

September 25, 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 18, 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:
JFS	Kitty Griffith	9/23/08	Lawrence County	Qtrly Fiscal Mtg
Commissioners	Joe Foster	10/22/08	Athens, OH	Clean Tech Venture Forum

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
9/21	3	2	12	0	4	0	21

COMMITTEE APPOINTMENT

The Commissioners have held discussion with the CIC and other entities to explore the possibility of hiring an economic development director. David Smith made and Joe Foster seconded the motion to appoint President Justin Fallon to the committee formed by those entities. The Committee will establish guidelines and job descriptions for recommendation to the entities involved in hiring. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Mr. Smith, yea.

T-1 UPDATE

911 Director Steve Wilson and Information Technology Director John Grubb met with the Commission to inform them of the status of the T-1 lines. Mr. Grubb explained that on June 19<sup>th</sup> he was give approval from the Commission to obtain cost to install the routers, which he did. Director Glassburn asks him to hold up on that purchase until he found out about having JFS calls initially sent to the courthouse and then transferred to the appropriate office at his facility. He has had a company conduct an audit of their phone system to see what would be necessary to accomplish this and they should receive the audit report this week. JFS also hoped to eliminate the Suddenlink internet service going through his facility but his cable company is also through Suddenlink. Another big problem is having state computers and county computers and the necessary separation of this equipment. The state provides one T-1 line for their state computers only. Director Wilson explained that when the AT&T contract was renegotiated last year we were able to reduce the cost of the overall contract with the inclusion of three T-1 lines. The confusion began when the bills were divided up by separating the T-1 line costs to only those three facilities connected to the T-1 lines when it should have remained divided overall with no noticeable increase in costs to anyone. Commissioner Fallon also inquired about the state migration with AT&T's Optiman MPLS-based metro Ethernet and when JFS would move over to that service and if AT&T would provide this service? All agreed to continue this discussion at 10:00 a.m. with the JFS Director.

DOG & KENNEL

Assistant Dog Warden Jason Harris and Animal Shelter Volunteer Jean Daniels informed the Commissioners that they held an adoption at the Tractor Supply last Saturday and it went very well with 3 adoptions. This was a last minute idea and they didn't have much preparation time but they will be planning more of these events and hope to do more publicity for the next one with an article in the Tribune. Mr. Harris also suggested that perhaps the next time both dog wardens could be scheduled to work that Saturday with one at the adoption site and one at the animal shelter which would eliminate running back and forth. Ms. Daniels also suggested that we provide a certificate of appreciation to Tractor Supply for their assistance in this effort, Commissioners agreed to do so.

EMS STATION PROJECT

The Commission was informed that Project Engineer Randy Breech had called to advise the cost estimate for the EMS Station Project would still be good for construction during FY 2008. He advised we could see an increase if we wait until next year to bid due to outcomes from the Hurricane Ike. Cost estimate is \$245,000. USDA provided information that they can loan the county the \$150,000 required, along with the SOACDF grant of \$85,750 and a local match of \$9,250 from EMS. USDA would provide a 25 year term and an interest rate of 4.5%. County Administrator Karen Sprague advised the Commission needs to decide how to proceed on this project so a response can be sent to USDA regarding whether or not we want the loan from them or if we want to get bids from the local banks first to determine if we can get a better interest rate locally. Commissioner Smith moved to give Ms. Sprague permission to solicit bids from the local banks for this project to determine if a lower interest could be obtained locally. Joe Foster seconded the motion. Upon roll call votes were as follows: Justin Fallon, yea; David Smith, yea; Joe Foster, yea.

ADA COMPLIANT REPAIRS

The Commission reviewed a list of necessary repairs from the Board of Elections (BOE) to make the courthouse facility ADA compliant for the upcoming Nov. 4<sup>th</sup> election. The lists of 7 items are currently being addressed by the maintenance staff as follows:

1. Need railing on building side of ramp – must be between 34 to 38 inches high with a ramp width between each side railing of at least 36 inches.
2. Need 1 van accessible parking space with 8 foot parking area and 8 foot access aisle. BOE suggest making the existing accessible space closest to the ramp the van space. Striping will need to be redone to the proper width as stated above. May need to take some of the parking spot beside to get the proper width – if so and this spot it too small for regular parking spot make it a spot for compact cars only or motorcycles only

- with signage.
- a. Also the existing sign for this parking space is not ADA compliant. We need a vertical blue sign with the wheelchair logo on it, with "Van Accessible" and "\$500 Maximum Fine" below. The Commissioners Clerk has it ordered.
  - b. Also the post is not the correct height – the top edge of the sign must measure at least 5 feet.
3. The two other handicap parking spots by the end of the building need to be reconfigured as follows:
    - a. Make the 2 current spaces 8 feet wide with a 5 foot access aisle in the middle.
    - b. Also the existing sign for this parking space is not ADA compliant. We need 2 vertical blue signs (one for each spot) with the wheelchair logo on it, with "\$500 Maximum Fine" below. Commissioners Clerk has them ordered.
    - c. This post also does not meet the correct height as stated above.
  4. Walkways leading to and from both accessible spaces to the ramp have high spots in the concrete at joints with more than ¼" space between the sections of concrete/pebbled surfaces and must be ground down to level or no more than ¼".
  5. Front doorway to courthouse has a double threshold more than ½" high. There is no solution at this time per Brett Harbage, SOS ADA. He recommended keeping the mats pulled up to the threshold on both sides of the door, inside and out.
  6. Elevator must have an audible floor indicator (one tone = up; and two tones = down).
    - a. The Emergency Alarm button does not have Braille raised letters marking and must be installed. Maintenance will contact Dover elevator to have these two items corrected.
  7. The side ramp slope is 7.6% to 9.1% and should be no more than 8.33%. Per SOS ADA probably got by on inspection due to window wells at base of ramp could not extend ramp any further. Per BOE this is the reason for a second railing to be installed on the other side.

An additional item on the BOE list is that the metal detector at the front entrance to the courthouse is only 29 ½" wide and a wheelchair cannot pass through, there will need to be someone from the Sheriff's Office manning the metal detector at all times the BOE is open to voters and on election night to let wheelchairs through to the left. The BOE requested the Commission work this out with the Sheriff's Office. Commissioners advised they will talk with the Sheriff about manning the metal detector during dates and times the BOE is open for business other than regular weekdays. Commission instructed the County Administrator to obtain a list of these dates and times from the BOE.

David Smith moved and Joe Foster seconded a motion to grant Ms. Sprague the authority to oversee the completion of the above listed items prior to Nov. 4<sup>th</sup>. Upon roll call votes were as follows: Justin Fallon, yea; David Smith, yea; Joe Foster, yea.

#### SEWER OPERATOR LETTERS TO OEPA

Commission reviewed letters to OEPA from County Sewer Operator Kenny Soles responding to violations for Tara Estates, Rodney Village II, Meadowlook & Clearview Estates plants. Tara Estates – one of the sludge returns was not working and the clarifier needed the sludge blanket pumped off. Sewer Operator Gary Myers has corrected this problem. Rodney Village II – the lab failed to run the correct sample. The County Administrator noted the County has switched to a new lab for testing for our sewer plants. Meadowlook and Clearview Estates – the Chlorine Contact Tank needs upgraded, this will stop the high chlorine readings. Sewer Operator Gary Myers will be obtaining costs associated with the needed upgrades. No action at this time.

#### 2009 SOLID WASTE FACILITY LICENSE APPLICATION GALLIA COUNTY LANDFILL

Commission President Justin Fallon entertained a motion to approve the 2009 Solid Waste Facility License Application for the Gallia County Landfill. 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.

#### FAA 4<sup>th</sup> QUARTER REPORT GALLIA-MEIGS REGIONAL AIRPORT PROJECTS

Commission President Justin Fallon entertained a motion to approve the FAA 4<sup>th</sup> Quarter Report for 2008. 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.

#### CDBG - FY 2008 WATER/SEWER GRANT APPROPRIATION APPROVAL B-W-08-025-1

Commission President Justin Fallon entertained a motion for approval and signing of the Ohio Department of Development grant agreement forms for the FY 2008 Water/Sewer Grant for the Kanauga/Addison Sewer Project. Justin Fallon also entertained a motion to request the County Auditor's to prepare an amended certificate to allow the appropriation of the 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.

#### DJFS

Director Dana Glassburn met to discuss the T-1 lines with 911 Director Steve Wilson and Information Technology Director John Grubb. He had received an email stating AT&T was waiting on his approval for the onetime credit. He did not think it was his place to approve the credit and felt that should be approved by the County Commissioners; he requested some direction. Director Wilson explained that prior to the contract negotiations last year, the phone bill total was evenly divided between all departments, once the T-1 lines were put in place those costs were separated billed to only those three facilities. In hindsight, it would have been better to have continued with the division of the bill to all users or the Commissioners pay up front for the T-1 costs and bill it to the cost allocations for the departments to recoup their costs. Director Glassburn advised that his facility does have a totally separate contract with AT&T and if they are indeed under the county umbrella, they should be under the same contract and seeing some additional

savings. Director Wilson was not aware of a separate contract and suggested that they research this with AT&T. Director Wilson also recommended that they approve and accept the onetime credit from AT&T. Commissioner Smith stated that he felt it was necessary to get these T-1 lines in service and begin utilizing them. Get the equipment, figure out what you need, resolve this issue and put the lines in service. Joe Foster made and David Smith seconded the motion to accept the onetime credit from AT&T; with the responsibility to bring the bill up to date and get the T-1 lines functioning.

**ODOT DISTRICT DIRECTOR**

ODOT District 10 Deputy Director Larry Woodford; Planning and Program Administrator Debbie Fought and Saleh El-Dabaja, met with the Commissioners to update them on current and upcoming Gallia County projects.

- SR 850 project - easement appraisals are currently being conducted.
- Farm Rd phase 2 - still in planning stages current funding is for design and purchase of right-of-ways. The environmental engineering is scheduled for later this year, with a public meeting being held in November. They have held meetings with the City regarding the funding for this project.
- Burnett Rd - Study has been completed with the final results recommending a limited access. This could come as a request from the trustees to the county commissioners for them to pass a resolution limiting the access on this road upon the recommendations of the ODOT study.
- SR 35 slip repair at Mill Creek - Still in the study phase.
- Commissioner Smith advised that the airport is currently conducting a study which will involve fixed obstacles around the airport. Some of the state roadways could be identified as one of these obstacles. Once identified and allowed to remain, there could be problems should something occur.
- SR 35 completion through Mason County - The Commissioners encouraged ODOT's full cooperation with the WV officials with any assistance they can offer for the completion of this project.
- Three culverts are to be sold next year at the following locations: SR 325, SR 553 at SR 7 (60-day closure), SR 850 south side of SR 35 (10-day closure). ODOT will be sending a letter regarding these projects and requests a response within 30-days. Commission also encouraged them to work with the incoming Engineer regarding the planned detours of any involved county roads.
- SR 588 - ODOT will be working with Bob Evans Farms to replace the under road walkway and will be closing the road for approximately 10-days.

**EXECUTIVE SESSION**

At 11:13 a.m. Justin Fallon entertained a motion to enter into executive session with Prosecutor Jeff Adkins for legal 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 11:26 p.m.; no action taken.

**BID OPENING – BRENTWOOD DRIVE SLIP REPAIR PROJECT**

At 11:30 a.m. President Justin Fallon opened the following bids for the Gallipolis Township Brentwood Drive slip repair Project:

Company	Total Bid
Ohio Bridge Corp	\$ 58,550.00
DGM Inc.	\$ 61,250.00

The county engineer's cost estimate for this project was \$60,005.00. The bids were turned over to the County Administrator Karen Sprague for her review and recommendation. The following were in attendance: Todd Carpenter, Ohio Bridge Corp; Mark Salisbury, DGM Inc.; Dean Brownell, Gallipolis Twp. Trustee.

County Administrator Karen Sprague reviewed the bids and returned with a recommendation to award the bid to Ohio Bridge Corp. David Smith made and Joe Foster seconded the motion to award as recommended. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Mr. Smith, yea.

**VISITORS CENTER**

Executive Director Bob Hood met with the Commission and advised that an annual audit was conducted and their accountant recommended changes in the code of regulations. He explained it was necessary to clarify the definition for "Lodging" as indicated in bold below:

*F. "Lodging" means one (1) or two (2) or more connecting rooms in which sleeping accommodations are provided for a transient guest(s). **The term "Lodging" includes all other services associated with and as a result of the use of the rooms(s). Examples of other services include but are not limited to roll away beds, phone charges, faxes, laundry, etc.***

Director Hood recommended the Commission approve the clarification in terminology. Commissioner Smith explained that as an owner of a franchised hotel he is unable to go into their computer systems and make these adjustments and expressed concern over the terminology for all franchised owners. Joe Foster made and Justin Fallon seconded the motion to approve the clarification. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Mr. Smith, abstained.

**COOPERATIVE PURCHASING PROGRAM RESOLUTION**

David Smith made and Joe Foster seconded the motion to approve the enrollment to participate in the State of Ohio Cooperative Purchasing Program and signed the following resolution. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Mr. Smith, yea.

**RESOLUTION  
AUTHORIZING POLITICAL SUBDIVISION TO PARTICIPATE  
IN THE State of Ohio COOPERATIVE PURCHASING PROGRAM**

**WHEREAS**, Ohio's Cooperative Purchasing Act. (AM. Sub. H.B. No. 100), as signed into law on December 4, 1985; and

**WHEREAS**, effective March 6, 1986, Ohio's Cooperative Purchasing Act provides the opportunity for counties, townships, municipal corporations, regional transit authorities, regional airport authorities or port authorities and school districts, conservancy districts, township park districts, park districts, private fire companies or private, non-profit emergency medical service organizations and

other authorities, to participate in contracts distributed by the State of Ohio, Department of Administrative Services, Office of Cooperative Purchasing for the purchase of supplies, services, equipment and certain materials; now therefore,

BE IT ORDAINED BY THE GALLIA COUNTY COMMISSIONERS

Section 1

That the President of the Gallia County Commissioners hereby requests authority in the name of the GALLIA COUNTY to participate in state contracts which the Department of Administrative Services, Office of State Purchasing has entered into and the Office of Cooperative Purchasing has distributed for the purchase of supplies, services, equipment and certain other materials pursuant to Revised Code Section 125.04.

Section 2

That the President is hereby authorized to agree in the name of the Gallia County to be bound by all contract terms and conditions as the Department of Administrative Services, Office of Cooperative Purchasing prescribes. Such terms and conditions may include a reasonable annual membership fee to cover the administrative costs which the Department of Administrative Services incurs as a result of Gallia County's participation in the contract. Further, that the President does hereby agree to be bound by all such terms and conditions and to not cause or assist in any way the misuse of such contracts or make contract disclosures to non-members of the Coop for the purpose of avoiding the requirements established by ORC 125.04.

Section 3

That the President is hereby authorized to agree in the name of the Gallia County to directly pay the vendor, under each such state contract in which it participates for items it receives pursuant to the contract, and the President does hereby agree to directly pay the vendor.

Be it resolved by the Board of Commissioners, Gallia County, Ohio this 25<sup>th</sup> day of September, 2008.

s/Justin L. Fallon  
President

s/David K. Smith  
Vice President

s/Howard "Joe" Foster  
Member

CORSA DEDUCTIBLE

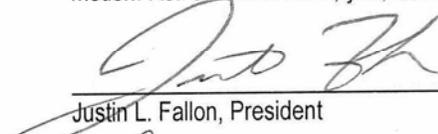
The Sheriff's office submitted an invoice from CORSA for a \$2500 deductible for an alleged 2005 civii rights violation in the county jail. David Smith made and Joe Foster seconded the motion to pay the invoice out of self trust insurance. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Mr. Smith, yea.

07 PAVING AWARD - SENIOR CENTER/ENGINEER

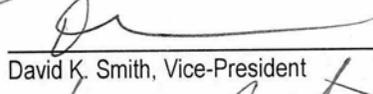
Nuko Inc. was awarded the 07 bid for paving the drive and area between the senior center and the county highway garage and striping the lot. (Volume 42 Page 358) Commissioners were advised that the award has expired and Nuko will not honor their quote.

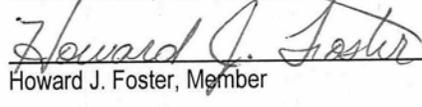
ADJOURN

At 1:00 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