

**AUGUST 13, 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 August 6, 2009 minutes. Lois Snyder made and Joe Foster seconded the motion. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.

<b>TRAVEL REQUESTS</b>				
<b>DEPARTMENT</b>	<b>NAME</b>	<b>DATE</b>	<b>TO</b>	<b>RE:</b>
Auditor	Larry Betz Anette Brown	8/12	Hocking County	SECAAO District Mtg
EMA	Mike Null Jill Simpkins	8/13	Columbus	LEPC Conference
Commissioners	Karen Sprague	8/3 – 8/8	Gallia County Fair	Fair Housing Booth

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

<b>Animal Shelter Canine Weekly Report</b>										
<b>Week Ending</b>	<b># IN</b>	<b>Adopted</b>	<b>Reclaimed</b>	<b>Euthanized</b>	<b>Died (Natural Causes)</b>	<b>Rescued</b>	<b>Destroyed (in field)</b>	<b># Out</b>	<b>In Foster Care</b>	<b>Remaining at Shelter</b>
8/10/09	33	0	3	7	6	8	0	24	18	55

**SECRETARY OF STATE REPRESENTATIVE**

Mike Struble, Regional Liaison for the Ohio Secretary of State Office met to update the Commissioners on the Election Reform bill being introduced. He distributed the legislative summary of the bill and briefly commented on the bill reviewing the basic points. He advised that the guiding principles of the bill are to make voting easier for the voter, easier to administer for the board of elections and improve the cost effectiveness. Struble encouraged the Commissioners to review the summary and let their legislators know of their support of bill.

**2008 SINGLE AUDIT REPORT**

Commissioners received and reviewed a copy of the Gallia Jackson-Meigs Board of Alcohol, Drug Addiction and Mental Health Services' Calendar Year 2008 Single Audit. The audit was executed by the Auditor of the State of Ohio, covering the period from January 1, 2008 through December 31, 2008. Copy is on file in the Commissioners office.

**AIRPORT ABOVE GROUND PUMPS**

Commissioners agreed to add the above ground fuel pumps located at the Gallia-Meigs Airport to our CORSA insurance policy. The replacement value is between \$350,000 and \$400,000; at the next renewal they will include them in the total property value.

**SEWER PLANT UPDATE**

County Sewer Plant Operator Gary Myers and Technical Assistant in Wastewater Kenny Soles updated the Commissioners on several sewer related items. Soles informed the Commissioners that EPA has started an "Operator of Record" position. The law states the operator of record must be at the plant a minimum 2 days week, for one hour. Myers has completed the training and met all requirements to be considered a Operator of Record and it would be more cost effective for him to do this then Soles. The forms being presented for signature is to remove Soles and put Myers in as the Operator of Record. Soles will continue to do all the testing. Joe Foster made and Lois Snyder seconded the motion to designate Gary Myers as the Operator of Record for Clearview, Meadowlook and Rodney Sewer Plants as recommended by Kenny Soles. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.

Due to the recent flooding events there have been washouts involving several sewer plants; the worst being Meadowlook with the latest rains. For Meadowlook, Myers and Soles proposed adding a flow equalization tank, which will hold ½ of the plant capacity and which would allow them to regulate the flow and be adjusted to prevent a washout during heavy rains. Myers stated that the creek broke over and washed the culvert out and sending everything through the plant and filters. Until a new system is in place to replace this plant something must be done to prevent these washouts. Myers met with a contractor regarding cleaning out the creek above and below the plant and install a tile in front of the plant to divert the water around the plant instead of washing through it. The estimate to do this work comes in at \$1,500. Myers advised the County Engineer has agreed to deliver 2 loads of choke and the culvert at their cost. Commissioners advised that he get the project approved by all involved property owners prior to doing this work.

Soles also advised that ODOT wants to know how much it would cost to run the line from the rest area to the main line with the Kanauga-Addison Sewer Project. It would be much less paperwork if the County referred to this as a "tap fee". The County Administrator will request that Stantec Engineer Gary Silcott figure how much this would cost to include it as a change order.

**SHERIFF DEPARTMENT UPDATE**

Sheriff Joe Browning, Chief Deputy JD Taylor and Administrative Assistant Cheryl Vanco met with the Commissioners to discuss the following:

1. Recurring basement flooding – County Administrator Karen Sprague has been in discussions with the City and they advised they are working on the issue. She has had three conversations with the City Managers Secretary and has also talked to our CORSA representatives. Commissioners' requested that she put the request in writing to the City Manager's office.

2. Sheriff advised the Jail was in need of painting again. The inmates will be doing the work and he has requested the Commissioners provide the paint, which must be oil based. Commissioners agreed to provide the paint for the job. Sheriff also gave them the monthly numbers for number inmates in-house and out of county housing costs.
3. Expenditure sheet – Budget line items and shortages were reviewed.
4. Work Release Center proposed facility – The Sheriff advised that he has sent a letter to the state requesting funding assistance and is waiting on a reply. They have also requested estimates on rent and utility figures from MRDD; those figures will be obtained by next week. Once these figures are received an operational budget could be developed. The Sheriff stated that both Judges are onboard with the proposed facility.
5. Courthouse Security Committee met and discussed the opening of another point of entry for the employees. They suggested the use of the 2<sup>nd</sup> back door with the handicap ramp with a key fob being used similar to the 1<sup>st</sup> back entrance. He submitted a quote for a new key fob system to put on this door with the same company that is currently used on the first rear entrance. Commissioner advised them to get a couple other estimates for comparison purposes.
6. Sheriff advised that we normally cycle out 3 cruisers per year and FORD advised if you order now, 2010 can be purchased at 2009 prices. Is this something they wanted him to pursue? No action taken.

#### **GALLIA-JACKSON-VINTON SCHOOL – RESOURCE OFFICER CONTRACTS**

Sheriff Browning submitted the School Resource Officer Contracts for the Buckeye Hills Career Center. Joe Foster made and Lois Snyder seconded the motion to approve the contract as recommended by Sheriff Browning. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea. Contract is on file in the Sheriff's office.

#### **GALLIPOLIS CITY SCHOOLS - RESOURCE OFFICER**

Sheriff Browning submitted the School Resource Officer Agreement with Gallipolis City Schools for a part-time officer at Gallia Academy High School. Lois Snyder made and Joe Foster seconded the motion to approve the contract as recommended by Sheriff Browning. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea. The contract is as follows:

#### ***Gallipolis City School District CONSULTANT AGREEMENT***

*This Agreement is entered into on August 19, 2009 by and between the Gallipolis City School District Board of Education ("Board") and Gallia County Sheriff's Office (Consultant"), an independent contractor, for the provision of services by the Consultant to the Board.*

#### **I. SERVICES TO BE PROVIDED BY THE CONSULTANT**

*The Consultant shall provide the following services:*

*The Service of a part time six (6) hour Student Resource Officer for the 2009-2010 school year (180 days). The Student Resource Officer will be housed at Gallia Academy High School, 2855 Centenary Road, Gallipolis Ohio.*

*The Consultant shall exercise independent professional judgment at all time and shall determine the manner by which the described services are to be rendered. Services shall be provided in accordance with all applicable laws, rules and regulations, including policies and regulations of the Board. The Consultant shall maintain strict confidentiality with respect to all services rendered. Notwithstanding the Consultant's status as an independent contractor, the Board has the right to monitor the Consultant's performance in order to ensure a high level of quality in the services provided and in the relationship between the Consultant and the recipient(s) of services or others with whom the Consultant interacts in performing this Agreement.*

#### **II. FEES**

*The Board shall pay the Consultant \$14.07 per hour for 1080 hours for 2009-2010 school year (180 days). The total amount of fees payable to the Consultant during the term of this Agreement shall not exceed \$15190.58. The Consultant shall provide documentation of services as required by the Board, and payment shall be made within thirty (30) days of receipt of documentation.*

#### **III. FREQUENCY OF SERVICES [Select Option]**

*\_\_\_\_\_ The Consultant shall provide the described services on an as-needed basis upon request of the Board's superintendent, who shall have the sole discretion to determine the quantity of services, if any, to be provided by the Consultant under this Agreement; use of the Consultant shall not create any expectation regarding further use, and the Board shall have no continuing obligation to utilize the services of the Consultant during the term of this Agreement or thereafter.*

**OR**

*X The Consultant shall provide the following quantity of services during the term of this Agreement 6 hours per day for 180 days or 1080 hours*

#### **IV. TERM**

*This Agreement shall be in effect from August 24, 2009 through May 28, 2010 unless earlier terminated by the Board. The Board may terminate this Agreement at any time by giving notice to the Consultant at the address contained herein if the Board determines, in its sole discretion exercised in good faith, that the Consultant has violated any applicable law, rule, regulation, or policy; failed to perform any duty or warranty under this Agreement; or made a misrepresentation which materially affects the level or quality of services; or if the Board is otherwise dissatisfied with the Consultant's performance.*

#### **V. RELATIONSHIP OF THE PARTIES**

*The consultant is an independent contractor and may not hold himself/herself out to individuals receiving services or to others as the employee or agent of the Board. The Consultant is not required to perform services exclusively for the Board and may perform the same or similar services for others. The Consultant is responsible for all expenses incurred in rendering services under this Agreement, and the Consultant agrees to hold the Board harmless from any such expenses. At his or her sole cost, the Consultant shall maintain all licenses/certifications required by law, shall secure professional liability insurance and any other insurance required by law, and shall pay all taxes and/or fees*

required by law. The Consultant shall indemnify and hold the Board harmless from and against any claim asserted by, or any liability to, any person on account of injury, death, or damage to property arising out of the Consultant's acts or omissions in the performance of the Agreement. Any services provided by the Consultant pursuant to this Agreement are in the nature of personal services and may not be subcontracted or assigned without the prior written consent of the Board.

**VI. MISCELLANEOUS PROVISIONS**

This Agreement creates no third party beneficiaries.

This document sets forth the entire agreement of the parties and supersedes all prior agreements or contracts, whether oral or written between the parties.

CONSULTANT

GALLIA COUNTY SHERIFF'S OFFICE  
18 Locust Street  
Gallipolis, OH 45631

BOARD OF EDUCATION

GALLIPOLIS CITY SCHOOLS

**AMENDED CERTIFICATES & SALES TAX REPORT REVIEW**

County Administrator Karen Sprague reviewed with the Commission the amended certificates as prepared by the County Budget Commission as well as the July Sales Tax report. No action taken.

**WPCLF LOAN & ARRA GRANT AGREEMENT**

County Administrator Karen Sprague presented the Commission with the OEPA Water Pollution Control Loan Fund Loan agreement & ARRA Grant Agreement for the Kanauga-Addison Sewer Project. Gallia County is receiving \$360,000 in ARRA grant funds and \$360,000 in 0% WPCLF loan funds. The loan has a 20 year loan term with the first semi-annual payment beginning on 1/1/2012. The agreement must be submitted back to OEPA by 8/14/2009, immediate action is required so that the necessary grant & loan documents can be sent overnight to OEPA. Justin Fallon entertained a motion that the WPCLF loan & ARRA grant agreement is signed as presented. Lois Snyder made and Justin Fallon seconded that motion. Upon roll call votes were as follows: Justin Fallon, yea; Joe Foster, yea; Lois Snyder, yea.

**RESOLUTION**

**GREENFIELD TOWNSHIP FIRE TRUCK PROJECT**

County Administrator Karen Sprague met with the Commission to discuss a USDA Rural Emergency Responders Initiative project for Greenfield Township. According to information obtained from Gordon Parker of USDA and the Township is eligible for a \$27,000 grant (55%) towards the purchase of the \$50,000 fire truck. Before USDA can consider the project for funding the local match must be certified that it will be available when the USDA grant is awarded. Greenfield Township is requesting the Gallia County Commissioners consider pre-certifying the local match portion from the county's FY 2010 CDBG formula grant in the amount of \$23,000. Ms. Sprague noted the Commissioners have done this in the past for Cheshire Village's handicap accessible project, Rio Grande Village's SR 325 Sidewalk Project and Harrison Township's Fire Equipment project. Ms. Sprague presented the Commission with emails from USDA in this regard.

Justin Fallon entertained a motion that the Commission lend its full support to the Greenfield Township USDA project and approve commitment of \$23,000 of the County's FY 2010 CDBG Formula Grant as the required 45% local match towards the USDA grant. Joe Foster made and Lois Snyder seconded the motion. Roll call votes: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder.

**EXECUTIVE SESSION - DJFS**

At 10:49 a.m. Justin Fallon entertained a motion to enter into executive session with DJFS Director Dana Glassburn 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.

**911 RENEWAL LEVY PUBLIC HEARING**

At 11:00 a.m. the Commissioners held the second public hearing for the 911 levy renewal scheduled for the next general election on November 3, 2009. 911 Director Steve Wilson explained the requirements to place the levy on the ballot to continue the ¼% sales tax for the operation of the 911 system which must be placed before the voters every five (5) years. In attendance: 911 Director Steve Wilson; 911 Administrative Assistant Sherry Daines; Clerk Terry Hemby. Hearing no comments or objections from the public hearing, Director Wilson submitted the following resolution for approval:

**RESOLUTION**

**O.R.C. 5739.026 & O.R.C. 5741.023**

*The Board of County Commissioners of Gallia County, Ohio, met in regular session on the 13<sup>th</sup> day of August 2009 and the following members were present:*

- Justin L. Fallon, President*
- Howard J. Foster, Vice President*
- Lois M. Snyder, Member*

*The Clerk advised the Board of County Commissioners that the notice requirements of R.C. 121.22 and the implementing rules adopted by the board thereto were complied with for the meeting*

*Ms Lois Snyder moves the adoption of the following Resolution:*

**WHEREAS** Revised Code 5739.026(A)(6) authorizes a Board of County Commissioners to levy a sales tax for the sole purpose of providing for the implementation and operation of the 9-1-1 System for all of Gallia County, which tax may be levied for a period not to exceed five (5) years, therefore, be it

**RESOLVED** by the Board of County Commissioners of Gallia County, Ohio, two-thirds of all members elected thereto concurring, proposed for the purpose of providing revenue for the continuing operation of a 9-1-1 System a continuation of an existing one-fourth of one percent (1/4%) for a period of five (5) years beginning April 1, 2010 in sales and use tax pursuant to and upon those transactions, uses or other consumption defined in Ohio Revised Code Sections 5739.026(A)(6) and 5741.023. And be it further

**RESOLVED** that the Clerk of this Board of County Commissioners be and she hereby is directed to certify a copy of this Resolution to the Board of Elections, Gallia County, Ohio prior to seventy-five days this election, and notify said Board of Elections to cause notice of election on the question of levying said tax pursuant to this resolution to the elections of the county at the next general election on **November 3, 2009**.

**FURTHER BE IT RESOLVED**, the Clerk is directed by the Board of County Commissioners to notify the Tax Commissioner of the State of Ohio in writing of this levy question to be submitted to the electors, which notice shall be sent by certified mail, return receipt requested.

**FURTHER**, this Board finds and determines that all formal actions of this board concerning and relating to the adoption of this resolution were taken in an open meeting of this board and that all deliberations of this board and of any committees that resulted in those formal actions were in meetings open to the public, in compliance with the law, including R.C. 121.22.

Mr. Joe Foster seconded the motion and roll being called upon its adoption the vote resulted in as follows:

Justin L. Fallon	Yea
Howard J. Foster	Yea
Lois M. Snyder	Yea

Adopted this 13<sup>th</sup> day of August, 2009  
s/Terry Hemby, Clerk

Board of County Commissioners of Gallia County Ohio  
s/Justin Fallon  
s/Howard J. Foster  
s/Lois M. Snyder

#### CHILDREN SERVICES BOARD

Commissioners met with Children Services Board member Kent Shawver and Executive Director Russ Moore, and Financial officer Michelle Alderman. Mr. Shawver stated that their board meets the 2<sup>nd</sup> Tuesday of each month and they plan to hold a monthly meeting with the Commissioners the following Thursday each month.

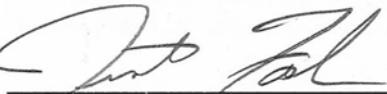
Shawver distributed an organized budget report that has been designed to clarify and share information. He reviewed each document with explanation to the Commissioners. They currently have five employees in the Children Services Agency. They are in the process of drafting the requested MOU between the Commissioners, Children Services and JFS for financial assistance.

#### CWA LOCAL 4320

The CWA Local 4320 Stewards Cindy Kuhn, Ernie Meadows and Kathy Campbell met with the Commissioners to discuss the recent layoff issues and rumors that are circulating. Meadows stated that the Union wants to do what they need to do in order to work together in the future. The Union is not in the business of running the agency; we just want to work together as a team to make it work. We don't feel like we are getting what we need from management to make it work as a team. Foster stated there should be a happy medium found as an interim basis where everyone could go a little further to accomplish the "teamwork" effort. The Commissioners expressed understanding of their concerns and appreciation of their position.

#### ADJOURN

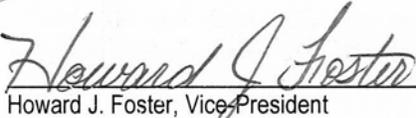
At 2:33 p.m. President Fallon entertained a motion for adjournment. Lois Snyder made and Joe Foster seconded the motion. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.



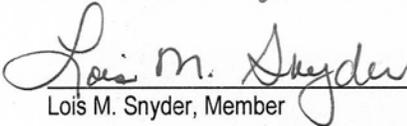
Justin L. Fallon, President



Terry Hemby, Clerk



Howard J. Foster, Vice-President



Lois M. Snyder, Member