

**JUNE 4, 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 Vice President Howard J. "Joe" Foster in the temporary absence of President Fallon. Roll Call: Mr. Justin L. Fallon absent; Mr. Howard J. "Joe" Foster Vice-President, present; and Ms. Lois M. Snyder, Member, present.

Vice President Foster entertained a motion for approval of the May 28, 2009 minutes. Lois Snyder made and Joe Foster seconded the motion. Roll call: Mr. Fallon, absent; Mr. Foster, yea; Ms. Snyder, yea.

TRAVEL REQUESTS				
DEPARTMENT	NAME	DATE	TO	RE:
JFS	Carol Belville	7/14	Columbus	2009 Quic User Group
	Michelle Alderman			
Commissioners	Michelle Alderman	6/10	Columbus	Quic & Basics
	Lois	6/11	Chillicothe	OVRCD
Auditor	Larry Betz	6/8 to 6/11	Warren County, OH	CAAO Conference

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

**EMS & COURTHOUSE PROJECT UPDATES**

9:15 AM – EMS Project Manager David Clagg informed the Commissioners of the cost of concrete for pouring a 3 ½ to 4- yard apron at the new EMS station. The Contractor has given him an estimate of \$1500 for this additional work. The Contractor was originally responsible for reworking the existing parking lot and now the Engineer is going to assist with this at no cost therefore, it would seem the contractor would owe the county something in return and Mr. Clagg thought this estimate was high. Foster advised him to get alternative options for pouring the concrete and seek another estimate; Clagg advised it would have to be prevailing wage and he would confirm that with the County Administrator.

Mr. Clagg also advised that due to the Memorial Day flooding of the Courthouse basement, the County Administrator had requested he can an estimate for installing a check valve to prevent sewage from backing up in the basement area. Mr. Clagg informed them of the some issues to accomplish this task. The required depth would be approximately 10' 8" from the bottom of the existing concrete at current grade and a manhole is recommended for maintenance purposes. He suggested going to the street/sidewalk for the manhole installation and even at that you are probably going to be deeper at the street than at the upper level. If you have a manhole and it is 10' below grade, you are looking at confined space issues and most plumbers will not enter that area. There are a lot of unknowns as to the exact location of existing lines and this could become an expensive project for an event that has happened once in 25 years. The Commissioners advised they would discuss this and get back to him, no action taken.

\*President Fallon arrived at 9:35 a.m. and took charge of the meeting.

2009 Animal Shelter Canine Weekly Report									
Week Ending	Came in	Adopted	Reclaimed	Euthanized	Died (Natural Causes)	Rescued	Destroyed (in field)	Total Out	Remain at Shell
6-1-09	42	6	1	8	1	15	0	31	45

As you can see, we are overwhelmed at the present time. Many of these, however, will soon go to rescues and adoptions.

*Jean Daniels*

*Gallia County Dog Warden/Shelter Manager*

**MEDICAL CONTRACT ADDENDUM**

9:30 AM – Sheriff Browning submitted for approval and signature an addendum to jail doctor contract which will allow them to contract with QuickCare for routine medical care. Joe Foster made and Lois Snyder seconded the motion. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.

**QUICKCARE JAIL CONTRACT**

Sheriff Browning also submitted a contract with Ohio QuickCare for a Nurse practitioner to come onsite once a week to the jail for any necessary routine medical care. Joe Foster made and Lois Snyder seconded the motion to approve the contract as submitted and recommended by the Sheriff. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.

**JAIL DIVERSION – WORK RELEASE PROGRAM**

Sheriff Browning also discussed the possibility of having a jail diversion facility for a work release program. He has been looking as several different facilities and asked the Commissioners for their input on such an idea. Commission expressed concern over operating expenses; can enough income be generated with this to pay for those that will be needed for management? Sheriff advised that he had visited two facilities of this kind in Hancock and Muskingum Counties and both have expressed successful programs. The tenants pay for their stay as well as all supplies used and there is also no medical costs to this program because they check themselves out when ill. Commissioners agreed that it would be a project that warranted further study and advised the Sheriff to tour some of the vacant facilities in the county to see if there is one that would be suitable. No action taken.

**EXECUTIVE SESSION-PERSONNEL**

At 10:24 a.m. Justin Fallon entertained a motion to enter into executive session with Dana Glassburn, John Grubb and Terry Hemby 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 11:00 a.m.; no action taken.

**BID OPENING**  
**ENGINEER EQUIPMENT, 50 TON TRUCK CRANE**

11:00 AM - President Justin Fallon opened the following submitted bid for a used 50-ton truck crane as advertised by the County Engineer:

Dixie Crane and Equipment Corporation                      \$67,900

Present for the bid opening was Lana Lane from the Engineer's Office. Upon the recommendation of the County Engineer Lois Snyder moved to approve the purchase, motion died for lack of second. Commissioners requested additional information from the County Engineer before awarding.

**ENGINEER EQUIPMENT PURCHASE**

The Commissioners were informed of the County Engineer purchasing the following equipment through the state bid process:

2009 New Holland T5040 Tractor with Motrim Mower  
Serial #'s (T) Z8JH04836 (M) LMT15-A-509974  
Purchase Price \$61,368

The equipment was added to our insurance inventory for coverage.

**RED CROSS "EVERY DAY HEROES" PROCLAMATION**

11:30 AM – The following were in attendance for the "Every Day Heroes" proclamation: Tom Childs, Ollie Paxton, Ron Paxton, Dot Neutzling and Wanda Willis with the American Red Cross. Also present was the City Commission president Jim Cozza. Lois Snyder made and Joe Foster seconded the motion to make the following proclamation. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.

***"EVERYDAY HERO DAY"***  
***Proclamation***

***Whereas, we live in a community of people who on an everyday basis are willing to give untiringly and unselfishly of themselves to aid and assist their friends, neighbors, and anyone in the community needing help; and***

***Whereas, the people of this community provide this assistance, often without regard to the personal cost to their time, fortune, or health; and***

***Whereas, the people of this community provide this assistance without expectation of reward or remuneration of any kind; and,***

***Whereas, the community is extremely proud and appreciative of the actions of the members of this community; and***

***Now therefore, the Commissioners of Gallia County do hereby proclaim***

***THURSDAY, JUNE 18, 2009, to be***  
***GALLIA COUNTY AMERICAN RED CROSS***  
***"EVERYDAY HERO DAY",***

***in honor of all of the "Everyday Heroes" living in our community and to provide recognition to some of the many "Everyday Heroes" in our community.***

*s/Justin L. Fallon, President*

*s/Howard J. Foster, Vice Pres*

*s/Lois M. Snyder, Member*

The Commissioners expressed their appreciation to the many Volunteers for the time and sacrifices they give to the many organizations. City Commission President Jim Cozza also read their proclamation to those present.

**LOWERLANDS FOOD INC.**

11:45 – Hazel Fields & Gladys Flowers were present to discuss the Lower Lands Food non-profit organization. This is an incorporated non-profit organization (food pantry) of which they are currently on record as being "statutory agents" along with Mr. Roger Watson. In August of 2006 the County donated to the organization a semi-truck and two trailers. The ladies came before the Commissioners stating that they no longer desire to be associated with the organization and are filing the appropriate paperwork with the state to dissolve the incorporation due to several problems they have had with Mr. Watson. The ladies presented the following letter to the Commissioners:

*May 29, 2009*

*Lisa Hamler-Fugitt, Executive Director  
Ohio Assoc. of Second Harvest Food Banks  
50 North Hight Street  
Suite 761  
Columbus, OH 43215-3007*

*Re: Lower Lands Foods, Inc.  
165 Commerce Drive  
Gallipolis, OH 45631*

*Dear Ms. Hamler-Fugitt:*

*This is in response to Marilyn Sloan's, Second Harvest Foodbank of SE Ohio and Roger Watson's, pre-planned closing of our food pantry on April 29, 2009. Wherein, Roger Watson, arrived with Billy Call and his wife, in Guyan Township Truck and Driver from C. C. Caldwell's Trucking (to remove trailer) and remove all assets of food pantry and stated that he was ordered by Columbus and Marilyn Sloan to shut down the pantry. I, Hazel Fields, Authorized Agent, not aware of any of this, stated we do not want to shut it down today as we are distributing food and rent on building has been paid for month of May. I placed a call to the police dept. The officer said there was nothing he could do. (Mr. Watson called Marilyn and allowed Officer Patterson to talk with Marilyn.) Mr. Watson stated that all assets (7 freezers, all food, and refrigerated trailer would be located at the Guyan Township Garage and all files would be locked up). Mr. Watson already had possession of a truck. The truck and two trailers had been donated to the Lower Lands Food by the Gallia County Commissioners (copy of 8/31/06 Commissioners note attached). One trailer was sold for \$1500.00 and Check #1003 dated 12/17/08 for \$1500.00 was written to Marilyn Slone, Second Harvest Food Bank. However, as Marilyn was unable to cash that check after MARKING OUT out Second Harvest Food Bank, she personally hand delivered the check to Mr. Watson, at a meeting in Gallipolis. At that time, Mr. Watson wrote a new Check #1005 dated 12/22/08 for \$1787.34 to Marilyn Slone. (copies of checks are attached - No. 1005 has been altered in memo area by adding Georgia Trucking). Mr. Watson insisted that some checks be written to Marilyn Slone as she was charging food to her personal credit card. Marilyn had also written on Invoice #18417 dated 9/18/06 "make check to Marilyn Sloan", copy attached.*

*As, we were passing out food that day, we had to ask that some food be removed from Township Truck to give to the people who were in line.*

*Background: Lower Lands Food Inc. was started in 2006 – we contacted the Second Harvest Food Bank for assistance. Incorporation papers with Ohio Secretary of State were completed October 2006.*

## Directors:

Gladys Flowers - Authorized Representative  
 Hazel Fields - Authorized Representative  
 Roger Watson - Authorized Representative

Pantry has operated from 2006 on Second Avenue and moved to 165 Commerce Drive in September of 2008. However, each time we ordered food several truck loads (1/3 to 1/2) would be transported to Guyan Township garage by Roger, Randy or Billy. January 2009, Mr. Watson began having all food delivered to the Guyan Township Garage operating a second pantry. Marilyn was aware of this. Some food was transported to Gallipolis by Randy and Billy in Guyan Township Truck. I (Hazel) also, traveled to Mercerville and transported food to Gallipolis. Mr. Watson said it was too far for the people from his area to travel to Gallipolis, however, we felt Gallipolis is more centralized and people who come on other errands would not have to make extra trip. Also, we suggested that we take alternate deliveries or split the loads and that each pantry would be responsible for the costs incurred. However, Mr. Watson demanded that all food be delivered to Mercerville and although the food deliveries went to Mercerville, Mr. Watson demanded that the Gallipolis pantry pay all bills to Marilyn Slone, However, with limited food to distribute, and none for the other townships of Gallia County, donations were limited, as Guyan Township has never donated to the Pantry. Donations came from: Addison, Cheshire, Greene, Harrison, Huntington, Morgan, Raccoon, and Rio Grande Village. Mr. Watson would demand payment to Marilyn of his deliveries at the beginning of each month and became increasingly upset when we told him we did not have any money.

March 2009, John, former resident of Gallia County visited the pantry and said he would sponsor food delivery. On April 6, he called Marilyn Sloan and asked to sponsor a food delivery to Gallipolis and he would pay with cashiers Check. Marilyn told him Mr. Watson would have to approve and she would get back to him. On April 9, he again called Marilyn and when she returned his call told him NO Food would be delivered and she was going to meet with everyone at Lower Lands Food. Until this time, we were not aware of the need for Roger's approval, as we are all directors of the corporation.

April 16, 2009, I (Hazel) contacted Marilyn to order food to Gallipolis, I was informed that "she had no food and our pantry would need to become "affiliated with a church to continue to receive food and if not, she would close our pantry". She also said Roger Watson was upset with her and he was trying to get connected with a church in his area. She did not at any time indicate there was a deadline or suggest this had to be completed by a date certain.

April 22, 2009, we faxed Marilyn and asked for food and new regulations to become affiliated with a church. April 23, I (Hazel) called Marilyn re: Fax. She said NO food would be delivered until we became affiliated with a church. At no time in any conversations did she mention or indicate needing Roger's approval or any planned closing of the pantry. I told her we were in discussion with a church. Marilyn said if that could be worked out with church she would put a paper in the church folder and they could order food or we could. Church would not have any control, however, we could no longer operate as Lower Lands Food, no reason given. I asked if I could incorporate a new pantry and she said no, she would not authorize any new pantries.

April 29 - Roger Watson removed all assets. (see first paragraph). So we proceeded to talk to Janet Ruff, Addison Freewill Baptist Church to meet Marilyn's church affiliation requirement. On May 7, 2009, we met with her at the Gallipolis Pantry on Commerce Drive, so that she could see the location and we could discuss operations. We each discussed monthly reports and procedures for preparing food boxes nutritionally, as we told her we both had dietary and client food service experience. She said she had witnessed our food distribution on Second Avenue and asked if we were still giving cases of food per vehicle and we told her no, that only happened for Townships Deliveries or when Mr. Watson was there and distributed. We told her Mr. Watson was operating in Mercerville and would not be connected to new pantry, she then said she would try to help us. Janet called me (Hazel) on May 8 and left message. We talked on May 11 and discussed order. She then called Marilyn (May 11) to give her approval of affiliation and to order food for us. She was told she could not do that, that she, Marilyn, was not sending anything there as there was too much "politicizing". We knew this did not involve us, as we hold no public office and are not affiliated with any political group. So, I, Hazel called Marilyn and left message "that I did not understand and asked her to return my call".

May 13, 2009 - I, Gladys, called Marilyn - left message.

May 14, 2009 - I, Gladys, called Dick Stevens, he said he did not know if he could re-open a pantry, needed more information. I told him Hazel would call him.

May 14, 2009 - I, Hazel, called Dick. He returned my call, I discussed with him all information in this letter including the checks written to Marilyn Slone at her request and the returned check. He stated no checks were to be written to individuals and that none are written to him. Also, asked how Billy Call was still allowed to pick up food and had picked up load of apples that week. He continued to ask questions, however, said he did not understand what was going on. I asked him about Incorporation of a new pantry, not including Mr. Watson, and he said Marilyn is over all that, but did suggest that it was not necessary to become affiliated with a church. He did say he had heard complaints about Mr. Watson and politics and that we should go in another direction. He said he had a call from Rep. Charlie Wilson, who wanted to know what was going on?

The Gallipolis Pantry serves from 70-90 persons per week Wednesday's from 10: 00 am - 12: 00 Noon. The pantry also serves Townships, when there is sufficient food and especially when produce is received. Each township gives number of families they serve and is responsible for documenting distribution of food and report to us the numbers they serve. Copies of Monthly Food Reports prepared by us are attached.

Therefore, our questions to you are:

1. What are the requirements/regulations for establishing a food pantry in Gallipolis? To continue to serve people who are in need.
2. Will Second Harvest Food Bank serve pantry?

Thank you for your assistance in this matter, and we look forward to hearing from you.

s/Hazel Fields	s/Gladys Flowers
17567 SR 160	1113 Pioneer Trail
Vinton, OH 45686	Patriot, OH 45658
740-388-8969	

cc: Gallia County Commissioners  
 Rep. Charlie Wilson

Attachments: \*Police Report  
 \*Copies of Checks and list of check nos.  
 \*Commissioners Memorandum  
 \*Monthly Food Reports  
 \*Copy of Invoice #18417

Note: Marilyn Slone and Marilyn Sloan - same individual  
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(\*Clerks note-information listed is on file in the Commissioner's office)

The ladies continued to explain that they told Mr. Watson the truck and trailers had been donated to them by the County Commissioners and they felt they should have been returned to the Commissioners. They have filed to the state to have their names removed and to dissolve the Lower Lands Food Corporation and felt the assets should also be dissolved/returned accordingly. Commissioners advised as far as returning the truck and trailer to the County, they would turn the issue over to the prosecutor for direction. The Commissioners stated that it would seem that their concerns become a legal issue that should be addressed. With the 2 ladies being a majority they should have had the final call in all matters but, the ladies stated it did not work that way. The biggest concern is that there are people now in the county that are in need of food and it is not being provided. The Commission understands their situation and that the ladies feel like the truck and trailer should be returned to the County. They will turn this over to the Prosecutor for review and direction. No action taken.

LEAVE DONATION APPLICATION

Commissioners received leave donation applications going to Linda Nibert (Children Services) from the following employees:

26.24 hours from Nina Bias (Children Services) to for the pay period dated 5/25/09 thru 6/5/09

80 hours from Sharon North (Children Services) to for the pay period dated 6/8/09 thru 6/19/09

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

EXECUTIVE SESSION

At 2:01 p.m. Justin Fallon entertained a motion to enter into executive session for contractual issues. Lois Snyder made and Joe Foster seconded the motion. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea. Returned to regular session at 2:30 p.m.; no action taken.

**\*Commissioner Foster left to attend the Alliance for Community Development meeting in the 2<sup>nd</sup> floor meeting room of the Courthouse.**

SUBGRANT AGREEMENT

Children Services Director Chandra Shrader submitted a subgrant agreement for signature. The agreement provides funding to the family services agency in accordance with state and federal laws. Providing annual financial, administrative, or other incentive awards to county family services agencies as specified in R.C. 5101.23. Lois Snyder made and Justin Fallon seconded the motion. Roll call: Mr. Fallon, yea; Mr. Foster, absent; Ms. Snyder, yea. Agreement is on file in the Commissioner's office.

CONNECTING APPALACHIA BROADBAND RESOLUTION

Commissioners expressed their support by passing the Connecting Appalachia broadband resolution. Lois Snyder made and Justin Fallon seconded the motion to sign the following: Roll call: Mr. Fallon, yea; Mr. Foster, absent; Ms. Snyder, yea.

RESOLUTION

**WHEREAS**, the Ohio Valley Regional Development Commission serves the counties of Adams, Brown, Clermont, Fayette, Gallia, Highland, Jackson, Lawrence, Pike, Ross, Scioto and Vinton as a Local Development District for the Appalachian Regional Commission (ARC); and

**WHEREAS**, the Ohio Valley Regional Development Commission has been assisting the twelve-county region to improve the social and economic climate and improve infrastructure including access to comprehensive broadband services; and

**WHEREAS**, Gallia County supports the deployment of broadband locally to enhance its rural community and economic vitality; and

**WHEREAS**, Gallia County supports a simplified process to seek broadband funding including one application for the 34-county region (16,000 square miles), local enhancements to meet unique county needs, a more attractive regional proposal, and a strong group of partners and endorsements; and

**WHEREAS**, Gallia County supports funding for the Connecting Appalachia proposal through the National Telecommunications and Information Administration (NTIA) under the American Recovery and Reinvestment Act of 2009 (ARRA);

**NOW THEREFORE BE IT RESOLVED:** that the Board of Commissioners of Gallia County hereby supports Ohio Valley Regional Development Commission and the Southern Ohio Health Care Network on the Connecting Appalachia broadband proposal.

**ADOPTED THIS 4th DAY OF June 2009**

s/Justin L. Fallon  
President

s/Howard J. Foster  
Vice President

s/Lois M. Snyder  
Member

HOLZER ARC LETTER OF SUPPORT

Commissioners signed the following letter of support for the Holzer projects seeking ARC funding. Lois Snyder made and Justin Fallon seconded the motion to sign the letter. Roll call: Mr. Fallon, yea; Mr. Foster, absent; Ms. Snyder, yea.

Fred Deel, Director  
Governor's Office of Appalachia  
77 South High Street, P.O. Box 1001  
Columbus, OH 43216-1001

Dear Director Deel,

Holzer Consolidated Health Systems is a major employer here in Gallia County, and its financial stability is absolutely essential to the economic health of our communities.

The OVRDC Gallia County Caucus ranked Holzer's Regional Medical Imaging System its top priority for ARC Area Development funding. In keeping with that decision, we, the Gallia County Commissioners, lend our full support to the project. We understand that Holzer needs a Picture Archiving Communications System to remain viable in today's health care industry and to provide our constituents with the same standard of medical care available in urban areas.

We also understand that Holzer is applying for ARC funding for a related project – its participation in the Southern Ohio Health Care Network (SOHCN) fiber-optic backbone build. We strongly support that proposal as well for two reasons: (1) Holzer needs the broadband connectivity of the SOHCN to achieve the benefits and cost efficiencies offered by telemedicine, electronic medical images, and electronic health records. (2) As a member of the SOHCN, Holzer serves as the "anchor tenant" that makes supplying metropolitan-class broadband services to Gallia County's small businesses and homes a financially viable business plan for telecommunications carriers. Broadband availability is critical for economic development in our county.

Holzer has been a pillar of our community for 100 years now. In these tough economic times, Gallia County is committed to rallying in support of Holzer so that it can continue to be vital for the next 100 years and beyond.

If we can be of further assistance in obtaining ARC funds for these two Holzer projects, please contact us at (740) 446-4612.

Sincerely,

s/Justin L. Fallon, President

s/Howard J. Foster, Vice President

s/Lois M. Snyder, Member

**CREATIVE MICROSYSTEMS, INC - SEWER BILLING SOFTWARE**

Once the Kanauga-Addison sewer project is online there will be an increase in sewer bills therefore, County Administrator Karen Sprague submitted a quote for sewer billing software which is an allowable expense with the grant funds. Lois Snyder made and Justin Fallon seconded the motion to approve the purchase of the software pending release of grant funds for the project. Roll call: Mr. Fallon, yea; Mr. Foster, absent; Ms. Snyder, yea.

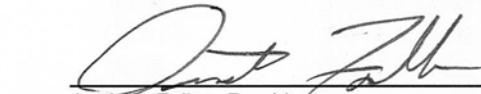
\* Commissioner Foster returned to the meeting at 3:05 p.m.

**BID AWARD – ENGINEER EQUIPMENT – USED 50 TON TRUCK CRANE**

Based upon the Prosecuting Attorney's opinion that the bid process was valid and the recommendation of the County Engineer, Joe Foster made and Lois Snyder seconded the motion to award the bid to Dixie Crane and Equipment Corporation for \$67,900. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.

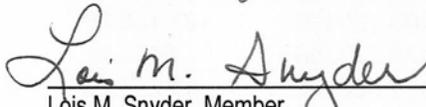
**ADJOURN**

At 3:54 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