission President Fallon entertained a motion to approve and sign the grant agreements from the Ohio Department of Development for the FY 2008 Formula Grant as presented and to request the County Auditor's to prepare an amended certificate to allow the appropriation of these grant funds. David Smith moved and Joe Foster seconded this motion. Upon roll call votes were as follows: Justin L. Fallon, yea; David K. Smith, yea; Howard Joe Foster, yea.

Note: These funds will be appropriated on the 10/2/08 journal after the County Auditor's Office has time to prepare an amended certificate allowing this appropriation.

**FAA GRANT 2008 DRAW #1 APPROVAL
GALLIA-MEIGS REGIONAL AIRPORT PROJECT**

Commission President Fallon entertained a motion to approve and sign the FAA grant 2008 draw #1 forms requesting \$24,394.00 from the County's FAA grant for Delta Airport Consultants engineering services for the Gallia-Meigs Regional Airport Master Plan Project as presented.

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

OEPA SEWER VIOLATION LETTERS

Commission was presented with OEPA violation letters from County Sewer Operator Kenny Soles for the month of August 2008 for Meadowlook Subdivision, Tara Estates Subdivision and Rodney II Subdivision sewer systems. Commission instructed the County Administrator to contact Mr. Soles to see if he has already responded to OEPA or if the County Commission needs to we request Mr. Soles prepares the response.

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FAA MEMORANDUM OF AGREEMENT

Commission President Fallon entertained a motion to approve and sign the FAA Memorandum of Agreement that will govern the Gallia-Meigs Regional Airport with regard to scheduled and unscheduled facility interruptions, all flight checks, all aircraft accidents and all radio frequency interference. David Smith moved and Joe Foster seconded this motion. Upon roll call votes were as follows: Justin Fallon, yea; David Smith, yea; Joe Foster, yea.

COUNTY FINANCIAL UPDATE

Commission reviewed the September Sales Tax Report and the most recent Amended Certificate with the County Administrator. No action taken.

CD/FCS EDUCATOR UPDATE

CD/FCS Educator Amy Corbin met with the Commissioners to update them on calendar events and upcoming meetings. The Commissioners also suggested several other areas they wanted her to get involved in.

DJFS

Director Dana Glassburn introduced the Snack Pack organization which is currently in two of the elementary schools. This program is for children that participate in the free or reduced lunch programs and once a month food items are inserted into their backpacks when they leave school with no one being aware that the child has received the food. Director Glassburn advised that they have set up a donation box at their facility and would like permission to do the same in the foyer of the courthouse. Items requested are shelf stable milk, fruit juices, cereal packs & bars, pop top microwaveable meals, peanut butter & crackers, pudding & fruit cups, single serve macaroni & cheese; basically anything a small child can prepare on their own. Nancy Smith is the contact person for this program. The Commissioners approved putting the donation box in the foyer for contributions of these items.

Director Glassburn also expressed concerns regarding the AT&T T-1 line. He currently has two T-1 lines to his building and one is still not in service. He is being charged for the unused T-1 line as well as still paying for Suddenlink internet service. Commissioners advised they would present these concerns to I.T. Director John Grubb for some clarification.

Director Glassburn also reminded the Commission of the upcoming Job Fair being held on September 24th at the Nazarene Church from 10 a.m. to 2 p.m.

RECORDS COMMISSION MEETING CONTINUED

At 10:30 a.m., the Records Commission met to continue their meeting from 9/11/08 as required by ORC 149.38. The 2009 meetings were scheduled for March 19th and September 17, 2009 at 10:30 a.m.

EMS UPDATE

EMS Director Larry Boyer advised the Commissioners of different avenues he was pursuing to reduce expenses in his department. One being licensing with the Ohio Medical Transportation Board which he has found to be unnecessary and also cell phones that are no longer needed since the Marx system is currently in place as a backup/secondary form of communication.

The Commissioners had previously requested Director Boyer to explore the idea of possibly partnering with SEOEMS for cooperative ambulance coverage of the lower county. Director Boyer advised that there still seemed to be some hard feelings left from Gallia's withdrawal from SEOEMS several years ago and that he and SEOEMS Director felt that a venture of this type would have to be initiated and worked out between the Commissions of both counties.

Director Boyer also discussed areas of concern with his budget and the EMS Station Project with repayment of another loan, citing the two loans he has now for the ambulances and the rescue truck. County Administrator Sprague noted an option of the Commission paying the EMS Station loan for the first 5 years until the rescue truck loan is paid off. It was noted if the County can double the principal payment in 2008 (as was done in 2007) on the Service Center loan it will be paid off on 12/1/2008 – two years early. This would free up \$60,000 per year dedicated to loan payment. The EMS Station loan would be \$7,500 principal per year plus interest with a 20 year term. Commission will await info from USDA on the interest rate and loan term for the new fiscal year which starts on 10/1/2009, in two weeks. Commission noted they may be able to get a better interest rate funding the project through a local bank. No action taken.

COPS TECHNOLOGY GRANT

Sheriff David Martin presented a letter of award from the Department of Justice informing them of their request for funding being granted in the amount of \$46,765.00. David Smith made and Joe Foster seconded the motion to give the Justin Fallon the authority to sign the submitted agreement. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Mr. Smith, yea.

SEWER SYSTEM UPDATE

Gary Silcott with Stantec Consulting and County Administrator Karen Sprague met with the Commissioners and to discuss the current and proposed sewer projects. Commissioner Smith stated *"I am not in agreement of addressing this process by piecemealing it. We currently have the Kanauga-Addison project going to construction and are also concerned about 2 ongoing systems. If the EPA pushes this, I'd be in favor of smaller package plants. We need to have another meeting with the public to see which way they want to go. Resident buy in is crucial, the public needs to be aware that the City has applied for a 201 plan and what their options would be under both plans. We also need to explore the possibility of a sewer district and continue ongoing communications and discussions with the city if there is any progress in this area. As long as the EPA sees that we are working towards a resolution to the issues we would hope they would not force any mandates. Non-reduced rates and forced annexation from the City is not an option for this Commission. The tap fee is one of the biggest concerns; most property owners in these areas cannot afford that cost."* Commissioners Fallon and Foster agreed they would not be in agreement to support a 201 Plan for the City that included forced annexation or rates that were not reduced. All agreed they were ready to sign the findings & orders

from OEPA for sewerage Meadow Green Estates and Fairfield Acres with the extended timeframes and were also ready to sign the OWDA loan agreement.

The Commission asks for Silcott's opinion of forming a joint sewer district. Mr. Silcott advised that the County Commission would appoint the board members (odd number) and would thereby maintain some control. A District would have all the same funding rights that County Commissioners currently maintain except they cannot apply for ODOT funds. Other entities could oppose your sewer plan based on the areas that are included in the plan. Mr. Silcott will provide some outlines for sewer districts so the Commission can study this option.

OEPA FINDING AND ORDERS – GREEN TOWNSHIP

Commission discussed the OEPA Findings and Orders for Meadow Green Estates and Fairfield Acres in Green Township with Gary Silcott, Sewer Engineer from Stantec Consulting, and the County Administrator. Commission determined with the approval of an increased time frame to complete the project they are agreeable to approve signing the document as presented. Commission President Fallon entertained a motion to approve and sign the OEPA Findings and Orders. David Smith moved and Joe Foster seconded this motion. Upon roll call votes were as follows: Justin Fallon, yea; David Smith, yea; Joe Foster, yea.

OWDA WASTEWATER SYSTEM DESIGN LOAN AGREEMENT APPROVAL

Commission President Fallon entertained a motion to approve the Ohio Water Development Authority's Wastewater System Design Loan agreement as presented for the Green Sewer Project, which has been approved and signed by OWDA. Joe Foster moved and David Smith seconded this motion. Upon roll call votes were as follows: Justin Fallon, yea; David Smith, yea; Joe Foster, yea.

EXECUTIVE SESSION

At 2:05 p.m. Justin Fallon entertained a motion to enter into executive session with County Administrator Karen Sprague and Sewer Consultant Gary Silcott for contract issues. David Smith made and Joe Foster seconded the motion. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Mr. Smith, yea. Returned to regular session at 2:52 p.m.; no action taken.

EQUIPMENT AUCTION CONTRACT AGREEMENT

As previously approved on 8/14/08, Commissioners signed the following equipment auction contract agreement as submitted by Auctioneer Josh Bodimer for the auction scheduled for October 2, 2008.

Josh Bodimer Auctioneering
500 Second Ave.
Gallipolis Ohio 45631
(740)-446-3644
Auctioneer- Joshua W. Bodimer
"Licensed by the Ohio Department of Agriculture
And Bonded in favor of the State"

Personal Property Auction Listing Contract dated 9/18/2008 Between
Gallia County Commissioners Seller, and Joshua W. Bodimer, Auctioneer Doing Business
as /WB Auctions, shall contract and agree to the following terms:

- a. The date of the Personal Property Auction shall be held on Thursday October 2nd at Shawnee Lane Impound Lot located in Bidwell, Ohio. The auction shall be conducted rain or shine.
- b. Terms and Conditions:
 - Cash or Check with ID. Bank letter of Credit with CHECK purchases over \$1,000 NO EXCEPTIONS.
- c. Auctioneer is not responsible for accidents or loss of property.
- d. Auctioneer will furnish clerks, cashiers, and bid spotters.
- e. Advertising will be paid for by the Seller.
- f. Settlement of the auction shall take place on or before 10 days from the auction.
- g. The seller will be responsible for collection of bad checks, debts, or any unpaid items.
- h. This auction is being conducted a reserve auction meaning an auction in which the seller of an agent of the seller reserves the right to establish a stated minimum bid, the right to reject or accept any or all bids, or the right to withdraw the real or personal property at any time prior to the completion of the auction by the auctioneer.
- i. Absentee bidding will not be permitted. The auctioneer and assistants are an agent of the seller.
- j. SEE THE ATTACHED FOR DESCRIBED PROPERTY
- k. The following personal property shall be offered for sale at auction. If items are advertised and the seller wishes to remove the items from the auction post advertisement, the auctioneer has the right to declare this contract null and void.
- l. Auctioneer shall be paid \$1000.00 for professional services rendered or 6.5% of total sale which ever is greater.

Seller [Signature] Date September 18, 2008
 Seller [Signature] Date September 18, 2008
 Seller Howard J. Foster Date September 18, 2008
 Auctioneer [Signature] Date 9/18/08

ADJOURN

At 2:53 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.

[Signature]
Justin L. Fallon, President

[Signature]
David K. Smith, Vice-President

[Signature]
Howard J. Foster, Member

[Signature]
Terry Hemby, Clerk