

October 2, 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 25, 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	10/02/08	Ross County	Qtrly fiscal Mtg
	Carol Belville			
	Dana Glassburn			

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
9/28	0	0	26	0	0	0	26

CERTIFICATE OF APPRECIATION

David Smith made and Joe Foster seconded the motion to send a certificate of appreciation to Tractor Supply for their cooperation and assistance in the Animal Shelter Adoption Day. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Mr. Smith, yea.

EXECUTIVE SESSION - CONTRACTS

At 9:10 AM Justin Fallon entertained a motion to enter into executive session with County Administrator Karen Sprague for contract issues. Returned to regular session at 9:19 a.m.; no action taken.

HAZARDOUS MATERIALS PLAN

Commissioners received a Hazardous Materials Plan Promulgation Statement from EMA Director C. Michael Null for approval and signature. Joe Foster made and David Smith seconded the motion to approve submitted statement as recommended by Director Null. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Mr. Smith, yea.

Promulgation Statement - ANNEX O

The preservation of life and property is a fundamental responsibility of government at all levels. Chemicals are an essential part of everyday life in Gallia County. The potential for an incident to occur involving the transport, use, storage, or manufacture of Hazardous Materials is ever present. Therefore it is a function of local government to prevent or lessen the impact of such an incident through emergency planning and preparation.

This plan, Gallia County's Hazardous Materials Plan, establishes the roles, procedures, and inter-organizational relationships under which public officials, department heads, and private organizations shall operate in the event of any Hazardous Materials incident. It is supported by standard operating procedures that address specific hazardous materials operational concepts.

Thus, the Local Emergency Planning Committee, designated by the County Commissioners and appointed by the State Emergency Response Commission, is charged with the responsibility of preparing, and annually exercising and reviewing Gallia County's Chemical Emergency Response and Preparedness Plan. The plan shall be executed by the Gallia County Commissioners, the County Emergency Management Agency and those agencies as designated and described within this plan.

This plan supersedes all other Gallia County Hazardous Materials plans, complements the Gallia County Emergency Operations Plan, and supports the State of Ohio Hazardous Materials Emergency Management Plan and is coordinated with neighboring LEPC Plans.

This plan is developed in accordance to ORC 3750 and the rules adopted under it, the Superfund Amendments and Reauthorization Act: Title III - Emergency Planning and Right To Know Act of 1986 (100 Stat. 1729, 42 USCA 11001), and other applicable local, state, and federal laws.

This plan is acknowledged and signed on this the 2nd day of October, 2008 by:

s/Justin L. Fallon, President
s/David K. Smith, Vice President
s/Howard "Joe" Foster, Member
s/C. Michael Null, LEPC Chairman
s/C. Michael Null, County EMA Director

DISTRICT BOARD OF HEALTH 2007 REGULAR AUDIT REPORT

Commissioners reviewed the regular audit report for the District Board of Health for the year ending December 31, 2007. A copy is kept on file in the Commissioners office.

FINANCIAL REPORT REVIEW

Commissioners reviewed and compared September '08 Financial Fund report as submitted by Auditor Larry Betz, with the September '07 report. County Administrator reviewed the comparisons of all revenue and expenditure line items with '07 data.

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EMS STATION PROJECT

The Commissioners were provided with a copy of the Request for Proposals sent to the five local banks on 9/30/08 requesting bids for financing for the EMS Station Project.

BOARD OF ELECTIONS - SECURITY REQUESTS FOR ELECTION

The Commission was presented with a list of the dates and times the Board of Elections would need the Sheriff's Department to provide security officer staffing leading up to and including the November 4th election as follows:

- Monday, October 6, 2008 thru 9 pm (last day to register to vote)
- Saturday, November 1, 2008 from 8 am to noon (absentee voting)
- Tuesday, November 4, 2008 from 6:30 am thru final count of votes on election day (ending time unknown)
- Tuesday, November 4, 2008 - need deputy on second floor to prevent anyone from coming up the back stairs or off elevator after 7:30 pm until all precincts have been checked in (ending time unknown)

Commissioners noted they gave permission last year for the second floor to be closed to the general public after 7:30 pm on all Election Day's and this permission will stand unless requested by the Board of Elections. Permission was granted to allow the Board of Elections the safe guards they needed to assure an accurate election count. Commission instructed Ms. Sprague to forward the requests to the County Sheriff with appreciation from the Commission for providing the security coverage as requested.

BOARD OF ELECTIONS - 2009 BUDGET CORRECTION

Board of Elections Director Jeff Halley submitted a letter requesting a correction to the BOE FY 2009 budget request as follows:

- Request increase in the Poll Worker Line Item of \$910 due to increase of the federal minimum wage to \$7.25 on 7/24/09. The BOE is anticipating the Ohio Secretary of State will direct all County Board of Election to pay their poll workers at least a minimum of \$101.50 for a 14-hour election day pursuant to this minimum wage increase.

The County Administrator will make the change in the BOE 2009 budget request.

CERTIFICATION OF PUBLIC HOUSING AUTHORITY (PHA)

The Commissioner was presented with Gallia Metropolitan Housing Authority's 2009 Annual PHA Plan and advised that the County must certify that the GMHA PHA plan is consistent with the County's Consolidated Plan (CHIS). The Commission was also advised that both the County Administrator and June Williams, Director of GMHA, have reviewed both plans and feel that they are consistent and that the five year plan contains the following:

- 2009 - lawn tractor, upgrade sanitary lines, vehicle, ranges, refrigerators
- 2010 - upgrade computers, upgrade sanitary lines, vehicle, ranges, refrigerators
- 2011 - pavement, washers, sanitary lines, office furniture
- 2012 - vehicle, dryers, repair brick
- 2013 - unknown at this time

Justin Fallon entertained a motion to sign the Certification of Consistency with the Consolidated Plan. David Smith made and Joe Foster seconded that motion. Upon roll call votes were as follows: Justin Fallon, yea; David Smith, yea; Joe Foster, yea.

The Certification form was signed by Justin Fallon, as President of the Commission, and the Certification form and the GMHA PHA Plan are on file in the County's CDBG files.

FY 2008 REAL PROPERTY ABSTRACT APPROVAL

The Commission received with a letter from the Ohio Department of Taxation to County Auditor Betz for the approval of the FY 2008 real property abstract setting the aggregate taxable value of real property in Gallia County at \$452,287,760.

K/A SEWER EASEMENT STATUS

The Commission was presented with information from the project engineer Gary Silcott regarding the status of easements for the Kanauga/Addison Sewer Project. The county needs easements for 35 parcels of land for the sewer project. To date the project engineer has obtained easements for 10 of the 35. He is requesting assistance from the county to obtain these easements, suggesting a possible night meeting for just these property owners to answer their questions and have a notary available to get the easements finalized during the meeting. The easements that are not obtained during the meeting will need to be acquired by imminent domain.

Commission determined an evening meeting should be held to discuss the following:

- Invite those property owners where easements are still required to explain the easements and answer their questions and have a notary available to get the easements signed during the meeting.
- Explain the following to the residents:
 - current status of the project
 - anticipated bid and construction dates
 - tap fee collection
 - GMCAA review the procedures for the LMI property owners to obtain grant funds to cover their tap fees and their on-lot connection costs
 - introduce the project construction manager

Commissioner Smith suggested both meetings be held the same evening with about an hour between them. Hold the easement meeting first and then the meeting for all residents. Commission advised the following items need to be resolved before the meeting could be held:

- hire project construction manager
- Contract with GMCAA to receive and certify the applications from the LMI property owners for the grant funds for the tap fees and on-lot connections.
- Determine how the County will collect the tap fees, i.e. putting it on real estate tax bills, etc.

Commission instructed the County Administrator to contact Gary Silcott, Project Engineer, to determine dates and times when the meetings can be scheduled.

OWDA WASTEWATER SYSTEM DESIGN LOAN

Based on the approval of the new Ohio Water Development Authority's Wastewater System Design Loan for the Green Township Sewer Project, Commission President Justin Fallon entertained a motion to request the County Auditor's

Office to increase the existing fund for this loan titled "OWDA Loan-Green Sewer", loan fund number 061, and to appropriate the additional \$275,000 loan into line items as follows:

Appropriate \$275,000 into 061.0061.531100 title OWDA Loan-Green Sewer

Increase Revenue Line Item as follows:

Increase 061.3000.400100 Pay-ins for OWDA Loan-Green Sewer (\$275,000)

Perform a memo entry in the system from 061.0061.531100 to reflect the OWDA Fee of \$1,134.00 that OWDA took from the loan upon its approval and set up.

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 FORMULA GRANT APPROPRIATION APPROVAL - B-F-08-025-1

The County Administrator advised the Commission of the need to approve appropriation of the FY 2008 Formula Grant and to request the County Auditor's Office to create a new fund for this grant titled "B-F-08-025-1", give that grant fund number 169, and to appropriate the \$150,000 grant into line items as follows:

Appropriate	\$39,000	into	169.0169.531100	title	Springfield Twp Street Impr
Appropriate	\$20,000	into	169.0169.531101	title	Glps Village Street Impr
Appropriate	\$45,000	into	169.0169.531102	title	Huntington Twp Street Impr
Appropriate	\$35,000	into	169.0169.531103	title	Green Twp. Street Impr.
Appropriate	\$ 3,000	into	169.0169.531104	title	Fair Housing
Appropriate	\$ 8,000	into	169.0169.531105	title	Administration

Also, request the County Auditor's Office to create the following revenue line items:

Create 169.3000.400100 B-F-08-025-1 Grant Revenue
Create 169.3000.400101 Local Match Revenue (estimated at \$107,090)

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.

ARC GRANT APPROPRIATION APPROVAL

Commission President Justin Fallon entertained a motion to approve appropriation of the USDA Sewer Grant/Loan for the Kanauga/Addison Sewer Project and to request the County Auditor's Office to create a new fund for this grant titled "ARC Grant -KA Sewer", give that grant fund number 172, and to appropriate the \$250,000 grant funding into line items as follows:

Appropriate \$250,000 into 172.0172.531100 title ARC Grant KA Sewer

Also, requests the County Auditor's Office to create the following revenue line items:

Create 172.3000.400100 ARC Grant Revenue (estimated revenue \$250,000)

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.

USDA SEWER GRANT/LOAN APPROPRIATION APPROVAL

Commission President Justin Fallon entertained a motion to approve appropriation of the USDA Sewer Grant/Loan for the Kanauga/Addison Sewer Project and to request the County Auditor's Office to create a new fund for this grant/loan titled "USDA Grant/Loan-KA Sewer", give that grant/loan fund number 170, and to appropriate the \$2,884,000 grant & loan funding into line items as follows:

Appropriate	\$1,022,000	into	170.0170.531100	title	USDA Grant KA Sewer
Appropriate	\$1,862,000	into	170.0170.531101	title	USDA Loan KA Sewer

Also, request the County Auditor's Office to create the following revenue line items:

Create 170.3000.400100 USDA Grant Revenue (estimated revenue \$1,022,000)
Create 170.3000.400101 USDA Loan Revenue (estimated revenue \$1,862,000)

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.

CDBG - FY 2008 WATER/SEWER GRANT APPROPRIATION APPROVAL

B-W-08-025-1

Commission President Justin Fallon entertained a motion to approve appropriation of the FY 2008 Water/Sewer Grant and to request the County Auditor's Office to create a new fund for this grant titled "B-W-08-025-1", give that grant fund number 171, and to appropriate the \$600,000 grant into line items as follows:

Appropriate	\$500,000	into	171.0171.531100	title	KA Sewer Impr.
Appropriate	\$100,000	into	171.0171.531101	title	KA Sewer Tap-Ins

Also, request the County Auditor's Office to create the following revenue line items:

Create 171.3000.400100 B-W-08-025-1 Grant Revenue

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.

SHERIFF - COPS TECHNOLOGY GRANT

Pursuant to a Technology Program Grant from the US Department of Justice for the Sheriff's Office the County Commission needs to approve the appropriation of the COPS grant and request the County Auditor's Office to create a new fund for this grant titled "Sheriff-COPS Tech Grant", give that grant fund number 147, and to appropriate the \$46,765.00 grant into line items as follows:

Appropriate	\$36,752	into	147.0147.530400	title	Equipment
Appropriate	\$10,013	into	147.0147.531100	title	Other Expenses

Also, request the County Auditor's Office to create the following revenue line items:

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Create 147.3000.400100 COPS Grant Revenue

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.

CONTRACT – GALLIPOLIS TWP BRENTWOOD DRIVE SLIP REPAIR

The Commission was presented with the contract for the Gallipolis Township Brentwood Drive Slip Repair project for approval and signing, noting the Commission awarded the project during their prior meeting. Justin Fallon entertained a motion to approve and sign the contract as presented. 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. Ms. Sprague noted the preconstruction meeting had been scheduled and included in the Commissioners Meeting Agenda for 11 am on Thursday October 9, 2008 to be held at the County Engineer's Office.

CD/FCS EDUCATOR UPDATE

CD/FCS Educator Amy Corbin and Extension Agent Richard Stephens met with the Commissioners for an update on various programs. Ms. Corbin advised they are setting up a meeting for those interested in growing grapes; a tentative date is November 12th at the Ag Center. She also advised that there have been some changes in the scheduled entrepreneurial meeting dates and she will forward those changes. Commissioner Foster informed them of a Clean Tech Venture Forum being held on 10/22 at Ohio University, encouraging them to attend if their schedules would allow.

BROADBAND UPDATE

County Information Technology Director John Grubb met with the Commissioners to update them on the status of the Gallia County Broadband Committee. Director Grubb informed the Commissioners of the Connect Ohio - High-Speed Horizons for Ohio program. This program will give the consumers an opportunity to provide information to the committee that allows service providers to use as a business case for providing extended services. Currently, 30 households will meet one vendor "Return on Investment" (ROI). Commissioner Fallon stated that it is important that the public understand that we need their feedback to improve our local high speed internet services in the rural areas of the county. In developing this data it is essential that local vendors participate in the Broadband Committee meetings so they can be part of improving and extending their services.

In regard to last week's T-1 line discussion, Director Grubb advised he was waiting on a new quote from AT&T for the routers needed to install because the last quote was over 60 day old.

COURTHOUSE ADA REPAIRS QUOTE

Jim Davis with Davis Brothers Construction submitted a quote for the necessary ADA repairs to the courthouse facility as follows:

Concrete Repair Work – Courthouse

- Installation of ADA approved railing
- Remove/replace ADA Parking spot
- Repair 2 catch basins
- Grinding high areas (sidewalks)
 - TOTAL QUOTE: \$4,736.00

Commissioners accepted the submitted bid and work is to be completed as approved in Journal 43 page 328.

**PUBLIC HEARING – TAX BUDGET
FOR FISCAL YEAR 2009**

At 10:30 a.m. the Commissioner held a public hearing for the 2009 Tax Budget. Attendees: County Administrator Karen Sprague, Lois Snyder, and Elizabeth Rigel. The County Administrator presented the Commission with the FY 2009 Tax Budget for the county's various funds for the fiscal year beginning January 1, 2009 thru December 31, 2009, advising that the general fund requests for FY 2009 are \$8,873,366.88. This is up from the original requests for FY 2008 of \$8,682,805.38. The County Budget Commission will provide estimated revenue for FY 2009 later this year so that the Board of County Commissioners can determine the amount of cuts that will be necessary to balance the general fund budget for FY 2009. It was noted the Commission must adopt the budget on or before 10/15/08 therefore, it must be adopted during the 10/9/08 Commissioners meeting to meet this deadline. It can be reviewed and changed by the County Commissioners up until that date. No action taken at this time.

* 10:47 The Commissioners left the meeting to visit the Service Center building and returned at 11:50 a.m.

BREAST CANCER AWARENESS

The following were in attendance for the joint proclamation of the 2008 National Breast Cancer Awareness Month by the County and City Commissioners: City Commissioner Jim Cozza; Bonnie McFarland, Holzer Medical Center; Bonnie Williams, City Recreation Department and Bryna Butler, Ohio Valley Bank-Relay for Life. David Smith made and Joe Foster seconded the motion to approve the following proclamation. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Mr. Smith, yea.

***Proclamation
for
2008 National Breast Cancer Awareness Month***

The National Cancer Institute has estimated that in 2008 there will be 182,460 new cases of breast cancer in women and 40,480 will die from the disease. Breast cancer is the most common form of cancer in women, accounting for one out of every four cancer diagnoses. One out of every seven women in the United States will develop breast cancer in her lifetime. Research shows that the five-year survival rate is 96 percent when the cancer is diagnosed at an early stage. Regular mammography combined with regular clinical breast examinations and breast self-examinations as recommended by the American Cancer Society offer the best opportunity to increase survival.

WHEREAS, October 2008 is National Breast Cancer Awareness Month and marks more than 23 years that National Breast Cancer Awareness Month has educated women about early breast cancer detection, diagnosis and treatment; and

WHEREAS, National Breast Cancer Awareness Month is dedicated to increasing public knowledge about the importance of early detection of breast cancer to ensure that the message is heard by thousands of women and their families; and

WHEREAS, breast cancer is the second leading cause of cancer death in women, exceeded only by lung cancer;

WHEREAS, death rates from breast cancer have been declining, and this change is believed to be the result of earlier detection and improved treatment; and

WHEREAS, mammography, an "x-ray" of the breast, is recognized as the single most effective method of detecting breast changes that may be cancer long before physical symptoms can be seen or felt;

WHEREAS, the American Cancer Society has searched endlessly for a cure through vital research, and has the mammoth task of educating our community and all Americans of the risks of breast cancer. Its many volunteers who offer support in the form of support groups, accommodations and transportation assistance, medical equipment and more.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Gallia County Commissioners do hereby recognize October 2008 as **BREAST CANCER AWARENESS MONTH** and ask all citizens to join in this worthwhile cause, to celebrate successes and memorialize lost battles.

Dated this 2nd day of October 2008
S/Justin L. Fallon, President
S/David K. Smith, Vice President
S/Howard "Joe" Foster, Member

* Commissioner Fallon left at noon for a luncheon meeting with the President of the CIC and President of the City Commission.

CONTRACT SERVICES – AIRPORT

Joe Foster made and David Smith seconded the motion to approve the following contract with Robert McCarley for contracted services at the airport. Roll call: Mr. Foster, yea; Mr. Smith, yea; Mr. Fallon, absent.

Contract Services Agreement

Name: Robert McCarley
Address: 219 McCarley Rd
Vinton, OH 45686

Mr. McCarley:

This letter shall serve as a Letter of Agreement between you and the Gallia County Commissioners.

You shall provide management and fueling services for the Gallia-Meigs Regional Airport as requested on a week-to-week basis. You shall provide services at the direction of the Gallia County Commissioners and the Gallia-Meigs Regional Airport Board.

It is understood that you will be hired on an as needed basis for an indefinite period. Either party must give two (2) weeks notification in advance of a need to initiate termination.

You shall be compensated for actual time worked at the airport at a rate of \$8.00 per hour for each hour.

You shall maintain a weekly time sheet, which will be submitted each Monday, to Karen Sprague, County Administrator, for processing payment to you for your services.

Pay for actual time worked shall constitute your total compensation. You shall provide, maintain, and pay at your expense, all of your personal and professional insurance, fees and taxes. Pay for actual time worked shall constitute your total compensation. You shall provide, maintain, and pay at your expense, all of your personal and professional insurance, fees and taxes. Further, this is a contractual relationship between Gallia County/Airport Authority and the contracting worker, thus said contracting worker is aware and consents to the fact that this is a contract relationship with the County and said worker will receive no benefits of a County Employee, that being PERS, sick leave, vacation time and health benefits at County rates. Contracting worker further agrees he will not pursue Unemployment Compensation at termination of the contractual relationship and the contracting worker will supply the County with proof of his own workers compensation insurance.

We are confident that you will make an outstanding contribution, and we look forward to having you work with us. If you find this arrangement satisfactory, please countersign in the space provided and return one copy for our files.

Respectfully submitted,
s/Justin L. Fallon
President, Gallia County Commission

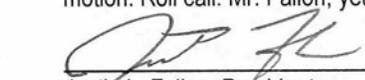
ACCEPTANCE IN FULL OF CONTRACT SERVICE PERSONNEL Robert McCarley
SIGNATURE: s/Robert H. McCarley 10/02/08

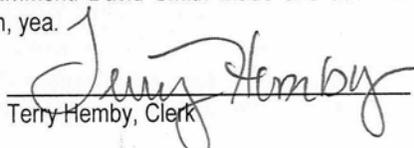
EQUIPMENT AUCTION

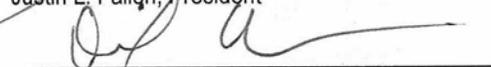
The Commissioners were present for the equipment auction being held at 6pm on Shawnee Lane with Auctioneer Josh Bodimer.

ADJOURN

At 7:00 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