

JULY 30, 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 July 23, 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:
JFS	Dana Glassburn	7/28/09	Lancaster	Directors Meeting

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 Canine Weekly Report									
Week Ending	Adopted	Reclaimed	Euthanized	Died (Natural Causes)	Rescued	Destroyed (in field)	# Out	In Foster Care	Remaining at Shelter
7/27/09	3	4	23	0	36	0	66	5	58

LEAVE DONATION APPLICATION

Commissioners received leave donation application going to Tanya Gill (Probate/Juvenile) for maternity leave as follows: 40 hours from Heather Casto (Sheriff Dept).

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

VICTIM OF CRIME ACT (VOCA) GRANT

Commissioners provide VOCA grant cash match; the grant is due July 30th to the AG office and requires a 25% cash match totaling \$8795.00 of which, the county normally provides 50% with the additional 50% coming from the City of Gallipolis. Lois Snyder made and Joe Foster seconded the motion to approve \$4397.50 for the County's ½ of the cash match. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.

ISSUE I ROUND 24 WORKSHOP

The County Administrator presented the Commission with a letter to send to all townships, villages, county and city advising of the upcoming Issue I Round 24 Workshop scheduled for Tuesday, August 11, 2009 at 7:00 pm in the courthouse second floor meeting room. Justin Fallon entertained a motion to approve and sign the letter as presented. Lois Snyder moved and Joe Foster seconded this motion. Upon roll call votes were as follows: Justin Fallon, yea; Lois Snyder, yea; Howard Joe Foster, yea.

**CERTIFICATE OF COMPLETION
FY 2006 ARC ECFC GRANT (A-06-025-2)**

The County Administrator presented the Commission with the Certificate of Completion form for the County's FY 2006 ARC ECFC Grant (A-06-025-2) which must be submitted to the Ohio Department of Development upon completion of the grant. Justin Fallon entertained a motion that the Certificate of Completion 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.

**HOUSING SEMI-ANNUAL PROGRAM INCOME 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 Housing Semi-Annual Program Income Report for the period December 31, 2008 thru June 30, 2009 for the County's CHIP/HOME Grants Program Income, which must be submitted to the Ohio Department of Development. Justin Fallon entertained a motion that the Program Income Report be approved and signed as presented. Lois Snyder made and Joe Foster seconded that motion. Upon roll call votes were as follows: Justin Fallon, yea; Lois Snyder, yea; Joe Foster, yea. The form is on file in the County's CDBG grant files.

QUICK CARE CONTRACT OUTCOMES REVIEW

County Administrator Karen Sprague presented the Commission with a review of the Quick Care contract outcomes thru June 30, 2008 as follows:

- Started 2009 with a cash balance of \$645,153.50 in the 105 Plan Fund
- 2009 Receipts thru 6/30/2009 = \$236,132.00
- 2009 Expenditures thru 6/30/2009 = \$380,694.72
 - NOTE – the \$380,694.72 expenditure includes \$175,208.16 transfer at the beginning of the year to cover the 6% health insurance rate buydown.
 - Actual expenditures minus the 6% rate buydown equal \$217,457.06
 - Therefore, expenditures minus the one time rate buydown are less than receipts for the first 6 months of 2009 (\$236,132.00 - \$217,457.06 = \$18,674.94 profit to 105 fund)
- 105 Plan Fund cash balance as of 6/30/2009 = \$488,620.28
- Payments to Quick Care from the 105 plan for the months of Feb 2009 thru May 2009 total \$11,970.50 for 254 office visits as follows:
 - For February 2009, paid 3/12/2009 = \$3,392.00 (73 office visits)

- For March 2009, paid 4/9/2009 = \$3,466.00 (72 office visits)
- For April 2009, paid 5/14/2009 = \$2,807.50 (65 office visits)
- For May 2009, paid 6/18/2009 = \$2,305.00 (44 office visits)

Ms. Sprague noted the 105 Plan Fund looks good at this point and it will be interesting to see the effect that using Quick Care has on the county's Medical Mutual experience.

EMS STATION DRAINAGE PROJECT

County Administrator Karen Sprague presented the Commission with information regarding the new EMS Station drainage project as follows:

- David Clagg met with Dave Boggs of Boggs Construction for a quote to install drainage in front of the EMS garage facility and the old EMS Station facility as needed to keep storm water from entering the buildings during heavy rains.
- 157 LF of excavation and installation of a concrete trough with metal grating large enough to handle the flows during excessive rains.
- Cost estimate \$6,600.00, does not include piping to rear of property. David Clagg will purchase and install that. Boggs will start the project Monday, 8/3/2009, weather permitting.

It was noted David Clagg was given authority by Ms. Sprague (after discussion by phone with Commissioners) to obtain the quote and notify Mr. Boggs to proceed as soon as possible earlier this week.

**Justin Fallon left the meeting to meet with ED Director Amy Corbin.*

MERCERVILLE SEWER – ODOT RIGHT-OF-WAY PERMIT APPLICATION

The County Administrator presented the Commission with an ODOT right-of-way permit application for the Mercerville Sewer project lines that will be constructed along State Route 218. Joe Foster entertained a motion to approve the application as presented. Lois Snyder made and Joe Foster seconded the motion. Upon roll call votes were as follows: Justin Fallon, absent; Lois Snyder, yea; Joe Foster, yea.

MERCERVILLE SEWER – PROFESSIONAL SERVICES AGREEMENT (UPDATE)

County Administrator Karen Sprague presented the Commission with an updated professional services agreement with Stantec Consulting Services Inc. for the Mercerville Sewer Project. It was noted the previous agreement was only for design and this updated agreement will include contract administration and construction observation. The updated agreement amount is \$108,500.00 and includes the amount in the first agreement. The agreement is needed to include in the ARRA WPCLF application. Ms. Sprague noted the county will be obtaining (grant agreements have not been received yet) 100% funding for this project from CDBG Sewer Grant and ARRA WPCLF Grant & Principal Foregiveness Loan (which is a grant also). Ms. Sprague also noted the county has an agreement with the County School District that they will use funds they originally had in the school construction funds to upgrade the plant to pay Stantec's fees until the 100% project funding is obtained. At that point, the school will be reimbursed what they have paid to Stantec for this project and the county will use the project funds to pay Stantec from that point through project completion. Therefore, the county has no upfront costs associated with this project. Joe Foster entertained a motion to approve the agreement as presented. Lois Snyder made and Joe Foster seconded the motion. Upon roll call votes were as follows: Justin Fallon, absent; Lois Snyder, yea; Joe Foster, yea.

** Mr. Fallon returned to the meeting*

EXECUTIVE SESSION

At 10:11 a.m. Justin Fallon entertained a motion to enter into executive session with JFS Director Dana Glassburn and Fiscal Officer for JFS/Children Services Michelle Alderman for personnel / 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 11:23 a.m.; no action taken.

KANAUGA ADDISON BID OPENING

At 11:30 a.m. President Justin Fallon opened the following bids for the Kanauga-Addison Sewer Project:

Company	Total Bid
Fields Excavating, Inc.	\$ 3,531,782.49
Trimat Construction Inc.	\$ 3,488,183.44
Tri State Pipeline Inc.	\$ 4,094,005.00
Southern Ohio Trenching	\$ 4,026,917.27
Distel Construction, Inc.	\$ 3,997,065.04

The engineer's cost estimate for this project was \$3,750,000.00. The bids were turned over to Engineer Gary Silcott for his review and recommendation. Mr. Fields requested to view the opened bids; President Fallon informed him they would first be reviewed by our Engineer and he could submit a public records request. Mr. Fields asked President Fallon if he was denying his request to view the bids. President Fallon stated he was not denying him the information however, our Engineer's would review the bids first and he was welcome to submit a public record request for the documents. The following were in attendance: M. Toler, Trimat Construction Inc.; Ryan Springer, USDA-RD; Nancy Chappell, Tri-State Pipeline, Inc.; Gene Hickle, Distel Const. Inc.; Josh Fields, Fields Excavating; Engineer Gary Silcott, Stantec; County Administrator Karen Sprague.

SHERIFF BUDGET REVIEW

Sheriff Joe Browning, Chief Deputy JD Taylor and Administrative Assistant Cheryl Vanco met to update the Commissioners on their budget to date. Commissioners encouraged them to continue frugally, transferring needed funds from internal line items to stretch their budget as much as possible.

WORK RELEASE CENTER PROPOSAL

Sheriff Browning submitted a draft proposal of a bare bones staffing for a proposed Work Release Center utilizing an existing facility. The proposed facility is in very good shape; the distance is a concern but is something that can be

overcome. This project may qualify for community assistance funding and municipal court may also be able to contribute. Commissioners encouraged him to put together some direction on the income side of the facility; as well as cost savings if meals are prepared and transported it to the jail.

COUNTY FAIR – PATROL AGREEMENT

Sheriff Browning submitted and recommended the approval of the contract between the Gallia County Agricultural Society and the Sheriff for patrol at the Gallia County Junior Fair. Lois Snyder made and Joe Foster seconded the motion to enter into the contract. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.

AGREEMENT

THIS AGREEMENT made and concluded this 30th day of July, 2009, by and between the Gallia County Agricultural Society, Joseph R. Browning, Gallia County Sheriff and the Gallia County Commissioners.

WHEREAS, there exists a need for police protection for people attending the Gallia County Junior Fair and

WHEREAS, Section 311.29 of the Ohio Revised code provides for authority of a taxing district to enter into an agreement with the Sheriff of the County whereby the Sheriff undertakes and is authorized to contract to perform any police function, in behalf of the contracting subdivision.

NOW, THEREFORE, it is hereby agreed by and between the parties hereto upon the considerations as follows:

1. *The parties do hereby agree and understand that the employees of the Gallia County Sheriff's Office have voted and approved representation by the FOP. Therefore, upon organization and representation of the employees by the FOP, each party herein (Gallia County Agricultural Society, Sheriff and Commissioners) reserves the right to cancel or modify this Agreement if the organization of the FOP causes a change in the terms set forth herein. If the organization of the FOP does not change the terms of the Agreement, the parties are bound by the terms listed below.*
2. *The patrol duties of the designated deputy will be directed by the Gallia County Sheriff's Office. The chain of command described in the Gallia County Sheriff's Office Policies and Procedures manual will be in effect during the term of this Agreement.*
3. *The Gallia County Agricultural Society agrees to pay the sum of \$17.00 per hour for each officer requested. Said monies shall be paid directly to the officers.*
4. *The parties agree that the Gallia County Commissioners shall provide liability insurance for the officers providing services pursuant to this Agreement. The Gallia County Agricultural Society understands and agrees that it shall be liable for any damage that may exceed the applicable coverage, limited to the policy provided by Gallia County. In the event, for any reason, that any act or omission by the Officer were to result in damages assessed against the Gallia County Agricultural Society, the Gallia County Agricultural Society would be responsible for any damages that may not be covered by the Liability Policy provided by Gallia County. This provision is not and shall not be construed as an indemnification agreement by the County in favor of the Gallia County Agricultural Society. The County's sole obligation is to provide liability coverage in an amount determined at the sole discretion of the Gallia County Commissioners.*
5. *This Agreement can be cancelled by either party with thirty (30) days written notice.*
6. *This Agreement shall be effective July 30, 2009 through July 29, 2010.*

IN WITNESS WHEREOF, the parties hereto have, by their duly authorized officers, executed this Agreement on the 30th day of July, 2009.

SIGNED AND ACKNOWLEDGED IN THE PRESENCE OF:

GALLIA COUNTY SHERIFF'S OFFICE
s/Joseph R. Browning, Sheriff
GALLIA COUNTY AGRICULTURAL SOCIETY
s/Daniel A. Brown
GALLIA COUNTY COMMISSIONERS
s/Justin Fallon, President
s/Howard J. Foster
s/Lois M. Snyder

APPROVED AS TO FORM:

s/Jeff Adkins by E. Mulford
Prosecuting Attorney, Gallia County, Ohio

CITIZEN COMPLAINT

Local dog trainer Paula Clark came before the Commissioners with the following complaint against Deputy Dog Warden Jason Harris. She lives on Patriot Rd and has had a conflict with her neighbor for some time regarding their loose dogs. She discussed this issue at length with the Deputy Dog Warden and some personal information of those conversations was given out to her neighbor. Ms. Clark stated that by doing so, Mr. Harris has belittled her and is ruining her income, as this was private information. Mr. Harris is friends with her neighbors and he told everything to them and should not have done this. Her neighbor stated, "She had already heard everything about you from the Dog Warden". Ms. Clark stated that it is irritating and poor handling of information. Since April she has not received any answers to her complaints, until recently. Mr. Harris denied the accusations.

Dog Warden Jean Daniels stated that Mr. Harris had called the Ms. Clark's neighbors (Cochran's) and advised them they needed to keep the dog pinned up or they would be given a citation.

Commissioners informed Ms. Clark that most all records maintained at the Animal Shelter would be considered public record. They advised her they would take this complaint seriously and would address the situation.

KANAUGA ADDISON BID AWARD

Stantec Engineer Gary Silcott advised the Commissioners that all bids were reviewed, found complete and in order. Therefore, upon Mr. Silcott's recommendation, Lois Snyder made and Joe Foster seconded the motion to award to the lowest bidder, Tri-Mat Construction Inc. in the amount of \$3,488,183.44. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.

PUBLIC OFFICIAL BOND

Children Services Acting Director Russ Moore submitted for acceptance and approval his Public Official Bond No. 0514148 in the amount of \$10,000; for the period beginning on the 1st day of August 2009 and ending on the 1st day of

August 2010. Joe Foster made and Lois Snyder seconded the motion to approve said bond. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea. Bond was submitted to the Gallia County Treasurer's office.

CHILDREN SERVICES - PERSONNEL

At 1:19 p.m. Justin Fallon entertained a motion to enter into executive session for personnel issues with Children Services Acting Director Russ Moore; Children Services Board members Kent Shawver and Molly Plymale; JFS Director Dana Glassburn and Fiscal Officer for Children Services Michelle Alderman. 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 1:45 p.m.; no action taken.

CHILDREN SERVICES BUDGET DISCUSSIONS

Commissioners expressed their appreciation to the Children Services Board for working to get things under control and encouraged the Board to meet with them monthly to follow through with open dialog and communication particularly with JFS Fiscal Officer Michelle Alderman. We will continue to work together to make progress and if that doesn't appear to happen we will need to rearrange at that time. We need to communicate to develop an agreement between all so everyone will know what is expected and we can continue to measure the progress. The agreement should specify that we the Commissioners hold Mr. Glassburn and Ms. Alderman responsible to provide us with good information and we are holding the board responsible in being part of that process as well. There is currently no mechanism in place if Ms. Alderman is not getting the information she needs. Shawver stated that if Ms. Alderman felt she was not getting the information she needs, she was to come to the board with her concerns so it can be addressed. Anything she wants, she should have access to and would be welcome at all board meetings and any meetings held between the County Commissioners and the Children Services Board. JFS Director Glassburn stated that based on the contract and her position, he felt she should not be put in that position. Mr. Glassburn stated that he is to be the buffer between the two entities, not Ms. Alderman; all agreed this would be best.

Commissioner Foster stated we need something structured as to what JFS is to provide and what is expected, this should be expanded on to set up a form of control with flow of information. Foster encouraged all to work collectively with the CS Board and the new arrangement with JFS contracting the fiscal responsibilities. We want to continue the coordination between CS and JFS to help resolve the fiscal hardships. There is a desire to keep this organization operating, both parties will from this point forward, work together to keep the services as they were originally intended, to preserve them in their present state with JFS handling the fiscal responsibilities. All agreed to meet again in 30-days to measure the progress and eliminate any gray areas.

CIC - ECONOMIC DEVELOPMENT

Economic Development (ED) Director Amy Corbin and CIC Board members Gene Johnson, David Wiseman, Jim Cozza and consultant Bob Condee met to discuss the receipt of the Industrial Site Improvement fund grant for \$750,000. Ms. Corbin wanted to discuss the details of how to proceed; we have 18 months to complete the project. The grant will be administered through the County Commissioners office. It is now necessary to come up with a MOU to agree upon the terms as to who is going to do what. The county would be willing to pay the CIC the appraised value and work with the CIC to market the facility to someone interested in creating jobs.

Johnson asked if there was some way to funnel back cash to the Economic Development fund after the sale to make this work. Commissioners stated that if the county owns the land and builds the building, the proceeds of the sale would go back to cover any shortfall and to continue for the next project. Our goal is to make sure the county's debt is paid and to set all net revenue into an ED line item for the next project to continue moving forward.

Bob Condee expressed concern on the water lines not meeting fire suppression requirements and most potential industry clients will question this flow and require larger lines. He felt this should be addressed prior to marketing to prevent a possible loss of sale. We need to document the flow rates through the Water Company and look for opportunities to improve the flow to attract more industry.

We need to develop a structured agreement prior to our next meeting, with time for everyone to review and add comments. All agreed to put together a draft MOU and all entities would be given the opportunity to review and modify the wording. The next CIC meeting is in two weeks and will plan to have a draft ready by then.

INDUSTRIAL SITE GRANT AGREEMENT

Lois Snyder made and Joe Foster seconded the motion to approve the submitted Industrial Site Grant Agreement as recommended by ED Director Amy Corbin. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.

TITLE IV-D - CLERK OF COURTS AMENDMENT

JFS Director recommended approving an amendment to the Title IV-D - Clerk of Courts agreement. The changes made to the 2009-2010 IV-D contracts included the inclusion of fees collected by the Contractor (\$22,725.35) on page 1 of the contract. This changed the budget amount to \$195,408.42, amount under contract to \$43,189.48, and changed the unit rate to \$191.95.

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

NON EMERGENCY TRANSPORTATION CONTRACTS

After reviewing the Non-Emergency Transportation proposals, the JFS Director recommended the following contracts for approval as per the NET plan.

Gallia/Meigs Community Action Agency
Woodland Centers

Lois Snyder made and Joe Foster seconded the motion to approve as recommended. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea. Contracts are on file in the JFS office.

CHANGE OF OFFICE HOURS RESOLUTION

JFS Director Dana Glassburn submitted for approval a change of hour's resolution as follows.

RESOLUTION

In the matter of Office Hours for the Gallia County Department of Job and Family Services (GCDJFS), the Board of County Commissioners of Gallia County, Ohio, recognize that organizational changes must occur due to recent funding reductions by the State of Ohio Department of Job and Family Services (ODJFS) that have resulted in layoffs of 41% of the staff at the GCDJFS. As a result of such organizational changes, it will be difficult for the GCDJFS to maintain appropriate staffing levels through out the current operating hours of 7:00 a.m. to 4:00 p.m. (as amended by the Board of County Commissioners on January 15, 2009) to assure the public is served in a timely manner.

Ohio Revised Code Section 329.023 states that each county department of job and family services shall have hours of operation outside the county department's normal hours of operation during which the county department will accept from employed individuals applications for the programs administered by the county department and assist employed program recipients and participants with matters related to the programs. Currently the hours of operation outside of normal county hours are from 7:00 a.m. to 8:00 a.m. However, a limited number of applicants utilize this time period.

The agreement between GCDJFS and the Communications Workers of America Local 4320 Article 5 #5 states in part that management of GCDJFS has the right to determine the hours of work for all employees. Article 13 Section 13.4 of said agreement states in part that "Should Management decide to change these hours, then thirty (30) days notice will be given to the employees".

Therefore, be it resolved that, the Board of County Commissioners of Gallia County, Ohio, hereby authorize the change of office hours for the Gallia County Department of Job and Family Services from 7:00 a.m. opening and 4:00 p.m. closing to the following:

- Monday 9:00 a.m. to 5:00 pm
- Tuesday 8:00 a.m. to 4:00 p.m.
- Wednesday 8:00 a.m. to 4:00 p.m.
- Thursday 8:00 a.m. to 4:00 p.m.
- Friday 7:00 a.m. to 3:00 p.m.

The new GCDJFS office hours begin on _____, 2009.

The Board of County Commissioners of Gallia County, Ohio, recognizes that further funding reductions and organizational changes may result in additional restructuring of office hours; however, the Commissioners and the GCDJFS are committed to serving those in need and will do everything possible to limit the reduction of services we provide.

The foregoing resolution was introduced upon a motion by Board member Lois Snyder, and seconded by Board member Joe Foster and the vote taken thereon resulted in the following:

Votes in favor of the resolution: 3
Votes opposed to the resolution: 0

s/Justin Fallon
Gallia County Commissioner

s/Howard J. Foster
Gallia County Commissioner

s/Lois M. Snyder
Gallia County Commissioner

This resolution adopted by the Gallia County, Ohio, Board of County Commissioners on the 30th day of July, 2008.

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Attest: s/Terry Hemby, Clerk

Lois Snyder made and Joe Foster seconded the motion to approve the change of office hours resolution as recommended by JFS Director Dana Glassburn. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.

CHILD SUPPORT PAYMENTS

JFS Director informed the Commissioners that all child support payments will no longer be accepted at the JFS agency after 8/1/2009. All payment must be mailed to Columbus, Ohio JFS office.

**SEMI-ANNUAL REPORT
CDBG ED REVOLVING LOAN FUND**

The County Administrator presented the Commission with the Semi-Annual Report for the CDBG ED Revolving Loan Fund for the period of December 31, 2008 thru June 30, 2009 as completed and presented to the County by Enterprise Development Corporation. Justin Fallon entertained a motion that the report be approved and signed as presented. Joe Foster moved and Lois Snyder seconded the 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.

ADJOURN

At 3:33 p.m. President Fallon entertained a motion for adjournment. Lois Snyder made and Joe Foster seconded the motion. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.

Absent
Justin L. Fallon, President

Terry Hemby
Terry Hemby, Clerk

Howard J. Foster
Howard J. Foster, Vice-President

Lois M. Snyder
Lois M. Snyder, Member