

March 19, 2009

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. At 9:00 a.m. the meeting was called to order by President Justin L. Fallon. Roll Call: Mr. Justin L. Fallon present; Mr. Howard J. "Joe" Foster Vice-President, present; and Ms. Lois M. Snyder, Member, present.

President Fallon entertained a motion for approval of the March 12, 2009 minutes. Joe Foster made and Lois Snyder seconded the motion. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.

TRAVEL REQUESTS				
DEPARTMENT	NAME	DATE	TO	RE:
Auditor	Larry Betz Rosie Casey	3/13/09	Hocking County	Auditor SECAAO District Mtg
Info Tech	John Grubb	4/16/09	Newark OH	Northwoods Training
		2/26/09	Lake County	OCITA

President Fallon entertained a motion to approve travel requests as submitted. Joe Foster made and Lois Snyder seconded the motion. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.

ANIMAL SHELTER REPORT

Week Ending	Adopted	Reclaimed	Euthanized	Died of natural causes	Rescued	Destroyed in field	Total Month
3/15/09	2	0	27	0	10	0	39

JAIL FLOORING

Sheriff Joe Browning submitted an estimate for the installation of new flooring in the jail area from Vanco Floor Covering at \$680.26. Joe Foster made and Lois Snyder seconded the motion to approve the Sheriff to proceed with replacement of flooring. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.

LETTERS OF SUPPORT - ARC ACCESS ROAD GRANT - SR 850 UPGRADE

Engineer Draftsman Seth Montgomery submitted the following letters for the Commission from Engineer Brett Boothe for the ARC Access Road Grant full application which is now due to OVRDC. Lois Snyder made and Joe Foster seconded the motion lending full support and approval of the following; Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.

March 19, 2009

Brett A. Boothe, PE, PS
Gallia County Engineer
1167 State Route 160
Gallipolis, Ohio 45631

Re: Authorization to pursue Access Road Grant Application
State Route 850 Access Road

Dear Brett:

We, the Gallia County Commissioners, authorize Brett A. Boothe, Gallia County Engineer to sign, execute, and submit any and all documents relative thereto, pursuant to Chapter 307 of the Ohio Revised Code, for the revised Grant Application for Federal Appalachian Regional Commission Funding in the amount of \$500,000, for the construction of State Route 850 roadway improvements with project limits beginning at 0.06 miles South of Hickory Road (T-437) close to the US 35 intersection and ending at 0.16 miles North of Denny Cemetery Road. (T-463) (approximately 1.4 miles total length)

Respectfully,

Gallia County Commissioners
s/ Justin L. Fallon, President
s/ Howard Joe Foster, Vice-President
s/ Lois Snyder, Commissioner Member

March 19, 2009

Debra Fought
Planning Administrator - District 10
Ohio Department of Transportation
338 Muskingum Drive
Marietta, Ohio 45750

Re: Access Road - Right of Way
State Route 850 Access Road

Dear Debra,

This letter serves to reconfirm my intent to donate right-of-way for construction of the State Route 850 access road improvements project. As previously stated, the Gallia County understand that the project involves construction of approximately 1.4 miles of minor rehabilitation and that the County Engineer has estimated that the project would require approximately 2.1 acres of right-of-way from county parcels.

The County is writing this letter to further confirm that Gallia County understands we are entitled to compensation but nonetheless the County is still willing to donate the right-of-way. Gallia County also confirms that the County was not coerced into making this donation.

Please feel free to call if you have any questions or comments regarding this matter.

Respectfully,
Gallia County Commissioners

s/ Justin L. Fallon, President
 s/ Howard Joe Foster, Vice-President
 s/ Lois Snyder, Commissioner Member

March 19, 2009

Ohio Valley Regional Development Commission
 Attn: Michelle Throckmorton
 9329 State Route 220 East, Suite A
 Waverly, Ohio 45690-9012

Re: \$100,000 Local Match
 State Route 850 Access Road

Dear Michelle,

Please be advised that the Board of Gallia County Commissioners lends its full support and cooperation to the Gallia County Engineer and the Ohio Department of Transportation for the completion of the State Route 850 Access Road improvement project.

This completion of this project is extremely important in order to provide adequate access to the Dan Evans Industrial Park, as means to retain the existing four businesses that are located there consisting of 325 permanent full-time jobs and to foster the development of future economic prospects to locate in our industrial park.

The Gallia County Commissioners will, in conjunction with the Gallia County Engineer, provide the required \$100,000 local match for this project through the use of SOACDF funds that are currently available and committed to this access road project as of today March 19th, 2009

We thank you in advance for your favorable consideration of this project for ARC funding.

Respectfully submitted,

Gallia County Commissioners
 s/ Justin L. Fallon, President
 s/ Howard Joe Foster, Vice-President
 s/ Lois Snyder, Commissioner Member

3/19/2009

Ohio Valley Regional Development Commission
 9323 State Route 220A, Suite A
 Waverly, Ohio 45690

Attention: Area wide Clearinghouse Coordinator

Subject: SR 850 Access Road

To Whom It May Concern:

Per Gubernatorial Executive Order 97-1066V, please find attached a copy of the referenced ARC Access Road project grant application for clearinghouse review. Please process this application as required. A copy of this application has been forwarded on to the Ohio Department of Transportation, which is the project's basic agency.

Please contact me if you have any questions.

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

3/19/2009

TO: BRETT A. BOOTHE, GALLIA COUNTY ENGINEER
 FROM: GALLIA COUNTY COMMISSIONERS
 RE: LETTER OF SUPPORT FOR ST RT 850 IMPROVEMENT PROJECT

We wish to declare our full support for the proposed State Route 850 Improvement Project. State Route 850 serves as the access route to our Gallia County Industrial Park from US 35 and as such is vital to our future economic development efforts. Currently the industrial park has 4 occupants: Bob Evans Truck Garage (30 employees), Foster Sales & Delivery Inc. (60 employees), Southern Cabinetry Inc. (50 employees) and Holzer Clinic Support Service Center-Medical Records & Lab (185 employees).

The proposed project will provide improvements to State Route 850 from US 35 to Denney Road, which will allow easier access to the industrial park for our current and future occupants.

We strongly agree with Gallia County Engineer Brett A. Boothe that improvements to State Route 850 will be a great asset for Gallia County in providing better economic development opportunities. We fully support Mr. Boothe in his endeavors to obtain funding for this much needed project.

Respectfully submitted,
 Gallia County Commissioners
 s/ Justin L. Fallon, Pres.
 s/ Howard Joe Foster, Vice-Pres.
 s/ Lois M. Snyder, Commission Member

RESCIND MOTION – GALLIA COUNTY COUNCIL ON AGING LEVY

President Justin Fallon entertained a motion to rescind the resolution adopted on 2/26/09, Volume 44 & Page 8 & 9 regarding the levy for the Gallia County Council on Aging due to typographical errors. Joe Foster made and Lois Snyder seconded the motion. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.

GALLIA COUNTY COUNCIL ON AGING - LEVY RESOLUTION

President Justin Fallon entertained a motion to adopt the corrected resolution below for the Gallia County Council on Aging levy:

**RESOLUTION
 ORC 5705.03 (B)**

The Board of County Commissioners of Gallia County, Ohio, met in regular session on the 19th day of March, 2009,

and the following members were present: Justin Fallon, Howard J. Foster and Lois Snyder. Lois Snyder moves the adoption of the following resolution:

WHEREAS, the amount of taxes which may be raised within the ten-mill limitation will be insufficient to provide an adequate amount for the purpose of the operation of the Gallia County Council on Aging, Inc., and

WHEREAS, The Board of County Commissioners of Gallia County, Ohio, requests certification from the Auditor of Gallia County, Ohio pursuant to Section 5705.03(B) of the Ohio Revised Code, therefore be it

RESOLVED, by the Board of County Commissioners of Gallia County, Ohio, two-thirds of all members elected thereto concurring, that it is necessary to levy a tax in excess of the ten mill limitation for the benefit of the Gallia County Council on Aging, Inc., for the sole purpose of providing operating funds of said Gallia County Council on Aging.

And pursuant to the Ohio Revised Code Section 5705.03(B), the Board of County Commissioners of Gallia County, Ohio, hereby requests the Auditor of Gallia County, Ohio to certify to the Board of County Commissioners of Gallia County, Ohio the total tax valuation of Gallia County the amount of money that would be generated by .5 mill, based upon the following:

Said levy is a replacement levy of 0.5 mill for each one hundred dollars of valuation, and which amounts to five cents (\$.05) for each one hundred dollars of valuation, which levy is a replacement levy as authorized by Section 5705.25 of the Ohio Revised Code.

RESOLVED that the Clerk of this Board of County Commissioners of Gallia County, Ohio be and she hereby is directed to certify a copy of this Resolution to the Auditor of Gallia County, Ohio.

Mr. Howard "Joe" Foster seconded the motion and roll call being called upon its adoption the vote resulted in as follows: Justin Fallon, yea; Howard "Joe" Foster, yea; Lois Snyder, yea.

Adopted the 19th day of March, 2009.

s/ Jerry Hemby, Clerk

BOARD OF COUNTY COMMISSIONERS OF GALLIA COUNTY, OHIO

s/ Justin Fallon

s/ Howard J. Foster

s/ Lois Snyder

STATUS REPORT

FY 2007 CDBG CHIP & HOME GRANTS (B-C-07-025-1 & B-C-07-025-2)

The County Administrator presented the Commission with the Status Reports for the period September 1, 2008 thru March 2, 2009 for the County's FY 2007 CDBG CHIP & HOME Grants (B-C-07-025-1 & B-C-07-025-2), which must be submitted to the Ohio Department of Development. Justin Fallon entertained a motion that the Status Reports be approved and signed as presented. Joe Foster made and Lois Snyder seconded that motion. Upon roll call votes were as follows: Justin Fallon, yea; Joe Foster, yea; Lois Snyder, yea. The form is on file in the County's CDBG grant files.

GOAR 08-023A EXTENSION – COUNTY MAP DIGITIZATION PROJECT

The County Administrator presented the Commission with grant extension forms from the Governor's Office of Appalachia for the County Map Digitization Project (GOAR 08-023A) for Green and Springfield Townships. The GOA is granted Gallia County an extension from 3/7/2009 to 12/7/2009. Justin Fallon entertained a motion to approve grant extension forms as presented. Lois Snyder moved and Joe Foster seconded the motion. Roll call votes: Mr. Fallon, yea; Mr. Snyder, yea; Mr. Foster, yea.

COUNTY SEWER OPERATOR

County Administrator Karen Sprague advised the Commission that County Sewer Operator Gary Myers received certification from OEPA as a Limited Class A Wastewater Operator. Ms. Sprague advised the Commission that she and Mr. Myers would work out a schedule of duties with the counties contracted sewer operator, Technical Assistant in Wastewater Management, and report back to the Commission. Ms. Sprague recommended the savings be reviewed and used as a basis for an increase in pay for Mr. Myers. No action taken.

AGRICULTURAL SOCIETY

The Commissioners received and have on the file the following notices from the Director of Agriculture/Gallia County Agricultural Society:

No. 00-0027

February 23, 2009

TO THE BOARD OF COUNTY COMMISSIONERS OF GALLIA COUNTY:

I HEREBY CERTIFY, that the GALLIA COUNTY Agricultural Society has held an annual exhibition in accordance with Sections 171.04, relative to the offering and awarding of premiums and 1711.05 of the Revised Code, relative to the publishing of its Treasurer's account and the reporting of its awards to the Director of Agriculture, and has complied with the laws of the state and the rules of the department governing the operation of a County or Independent Agricultural Society.

THEREFORE, the Society is entitled to receive appropriations as provided for in Sections 1711.03 and 1711.22 of the Revised Code and is eligible to receive such amount as the Commissioners may appropriate by virtue of Sections 1711.15 or 1711.17 of the Revised Code.

s/Robert J. Boggs, Director of Agriculture

No. 00-0027

February 23, 2009

TO THE AUDITOR OF GALLIA COUNTY:

I HEREBY CERTIFY, that the GALLIA COUNTY Agricultural Society has held an annual exhibition in accordance with Sections 1711.04, relative to the offering and awarding of premiums and 1711.05 of the Revised Code, relative to the publishing of its Treasurer's account and the reporting of its awards to the Director of Agriculture, and has complied with the laws of the state and the rules of the department governing the operation of a County or Independent Agricultural Society.

THEREFORE, the said Society is entitled to receive from you an order in the amount of \$800.00 drawn on the County Treasurer as provided for in Sections 1711.01 or 1711.02 of the Revised Code.

s/Robert J. Boggs, Director of Agriculture

CD/FCS EDUCATOR UPDATE

CD/FCS Educator Amy Corbin met to update the Commissioners on several projects and programs. Mr. Bob Condee was present to answer any questions regarding the lots and water lines available in the Industrial Park.

DJFS

Director Dana Glassburn distributed a spreadsheet identifying the total budget cuts through 2011 and the services affected. Director Glassburn stated that massive cuts are being made in every county in Ohio and the local office is trying to figure out additional cost saving measures in their office. Gallia County will lose about one million dollars as well as additional services.

RECORDS COMMISSION MEETING

As required by Ohio Revised Code Section 149.38, the Records Commission met on this date at 10:30 a.m. to hold the first meeting of 2009. The Commission reviewed applications for one-time record disposal and schedules of records retention and disposal submitted. The second meeting is scheduled for September 17, 2009 at 10:30 a.m.

PERFECTION GROUP

Perfection Group representatives Al Lindeman and Rick Anderson returned to follow up on their energy analysis and requested to do a walkthrough of all county facilities to identify energy saving projects. Commissioners gave them permission to do the walk through with the County Building Superintendent Tom Halfhill.

MRDD AWARENESS MONTH PROCLAMATION

MRDD Superintendent Rosalie Durbin and Administrative Assistant Janet Hamilton met with the Commissioners for the following proclamation:

Proclamation

Whereas: Individuals with mental retardation or other developmental disabilities, their families, friends, neighbors and co-workers encourage everyone to focus on the abilities of all people, and

Whereas; the most effective way to increase this awareness is through everyone's active participation in community activities and the openness to learn and acknowledge each individual's contribution; and

Whereas; opportunities for citizens with mental retardation and developmental disabilities to function as independently and productively as possible must be fostered in our community; and

Whereas; we encourage all citizens to support opportunities for individuals with developmental disabilities in our community that include full access to education, housing, employment, and recreational activities; and

Now therefore, we the Gallia County Commissioners do hereby proclaim March, 2009 as Mental Retardation and Developmental Disabilities Awareness Month and recognize that people with developmental disabilities are "just like you". Take the time to get to know someone with a disability and what he or she has to offer.

Signed this 19th Day of March, 2009

S/ Justin L. Fallon

S/ Howard "Joe" Foster

S/ Lois M. Snyder

Lois Snyder made and Joe Foster seconded the motion to proclaim March as Mental Retardation and Developmental Disabilities Awareness Month. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.

*** NOON – COMMISSIONERS LEFT THE OFFICE FOR LUNCH AND A 1:00PM ROAD VIEWING AT FLOYD & GRACE STREETS AND AN UNNAMED ALLEY.**

BID OPENING - ENGINEER MATERIALS

2:30pm – In attendance for the materials bid opening: Janie Jenas, Waterloo Coal Co., Inc; Lana Lane, Gallia County Engineer's Office; John Kelly, Asphalt Materials, Inc.; Bill Colter, Blacktop Ind.; Jeff Rutherford, Marathon Petroleum Co. The Following material bids were opened and read aloud by President Justin Fallon:

ASPHALT BIDS

Material	Plant Pick-up						Delivered Price		
	Marathon Petroleum Company LLC	Shelly Liquid Division	Asphalt Materials Inc.	Shelly Materials	American Asphalt & Aggregates	Cunningham Asphalt Paving Inc.	Marathon Petroleum Company LLC	Shelly Liquid Division	Asphalt Materials Inc.
MC 30	No Bid	2.75	2.85				3.071	No Bid	2.92
MC 250	No Bid	2.60	2.80				2.971	No Bid	2.87
RS-2	1.75		1.85				1.818		1.92
Cold Mix				130.00		100.00			
301 Asphalt (Less than 50 tons)				56.25	59.00				
301 Asphalt (50 tons to 100 tons)				56.25	59.00				
301 Asphalt (Over 100 tons)				56.25	59.00				
448-1 Asphalt (Less than 50				65.25	59.00				

tons)									
448-1 Asphalt (50 tons to 100 tons)				65.25	59.00				
448-1 Asphalt (Over 100 tons)				65.25	59.00				
448-2 Asphalt (Less than 50 tons)				63.25	65.00				
448-2 Asphalt (50 tons to 100 tons)				63.25	65.00				
448-2 Asphalt (Over 100 tons)				63.25	65.00				

STONE BIDS

Material	Plant Pick-up				Delivered Price			
	Waterloo Coal Company Inc.	Hanson Aggregates	DGM Inc.	Shelly Materials	Waterloo Coal Company Inc.	Hanson Aggregates	DGM Inc.	Shelly Materials
Choke	No Bid	5.00	No Bid	No Bid	No Bid	14.25	No Bid	No Bid
Crusher Run	8.00	5.50	No Bid	16.80	12.50	14.75	15.50	No Bid
#304	11.00	5.00	No Bid	16.80	13.00	14.25	15.50	No Bid
#410	11.00	5.50	No Bid	No Bid	13.00	14.75	15.50	No Bid
#617	11.00	5.50	No Bid	16.80	13.00	14.75	15.50	No Bid
#9	No Bid	5.50	No Bid	No Bid	No Bid	14.75	No Bid	No Bid
#8	11.00	6.20	No Bid	19.80	13.75	15.45	15.50	No Bid
#67	11.00	5.75	No Bid	No Bid	13.75	15.00	No Bid	No Bid
#57	11.00	6.40	No Bid	17.40	13.75	15.65	16.00	No Bid
#4	11.00	5.75	No Bid	17.40	13.75	15.00	15.50	No Bid
#3	11.00	No Bid	No Bid	No Bid	13.75	No Bid	No Bid	No Bid
#2	11.00	5.50	No Bid	No Bid	13.75	14.75	15.50	No Bid
#1	11.00	No Bid	No Bid	No Bid	13.75	No Bid	No Bid	No Bid
#0	12.00	8.20	No Bid	No Bid	16.25	18.45	No Bid	No Bid
Class "D" rip-rap	12.00	8.20	No Bid	No Bid	18.25	18.45	21.00	No Bid
Class "C" rip-rap	13.00	12.00	No Bid	No Bid	18.25	23.00	21.00	No Bid

Bids were turned over to the County Engineer for his review and recommendation. Bids are to be awarded April 2, 2009 at 11:30 a.m. in the Commissioner's Office.

*** 2:42 p.m. Commissioner Fallon left the meeting to participate in conference call.**

CHILDRENS SERVICES FUNDING

Children Services Executive Director Chandra Shrader met with the Commissioners to advise that if they don't get the TANF Title 20 funds they will be gone and asked for guidance. If they don't do the program they cannot bring in the federal dollars. Director Shrader stated that they should be ok this year, but after June we do not know what type of funding will remain. We have no levy or general relief dollars, 27 counties have separate stand alone children services and 43 counties in Ohio do not have levies. They have met with JFS and looked at combining with them and it doesn't appear to be any cost savings taking that route. They are making as many cuts as they can to continue their operation but with a major cut like this the future is uncertain.

Commissioner Foster encouraged them to watch the budget process closely and continue talks with the legislators for their continued support. He also asks that she put together numbers for the first half of this year. The Commissioners will help her develop a scenario to keep meaningful employment with the current employees and continue with the services that are in place.

CHILD ABUSE PREVENTION MONTH

Children Services Director Chandra Shrader informed the Commission of April being Child Abuse Prevention Month; last year they placed pinwheels on the Courthouse front lawn. The state wants them to do the pinwheels again this year; they will arrive the first weekend in April and will remain on the lawn for one week.

CONTINUAL CARE GROUP

Children Services Director Chandra Shrader also inquired about the progress of the Continual Care Group that proposed to locate in the Old Children's Home. With the proximity of their structures and family related clientele, she felt it important that all involved have the opportunity to express concerns and make sure they are worked out to

everyone's satisfaction prior to any contract agreement being in place. The Commissioners informed her that the group interested would be meeting with them next week and encouraged her agency to send a representative to be part of the process.

* Commission Fallon returned to the meeting at 3:05 p.m.

EXECUTIVE SESSION - PERSONNEL

At 3:10 p.m. Justin Fallon entertained a motion to enter into executive session for personnel issues. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea. Returned to regular session at 3:17 p.m.; no action taken.

EXECUTIVE SESSION - PERSONNEL

At 3:18 p.m. Justin Fallon entertained a motion to enter into executive session with Labor Consultant Ken Edsall, Dog Warden Paul D. Williams II and County Administrator Karen Sprague for personnel issues. Joe Foster made and Lois Snyder seconded the motion. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea. Returned to regular session at 5:00 p.m.; no action taken.

DISCIPLINARY RECOMMENDATION RESOLUTION

The Commissioners took action on the following:

A RESOLUTION CONFIRMING AND ADOPTING THE DISCIPLINARY RECOMMENDATION OF LABOR CONSULTANT KEN EDSALL, WITH REGARD TO EMPLOYEE PAUL D. WILLIAMS II:

WHEREAS, the Gallia County Board of County Commissioners has been advised of the following infractions by employee Paul D. Williams II:

Alleged Offense:

- 1. *Failure of good behavior*

Summary of Charges:

- 1. Failure of Good Behavior:
 - a. Exceeded posted speed limits.
 - b. Unauthorized Use of Vehicle.
 - c. Falsifying Time Sheets.

WHEREAS, Representatives of the Employer have investigated the facts surrounding the infractions. A pre-disciplinary conference was conducted and the Hearing Officer found that the infractions occurred as charged.

WHEREAS, the Board of County Commissioners have considered the facts and circumstances surrounding the infractions, the report of the Hearing Officer, and are in agreement with the Hearing Officer's recommendation and Labor Consultant's recommendation.

NOW, THEREFORE, BE IT RESOLVED BY THE GALLIA COUNTY BOARD OF COUNTY COMMISSIONERS THAT:

Employee Paul D. Williams II be terminated from employment with the Gallia County Dog and Kennel Department effective close of business March 19, 2009.

Passed: March 19, 2009

Date Signed: March 19, 2009

s/Justin L. Fallon, President
s/Howard J. Foster, Vice President
s/Lois M. Snyder, Member

Upon the recommendation of Labor Consultant Ken Edsall, Joe Foster made and Lois Snyder seconded the motion to adopt the above resolution. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.

EXECUTIVE SESSION - PERSONNEL

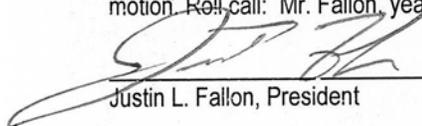
At 5:30 p.m. Justin Fallon entertained a motion to enter into executive session with Labor Consultant Ken Edsall, Asst. Dog Warden Jason Harris and County Administrator Karen Sprague for personnel issues. Joe Foster made and Lois Snyder seconded the motion. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea. Returned to regular session at 5:55 p.m.; no action taken.

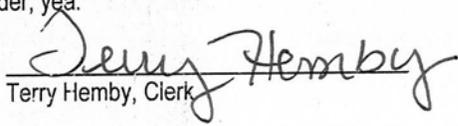
UNCLASSIFIED DESIGNATION

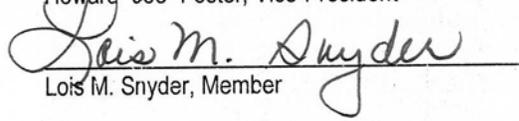
Joe Foster made and Lois Snyder seconded the motion to designate the position of Dog Warden unclassified status as permitted in Ohio Revised Code 124.11. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.

ADJOURN

At 6:45 p.m. President Fallon entertained a motion for adjournment. Joe Foster made and Lois Snyder seconded the motion. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.


Justin L. Fallon, President


Terry Hemby, Clerk

Absent
Howard "Joe" Foster, Vice-President

Lois M. Snyder, Member