

MAY 7, 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 April 30, 2009 minutes. Lois Snyder made and Joe Foster seconded the motion. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.

TRAVEL REQUESTS				
DEPARTMENT	NAME	DATE	TO	RE:
Commissioners	Lois Snyder Amy Corbin	5/6/09	Athens	Farmers Mkt Tour

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
5/3/09	1	5	9	0	6	0	21

CDBG SIGNATURE CARD UPDATE

The County Administrator presented the Commission with paperwork from ODOD to update the signature card on file for drawdown of grant funds awarded to Gallia County. Justin Fallon entertained a motion to designate the following elected officials and staff for the signature card and to approve and sign the forms as presented:

- Commissioner Lois Snyder
- Auditor Larry Betz
- Treasurer Steve McGhee
- County Administrator Karen Sprague

Joe Foster moved and Justin Fallon seconded a motion to approve the request as presented. Roll call votes: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.

GALLIA METROPOLITAN HOUSING AUTHORITY
REQUEST FOR RELEASE OF FUNDS AND CERTIFICATION FORM

The County Administrator presented the Commission with a request from Gallia Metropolitan Housing Authority Director Zac Fosler for the Commission to approve and sign a request for release of funds and certification form for Stimulus funds GMHA is receiving under the Capital Fund Recovery Grant. The funds, flowing thru HUD, will be used for the following projects:

- a Physical Needs Assessment for Public Housing Units at 381 Buck Ridge Road and 138 Pine Street, respective sites and non-dwelling structures at both sites
- Unit remodeling/rehabilitation as determined by aforementioned Physical Needs Assessment
- Purchase and install appliances, including refrigerators and ranges, for Public Housing units at 381 Buck Ridge Road and 138 Pine Street

Pursuant to HUD regulations 24 CFR 58.2 (a)(7)(ii)(B) the County is the local unit of government within which the project is located that exercises land use responsibility and is therefore the responsible entity to sign the request for release of funds and certification form. Lois Snyder moved and Joe Foster seconded a motion to approve the request as presented. Roll call votes: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.

USDA NOTIFICATION OF PHASE 1 ARCHAEOLOGICAL SURVEY

County Administrator Karen Sprague presented the Commission with notification from USDA that a Phase I Archaeological Survey is required for the Ohio Township Fire Substation Project before USDA can move the project along for funding. Ms. Sprague advised this requirement means the project cannot be included in the 2009 CDBG Formula Grant application because the matching funds from USDA will not be committed in time to meet the filing deadline of 6/26/2009. The Commission discussed funding of the Phase I Archaeological Survey. It was noted it could be paid from Formula grant administration dollars. Ms. Sprague noted she would get some cost estimates and report back to the Commission.

EMA GRANT DISCUSSION

EMA Director Mike Null returned to submit the requested documentation for grant funding. Null offered explanation for the absence of draws and lack of funds from the grants. He stated that two draws had been submitted, (1st and 2nd quarter 08) one had been acknowledged by the state liaison and they were waiting to receive acknowledgement for the second submission. Director Null was instructed that the reports should be submitted timely and immediately following the reported time period.

Null also informed the Commissioners of a Public Hearing for Hazard Mitigation Plan Upgrade scheduled for June 18 @ 11:30 a.m. in the Commissioners office.

EXECUTIVE SESSION

At 10:15 a.m. Justin Fallon entertained a motion to enter into executive session with JFS Director Dana Glassburn and County Prosecutor Jeff Adkins for legal and 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 11:17 a.m.; no action taken.

LEAVE DONATION

Director Dana Glassburn submitted the following leave donations applications going to JFS employee Terri Jividen from the following employees:

Up to 16 hours from Brenda Dyer (JFS) for the pay period dated 5/10 thru 5/22/09
Up to 16 hours from Debbie Belville (JFS) for the pay period dated 5/10 thru 5/22/09.

Justin Fallon entertained a motion to approve the leave donation application as recommended. Joe Foster made and Lois Snyder seconded. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.

MAXIMUS MAINTENANCE PLAN CONTRACT

Director Dana Glassburn submitted a Maintenance Plan Contract for the Windows version of the Quarterly Information Consolidation System Plus (QuIC+) and Random Moment Sampling System (RMS), both of which are part of the MAXIMUS Ledger Suite (MLS). Total for the contract period is \$2,850.00 for the state fiscal year 2010 and includes the following support elements:

- Phone Support
- Program Updates
- User Group Meeting
- E-letters & Training Bulletins

Lois Snyder made and Joe Foster seconded the motion to approve the contract as submitted. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.

OSU EXTENSION OFFICE BUDGET DISCUSSION

OSU Extension Agent Tracy Winters was present to discuss their year to date budget. Ms. Winters gave an update on the state situation. She informed them that they had a recent meeting and the house restored funding back to the 09 levels. FY 09 is 23 million if it passes the Senate, which will be voted on May 12th. They are trying to restore them to the 08 levels. If this is accomplished, hopefully there will be no layoffs of educators and cost shares will not change.

EXECUTIVE SESSION

At 11:29 a.m. Justin Fallon entertained a motion to enter into executive session with Tracy Winters 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 11:53 a.m.; no action taken.

RESOLUTION FOR FARMLAND PRESERVATION

Soil & Water Agronomy Technician Buz Mills submitted the following resolution for support of Ohio Agriculture Program for approval and signature:

IN THE MATTER OF Resolution of support of property for Ohio Agricultural Easement Purchase Program
WHEREAS, on or about April 1, 2009, the Gallia County Board of Commissioners received a request from the Gallia Soil and Water Conservation District for support of applications to the State of Ohio for purchase of an agricultural easement on the property located in Gallia County (see attachment), and
WHEREAS, the Gallia County Board of Commissioners has reviewed this request for support and determined that the nominations of the properties for purchase of agricultural easements are compatible with the long-range goals of the local government area regarding farmland preservation, and agrees to co-hold, monitor and enforce the terms of the easement, and
WHEREAS, the Board of Commissioners finds the requests for the agricultural easements acceptable, and
WHEREAS, the landowners commits to donate at least 25% of the agricultural easement value, NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, County of Gallia, State of Ohio:
SECTION 1: that the Board of Commissioners hereby supports the request for nomination of the properties listed for purchase of agricultural easements.
SECTION 2: that the Board of Commissioners hereby certifies that the purchase of the agricultural easement of the nominated property is compatible with the long-range farmland preservation goals of the local government area.
SECTION 3: that the landowner commits to donate at least 25% of the agricultural easement value.
SECTION 4: That the Clerk is hereby directed to transmit certified and sealed copies of this resolution to the Gallia Soil and Water Conservation District office.

Motion by Joe Foster seconded by Lois M. Snyder that the resolution be adopted was carried by the following vote:
YEAS: Fallon, Foster, Snyder

ADOPTED: May 7, 2009
Board of County Commissioners
s/Justin L. Fallon
s/Howard J. Foster
s/Lois M. Snyder

s/Terry Hemby, Clerk

Attachments:

IN THE MATTER OF Resolution of support of property for Ohio Agricultural Easement Purchase Program

WHEREAS, on or about February 13, 2009, the Gallia Soil and Water Conservation District received a request from Otis S. Young Jr. to sponsor and support his application to the State of Ohio for purchase of an agricultural easement on the property located 1260 Cora Mill Road, in Gallia County, and
WHEREAS, the Board of Supervisors of the Gallia Soil and Water Conservation District has looked favorably upon Farmland Preservation with its in active involvement in development of the Gallia County Farmland Preservation Plan, and

WHEREAS, the Board of Supervisors of the Gallia Soil and Water Conservation District has reviewed this request for sponsorship and support and has reviewed the recommendations of the Gallia County Farmland Preservation Plan in regards to the purchase of agricultural easements, and agrees to monitor and enforce the terms of easement, and **WHEREAS**, the Board of Supervisors finds the request for the agricultural easement acceptable, and **WHEREAS**, the landowner commits to donate at least 25% of the agricultural easement value, **NOW THEREFORE BE IT RESOLVED** by the Board of Supervisors of the Gallia Soil and Water Conservation District:

SECTION 1: that the Board of Supervisors hereby supports the request for nomination of the properties listed for purchase of agricultural easements

SECTION 2: that the Board of Supervisors hereby agrees that the purchase of the agricultural easements of the nominated properties is compatible with the Gallia County Farmland Preservation Plan

SECTION 3: that the landowner commits to donate at least 25% of the agricultural easement value

SECTION 4: that the Board of Supervisors commits to monitor and enforce the easement in perpetuity

**IN THE MATTER OF Resolution of support of property for
Ohio Agricultural Easement Purchase Program**

WHEREAS, on or about April 1, 2009, the Gallia Soil and Water Conservation District received a request from James V. Glassburn to sponsor and support his application to the State of Ohio for purchase of an agricultural easement on the property located 1260 Cora Mill Road, in Gallia County, and

WHEREAS, the Board of Supervisors of the Gallia Soil and Water Conservation District has looked favorably upon Farmland Preservation with its in active involvement in development of the Gallia County Farmland Preservation Plan, and

WHEREAS, the Board of Supervisors of the Gallia Soil and Water Conservation District has reviewed this request for sponsorship and support and has reviewed the recommendations of the Gallia County Farmland Preservation Plan in regards to the purchase of agricultural easements, and agrees to monitor and enforce the terms of easement, and

WHEREAS, the Board of Supervisors finds the request for the agricultural easement acceptable, and **WHEREAS**, the landowner commits to donate at least 25% of the agricultural easement value, **NOW THEREFORE BE IT RESOLVED** by the Board of Supervisors of the Gallia Soil and Water Conservation District:

SECTION 1: that the Board of Supervisors hereby supports the request for nomination of the properties listed for purchase of agricultural easements

SECTION 2: that the Board of Supervisors hereby agrees that the purchase of the agricultural easements of the nominated properties is compatible with the Gallia County Farmland Preservation Plan

SECTION 3: that the landowner commits to donate at least 25% of the agricultural easement value

SECTION 4: that the Board of Supervisors commits to monitor and enforce the easement in perpetuity

NATIONAL DAY OF PRAYER RESOLUTION

Lois Snyder made and Joe Foster seconded the motion for the Commissioners approval of the following resolution:
Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.

NATIONAL DAY OF PRAYER RESOLUTION

Whereas, The members of the Gallia County Board of Commissioners are pleased to recognize the National Day of Prayer, Thursday, May 7, 2009, at noon at the Gallia County Courthouse; and

Whereas, In 1775, our nation's first National Day of Prayer was declared by the Continental Congress, and, through the influence of many of our founding fathers and national leaders, prayer has remained an integral component of our nations' heritage. In 1952, a joint action of the US Congress called upon the President to set aside one day each year as a National Day of Prayer – a day on which Americans would acknowledge their dependence on God and seek his strength and guidance for our nation's leaders. Many great Americans have gratefully and humbly deemed prayer as an essential foundation in the establishment and growth of this Constitutional Republic, and it is fitting that we pay tribute to the fundamental role which prayer continues to play in the prosperity and development of the United States of America; and

Whereas, The United States of America is One Nation Under God as characterized in our Pledge of Allegiance, we recognize that prayer can provide both inspiration and strength to individuals and to society as a whole as our nation faces the enormous challenges inherent to a complex and rapidly changing world. An occasion such as the National Day of Prayer provides an opportunity for all Americans to acknowledge the need for personal and corporate renewal of moral values, to intercede for healing and reconciliation within our nation, and to give thanks for the many blessings our country has received; and

Whereas, Our founding fathers' belief in the right to freedom of religion and freedom of worship is one that was embodied in both the Declaration of Independence and the United States Constitution. Thus, it is not only our right and responsibility, but also our privilege, to set aside at least one day a year to reflect upon the tremendous historical significance of, as well as the continuing need for and importance of, prayer in our society today; therefore be it

Resolved, That We, the members of the Gallia County Board of Commissioners, in adopting this Resolution, recognize the National Day of Prayer, May 7, 2009, and in so doing, encourage all citizens in Gallia County to participate in the many programs and activities associated with this noteworthy observance.

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

*12:15 – Recessed for lunch; back in session at 1:00 p.m.

DOG & KENNEL STAFF

The Commissioners met with the newly hired Dog Warden/Shelter Manager Jean Daniels and Deputy Dog Warden Jason Harris to review the newly adopted job descriptions and discuss the future plans of the Animal Shelter and Dog & Kennel Department. Both employees signed and accepted the new job descriptions which are kept on file in the Commissioners office.

LETTER OF SUPPORT

President Justin Fallon entertained a motion to send the following letter of support:

Mr. Tom Reid,

The Gallia County Commissioner's and Gallia County Broadband Committee fully support Congressman Zack Space's approach to rapidly advance his broadband agenda across the Southern Ohio Appalachia region to provide services to un-served and under-served users.

To avoid competition among projects that will duplicate services and technology that your plan calls for in the Appalachia region, Gallia County at this time will refrain from submitting those broadband projects that would be involving the same outcomes, but do wish to be considered a supporting partner.

Sincerely,

s/Justin L. Fallon, President

Lois Snyder made and Joe Foster seconded the motion. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.

CDBG PAVING PROJECT BID AWARD

Upon recommendation of the County Administrator and County Prosecutor, Joe Foster made and Lois Snyder seconded the motion to award the CDBG Paving Project bid to Shelly Company for \$265,578.10 as indicated in the following letter:

In your email of May 1, 2009, you indicated that there were two bids submitted for CDBG paving projects in Gallia County, Ohio. You further indicated that those bids had certain requirements according to the bid specifications. Apparently there were three affidavits not submitted by one of the bidders; the Non Collusion Affidavit, the Statement on Delinquent Taxes and the Ohio Revised Code Section 3517.13 affidavit. Your question is how should the Commission proceed with regard to this bid. Since the funds for this project are CDBG funds and Federal HUD funds, the better course of action would be to accept the bid that complied with all bid specifications.

Sincerely,

s/Jeff Adkins

Prosecuting Attorney

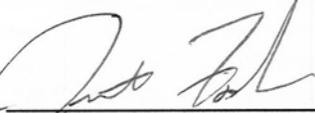
Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.

EXECUTIVE SESSION

At the request of the Veterans Service Commission, Justin Fallon entertained a motion to enter into executive session for legal personnel issues at 1:58 p.m. 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 2:40 p.m.; no action taken.

ADJOURN

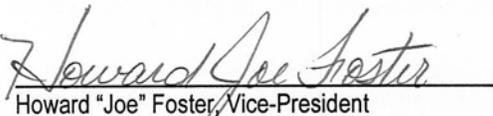
At 3:00 p.m. President Fallon entertained a motion for adjournment. Joe Foster made and Lois Snyder seconded the motion. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.



Justin L. Fallon, President



Terry Hemby, Clerk



Howard "Joe" Foster, Vice-President



Lois M. Snyder, Member