

FEBRUARY 11, 2010

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 Howard "Joe" Foster. Roll Call: President Mr. Howard J. "Joe" Foster, present; Vice-President Mr. Justin L. Fallon, present; and Member Ms. Lois M. Snyder, present.

President Foster entertained a motion for approval of the February 4, 2010 minutes. Lois Snyder made and Joe Foster seconded the motion. Roll call: Mr. Foster, yea; Mr. Fallon, yea; Ms. Snyder, yea.

TRAVEL REQUESTS				
DEPARTMENT	NAME	DATE	TO	RE:
I.T.	Shawn Huston	2/16	Chillicothe	Poll Worker Training
I.T.	John Grubb	2/17	Columbus	State of Ohio Cyber Summit

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

Animal Shelter Canine Weekly Report										
Week Ending	# IN	Adopted	Reclaimed	Euthanized	Died (Natural Causes)	Rescued	Destroyed (in field)	# Out	In Foster Care	Remaining at Shelter
2/8	48	3	0	8	2	32	0	45	4	39

9:15 a.m. Commissioner Fallon stepped out of the meeting to discuss broadband services with Horizon Telcom.

CHILDREN SERVICES BOARD

Children Services Board President Kent Shawver updated the Commission on the financial status of the agency. Executive Director Russ Moore informed them of the status regarding renting available office space. They had consultation with the Prosecutor and have prepared a draft lease for the Commissioners review and permission to proceed. Lois Snyder made and Joe Foster seconded the motion to approve the CS board to negotiate the lease contingent on the County Administrator's approval of receipt of funds. Roll call: Mr. Fallon, absent; Mr. Foster, yea; Ms. Snyder, yea.

9:30 a.m. Commissioner Fallon returned to the meeting.

CRIMES AGAINST WOMEN GRANT

Sheriff Joe Browning submitted a grant for Crimes Against Women for approval and signature. Lois Snyder made and Joe Foster seconded the motion to approve the grant as submitted. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.

HORIZON TELCOM

Horizon Telcom Engineer Gary Lucas submitted the following Letter of Intent for Fiber Optic Cable Use and Maintenance:

LETTER OF INTENT
For
Fiber Optic Cable Use and Maintenance

Horizon has been in the Telecommunications business for 115 years and has established a reputation for providing advanced services (including broadband to over 95% of its local telephone service area), superior quality and renowned responsiveness to its Appalachian customers. We provide leading-edge voice, video and data services to businesses and residents in eight southern Ohio counties. Horizon's commitment to fair pricing and advanced telecommunications deployment in the Appalachian communities we serve has created an atmosphere of robust competition.

Horizon's innovative management team is headquartered in Ross County, Ohio. Horizon's management is easily accessible—we reside in the communities we serve. Horizon has been building fiber optic networks-including self-healing rings- since the mid-1980. Using the anchor tenant concept, we have stretched our fiber optic network from our traditional service area in Ross and Vinton counties to include Pike, Scioto, Jackson, Pickaway, Highland, and Athens counties.

Horizon has partnered with the Southern Ohio Health Care Network (SOHCN, Inc.) which will serve as the anchor tenant for a state-of-the-art fiber optic network throughout southern Ohio. Horizon will not only provide telecommunications services, but also the transporting of critical health care data as the worlds of advanced communication and medical technology come together to improve the quality of life and the cost of health care for our fellow residents and businesses in Southern Ohio. Phase One of the Horizon and SOHCN agreement covers a total of thirteen counties including Gallia County.

It is Horizon's intent to utilize Gallia County's Fiber Facilities identified in the attached map to provide service expansion in Gallia County. We respectfully request to proceed as follows:

- The Bidwell fiber route would continue to be owned by the Gallia County Commissioners. Horizon would have perpetual Right to Use (RTU) for an initial term of twenty (20) years. Horizon would accept responsibility for the maintenance of the fiber and poles on the route in exchange for over lash rights to the entire route. If it becomes necessary to replace cable or strand, or both, the Commissioners would continue to retain ownership of the poles, strand and four fibers in the sheath, with Horizon retaining ownership of the remaining fibers regardless of the count. This will ensure that the commissioners continue to maintain full ownership of an asset that is consistent with the current status. The Industrial Park will be serviced with diverse fiber access as a part of this route.*
- Horizon will begin immediately to work with the Commissioners and other organizations to identify areas of interest such as Industrial Parks, real estate development areas, businesses and residential areas that would help both the County and Horizon establish the highest possible penetration of broadband, video and voice services. This will include a collaborative effort to establish a mutually beneficial route coming through the southern part of the county.*

- In order to help expedite delivery of services in Gallia County, Horizon would appreciate as much assistance as possible in establishing county, township and municipal right of way for fiber optic cable routes. Horizon is committed to work with the Commissioners and other governmental agencies to resolve any conflicts that may arise along the routes.
- Horizon adheres to the highest Construction and Operational Standards. We carry the appropriate Liability Insurance Coverage for all Business operations and will provide the necessary documentation to Gallia County as required.

We are confident that Horizon's network will bring a new level of broadband service and opportunity to businesses and residents of Gallia County. We look forward to working with your team to develop the most effective routes to benefit both Gallia County and Horizon.

Please let me know if you have any questions, or if additional information is needed for this request.

Respectfully submitted,
 s/ Joseph E. Corbin
 Vice President - Operations
 Horizon Telcom, Inc.

A "Certificate of Liability Insurance" accompanied the letter of intent. Upon recommendation of the broadband committee, Justin Fallon made and Lois Snyder seconded the motion to accept the letter of intent and certificate of insurance which includes Gallia County as an insured. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea. Engineer Lucas advised Horizon would draft an agreement and return for signatures. Commissioners advised to make sure all liability is assumed by Horizon Telcom.

SR 850 - 775 FEASIBILITY STUDY

Engineer Boothe submitted the following feasibility studies: one for \$7500 and one for \$20,000. Since we have not heard anything on the \$10,000 from Governor's Regional Initiative Fund for the Connector Feasibility Project, the Engineer has billed Gallia County Commissioners \$5,000 and Lawrence County \$5,000 to make up for it. Two (2) contracts for each section that makes up the feasibility project were submitted for signature. Both contracts were previously viewed by the commissioners; however, we were not permitted to award them because we were waiting to receive approval to proceed from ARC. We now have ARC approval.

Once the contracts have been signed by the commissioners and the bills have been approved on Thursday, I will forward this contract to the consultant to finish the study on Friday. - Engineer Brett Boothe

TOTAL PROJECTS COST	\$27,000
Funds Breakdown	
Gallia County Commissioners	\$7,500
Lawrence County Commissioners	\$7,500
Community Investment Dollars (ARC)	\$12,000
Governor's Regional Initiative \$	\$0
TOTAL PROJECT FUNDS	\$27,000 which funds both projects

Lois Snyder made and Justin Fallon seconded the motion to enter into the KORDA agreements as recommended by Engineer Boothe. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea. Agreements are as follows:

Brett Boothe, PE, PS
 Gallia County Engineer
 1167 State Route 160
 Gallipolis, OH 45631

Dear Mr. Boothe:

October 22, 2009

RE: Request for Proposal
 Gallia/Lawrence SR 850/775 Traffic and Safety Analysis

Korda-Nemeth Engineering, Inc. is pleased to submit our Proposal and Scope of Service for providing professional engineering services for the traffic capacity analysis and safety analysis for the subject corridors in Gallia and Lawrence Counties. We greatly appreciate this opportunity to work with you and your team on this project. This document will outline the items to be included in the traffic safety analysis report for Gallia County for a maximum fee of \$7,000. Korda will be the prime consultant and your primary contact for this analysis.

Through discussions with your office, we understand the study corridors to be State Route 850 in Gallia County, connecting SR 850 with State Route 775 with a new highway in Gallia County, and improving SR 775 from State Route 141 in Gallia County to State Route 7 in Lawrence County.

Below are items that Korda will provide as a part of this contract:

- Traffic capacity analysis for all existing major intersections
- Safety analysis for all existing major intersections and non-intersections with 20 crashes or more within a 0.5 mile section of the road
- Report - preparation of the traffic safety report

Invoices will be submitted monthly based on an estimated percentage complete of the project. We will begin work on this project upon notice to proceed by Gallia County.

Again, we would like to thank you for this great opportunity to work with you and your office on this preliminary feasibility study. If you have any questions or need additional information, please feel free to contact me.

Sincerely,
 KORDA-NEMETH ENGINEERING, INC.
 Consulting Engineers
 s/ Gregory M. Murphy, PE Associate
 s/ John W. Panovsky, PE, LEED® AP Partner
 GALLIA COUNTY

KORDA-NEMETH ENGINEERING, INC.

Accepted:
 s/ Brett A. Boothe, County Engineer 2/10/10
 County Commissioners:

s/ John W. Panovsky, PE Partner 10/22/09

s/Howard J. Foster 2/11/10
 s/Justin Fallon 2/11/10
 s/Lois M. Snyder 2/11/10

APPROVED AS TO LEGAL FORM BY:
 County Asst. Prosecuting Attorney
 s/Pat Story 2/9/10

CERTIFICATION OF FUNDS:

I, Larry M. Betz, Auditor of Gallia County, hereby certify that said funds have been appropriated and that said funds are not and cannot be appropriated for any other purpose.

s/Larry M. Betz, Gallia County Auditor

 Brett Boothe, PE, PS
 Gallia County Engineer
 1167 State Route 160
 Gallipolis, OH 45631

Dear Mr. Boothe:

October 22, 2009

RE: Request for Proposal
 Gallia-Lawrence SR 850-775 Preliminary
 Feasibility Study

Korda-Nemeth Engineering, Inc. is pleased to submit our Proposal and Scope of Service for providing professional engineering services for the preliminary feasibility study of the subject project in Gallia and Lawrence Counties. We greatly appreciate this opportunity to work with you and your team on this project. This document will outline the items to be included in the preliminary feasibility study report for Gallia County for a maximum fee of \$20,000. Korda will be the prime consultant and your primary contact for this project. We have teamed with Transystems Corporation to provide environmental expertise for the study.

Through discussions with your office, we understand the purpose of the study is to preliminarily analyze the feasibility of improving State Route 850 in Gallia County, connecting SR 850 with State Route 775 with a new highway in Gallia County, and improving SR 775 from State Route 141 in Gallia County to State Route 7 in Lawrence County. This preliminary feasibility study will be prepared for Gallia County to present to the Transportation Review Advisory Council (TRAC). This document will serve as the basis for TRAC to fund a planning study for the aforementioned corridors.

Below are items that Korda will provide as a part of this contract:

- Environmental literature search and review
- Environmental Overview - a compilation of secondary information related to the potential for environmental impacts
- Demographics Review - evaluation of the socio-economic conditions of the project area and identification of key community resources in the area
- Review of existing and future land use plans
- Conceptual Cost Estimates
- Report - preparation of the preliminary feasibility study, related to project justification and the above topics

Invoices will be submitted monthly based on an estimated percentage completion of the project. It is understood that the study will be provided to Gallia County no later than October 31, 2009. We will begin work on this project upon notice to proceed by Gallia County.

Again, we would like to thank you for this great opportunity to work with you and your office on this Preliminary Feasibility Study. If you have any questions or need additional information, please feel free to contact me.

Sincerely,
 KORDA-NEMETH ENGINEERING, INC.
 Consulting Engineers
 s/Gregory M. Murphy, PE Associate
 s/John W. Panovsky, PE, LEED® AP Partner

GALLIA COUNTY
 Accepted:
 s/Brett A. Boothe, County Engineer 2/10/10

KORDA/NEMETH ENGINEERING .INC.
 s/John W. Panovsky, PE Partner 10/22/09

County Commissioners:
 s/Howard J. Foster 2/11/10
 s/Justin Fallon 2/11/10
 s/Lois M. Snyder 2/11/10

APPROVED AS TO LEGAL FORM BY:
 County Asst. Prosecuting Attorney
 s/Pat Story 2/9/10

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s/Larry M. Betz, Gallia County Auditor

COUNTY ENGINEER RESOLUTIONS

Resolution

The Board of County Commissioners of Gallia County, Ohio met with the following members present: President Mr. Howard J. "Joe" Foster, present; Vice-President Mr. Justin L. Fallon present and Member Ms. Lois M. Snyder, present.

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WHEREAS; Section 5501.03 (C) of the Ohio Revised Code provides that the Director of the Ohio Department of Transportation (ODOT) may coordinate the activities of the Department with other appropriate public authorities and enter into contracts with such authorities as necessary to carry out its duties, powers and functions; and

WHEREAS; the GAL-C.R. 63 – 0.00 PID (86761) is a transportation activity eligible to receive federal/state funding; and

WHEREAS; the LPA (County) has received funding approval for the project listed above from the Program Manager having responsibility for the federal/state funds involved, and

WHEREAS; it is the mutual desire for both ODOT and the LPA to have the LPA serve as the responsible lead agency for the administration of the project; and

WHEREAS; the Gallia County Board of County Commissioners authorizes the Gallia County Engineer to enter into an agreement with ODOT for the above mentioned improvements.

NOW, THEREFORE a motion was made by Justin Fallon and duly seconded by Lois Snyder, to adopt the foregoing resolution/ordinance.

Resolution

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WHEREAS; Section 5501.03 (C) of the Ohio Revised Code provides that the Director of the Ohio Department of Transportation (ODOT) may coordinate the activities of the Department with other appropriate public authorities and enter into contracts with such authorities as necessary to carry out its duties, powers and functions; and

WHEREAS; the GAL-C.R. 1/VAR PM PID (86762) is a transportation activity eligible to receive federal/state funding; and

WHEREAS; the LPA (County) has received funding approval for the project listed above from the Program Manager having responsibility for the federal/state funds involved, and

WHEREAS; it is the mutual desire for both ODOT and the LPA to have the LPA serve as the responsible lead agency for the administration of the project; and

WHEREAS; the Gallia County Board of County Commissioners authorizes the Gallia County Engineer to enter into an agreement with ODOT for the above mentioned improvements.

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WHEREAS; the GAL-C.R. 20 – 9.37 (87371) is a transportation activity eligible to receive federal/state funding; and

WHEREAS; the LPA (County) has received funding approval for the project listed above from the Program Manager having responsibility for the federal/state funds involved, and

WHEREAS; it is the mutual desire for both ODOT and the LPA to have the LPA serve as the responsible lead agency for the administration of the project; and

WHEREAS; the Gallia County Board of County Commissioners authorizes the Gallia County Engineer to enter into an agreement with ODOT for the above mentioned improvements.

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COST ALLOCATION

Director Dana Glassburn discussed the cost allocation invoices and the fact that JFS amount has been significantly reduced. He also suggested the Children Services be invoiced for cost allocation then if the Commissioners opted to waive the costs, they could take appropriate action.

GALLIA RURAL WATER

Brent Bolin with Gallia Rural Water met with the Commissioners to discuss the possibility of the Rural Water Board sharing usage data with the County for the areas we are serving with sewers. We want to be able to more equitably bill for services and are requesting input from Rural Water. Bolin stated that we would have to make sure we can legally release the information; we would have to look at account numbers, no names attached. Commissioners expressed the desire to further this conversation with the Water Board for discussion. Bolin saw no problem with pursuing this request. Rural Water is funded through the federal government as is the sewer project, if we had support from those entities, it would also be more effective. Commissioner Foster advised they would send a letter to their board members requesting the data in order to begin discussions. Mr. Bolin will send contact information on his board so a letter can be sent to the board members; their next board meeting is March 9th.

Fallon also asked if the Water Board would be interested in allowing wireless service on their water towers. Bolin stated it would be a win/win for everyone. Fallon will prepare a packet of information for submittal to the Rural Water board.

**JOURNAL AMENDED - ARRA RE-DISTRIBUTION OF FUNDS
KA & MV SEWER PROJECTS**

The County Administrator advised the Commissioners that she received an email from DEFA informing us they had incorrectly notified the County of ARRA fund redistribution for the KA & MV Sewer Projects. This means the funding will remain grant and loan monies instead of 100 % grant as noted on Commissioners Journal Volume 44 Page 427 & 428.

KANAUGA/ADDISON PAYMENT RESOLUTION # 4

The County Administrator presented the Commission with Payment Resolution # 4 for the Kanauga/Addison Sewer Project for the following items:

- Trimat Construction Pay Estimate # 5 - \$134,783.85
- Stantec Consulting Inv. # 365515 - \$13,760.62
- CMI Billing Software Inv. # 072553 - \$415.00
- OWDA ARRA Fee Invoice - \$1,240.00
- Total = \$150,199.47

Lois Snyder moved and Joe Foster seconded a motion to approve payment resolution # 4 as submitted. Upon roll call votes were as follows: Joe Foster, yea; Justin Fallon, yea; Lois Snyder, yea.

MEMO ENTRY – REVENUE/EXPENSE OPWC KA SEWER GRANT/LOAN

The County Administrator advised the Commission that OPWC will make direct payments to vendors for the Kanauga/Addison Sewer Project grant & loan funding. In order to reflect the receipt and expenditure of these grant/loan funds within the county fund established as OPWC KA Sewer Grant/Loan Fund the County Auditor must make the following memo entries:

- Memo payin in the amount of \$13,760.62 into 106.3000.400101 from OPWC Loan # CO17L
- Memo expense in the amount of \$13,760.62 from 106.1106.531101 to Stantec Consulting Inc. vendor # 6899 for invoice # 379437

OSU EXTENSION

Tracy Winters and Richard Stephens updated the Commissioners on the status of the agency. They are finishing the WIA classes and as a result, they will be getting an intern from this class to help part time in their front office. The 4-H spring candy sale is underway. Stephens advised they are working on the Farmer's Market with Melissa Clark and things are looking very positive. It is Gallia County's turn to host the Legislative luncheon and the Commissioners are invited to attend, on March 24th. They also have a partnership with Chamber of Commerce and Gallia Academy with the 21st grant project. They recently conducted the 8th grade Real World Real Money project which involved 240 students and it went really well. Commissioner Lois Snyder participated in this event.

Winters discussed the number of counties that will be looking at levies for funding. She expressed appreciation for the budget the Commissioners provided for their office.

SPECULATIVE BUILDING DISCUSSION

As requested, Breech submitted a 2nd alternate proposal for the building location. This reflects placing the building on higher ground (14') in respect to Fairview Rd, this is much closer to Fairview but will take 5500 cubic yds of fill to be imported. In doing so, this will provide 100' truck yards on both sides and parking in the front; all accessible from Fairview. Average price on imported fill last year was roughly \$7 per yard. The new estimate for location B comes in at \$74,000, location A was \$35,000. Breech also advised that steel prices increased \$40 a ton on Feb 1st with a similar increase expected at the end of the month.

The building is designed for future fire suppression because depending on the tenant, it may not be required. Breech suggested that we bid out the excavation separately and let the general contractor do the rest. Commissioners discussed another placement option and requested that Breech present this in a drawing and also requested the utility requirements for the plan. Breech will return February 18th @ 11:00 a.m. with the requested information.

NIMS UPDATE

EMA Director Mike Null advised that a letter was sent out to all entities advising them of the NIMS requirements. The township officials are not required to complete the 300 & 400 level classes; they are aimed primarily at first responders. As township officials, Green Township has met their requirements. The County Engineer and his Highway Superintendent have yet to meet the requirements and have been notified.

Null also met with the Sheriff regarding a grant being officer through Congressman Wilson's office for MARCs radios. He wanted to know if he should pursue this grant, it is due the end of February. Commissioners advised Null to assist with this opportunity if at all possible and approved including a couple of MARCs radios in the Emergency Response Bus through this grant opportunity.

CAREER TECHNICAL MONTH PROCLAMATION

Lois Snyder made and Justin Fallon seconded the motion to proclaim the following, Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.

*PROCLAMATION
Career-Technical Education Month*

WHEREAS: February, 2010, has been designated Career-Technical Education Month by the American Career-Technical Education Association; and

WHEREAS: profound economic and technological changes in our society are being rapidly reflected in the structure and nature of work, thereby placing new and additional responsibilities on our educational system; and

WHEREAS: career-technical education provides Americans with a School-to-Work Transition and is the backbone of a strong, well educated work force, which fosters productivity in business and industry and contributes to America's leadership in the international marketplace; and

WHEREAS: career-technical education gives high school students experience in practical, meaningful applications of basic skills such as reading, writing and mathematics, thus improving the quality of their education, motivating potential dropouts and giving all students leadership opportunities in their fields and in their communities; and

WHEREAS: career-technical education offers individuals lifelong opportunities to learn new skills, which provide them with career choices and personal satisfaction, and

WHEREAS: the ever-increasing cooperative efforts of career-technical educators, business and industry stimulate the growth and vitality of our local economy and that by preparing workers for the occupations forecast to experience the largest and fastest growth in the next decade;

NOW THEREFORE WE, The Gallia County Commissioners hereby proclaim February, 2010 as **GALLIA COUNTY CAREER-TECHNICAL EDUCATION MONTH** in Gallia County and urge all citizens to become familiar with the services and benefits offered by the career-technical education programs in this community and to support and participate in these programs to enhance their individual work skills and productivity.

IN TESTIMONY WHEREOF, We have hereunto set our hand and caused to be affixed the Great Seal of Gallia County this 11th day of February, 2010.

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

1:00 P.M. - Commission Fallon stepped out of the office.

KANAUGA-ADDISON SEWER CONSTRUCTION MEETING

1:08 p.m. Meeting began with an update from the Field Manager Josh Starlin. They are currently working on State Rte 7 with manholes. The cleanup of debris has been significantly reduced. Toler stated the crews will continue up State Route 7 and past Burlile Oil and over to Flamingo Drive. Silcott advised there is one proposed change order for portable concrete barriers. They are still negotiating this with ODOT and is yet to be finalized. We are looking at Tara Estate's existing plant and are hoping to reduce footage in this area, and are still negotiating this also. There are no delays to date. OSHA was on site 2/1/10 with a verbal approval. ODOT has insisted that we must have additional concrete barriers in place than originally permitted. Foster stated, we will continue to communicate the cost of the project to John Carey and Clyde Evans so they understand that ODOT changed their minds on how they were going to handle that project, which could cost an additional \$100,000 on the project.

1:45 pm - Commissioner Fallon returned to meeting.

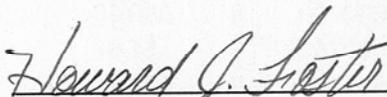
MERCERVILLE SEWER CONSTRUCTION MEETING

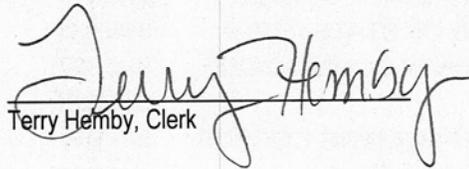
No meeting necessary, the project will not begin until May 15th.

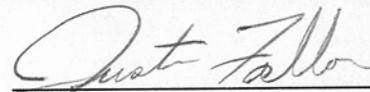
2:15 pm. Commissioners Fallon and Snyder left to attend a Solid Waste District Meeting in Wellston OH.

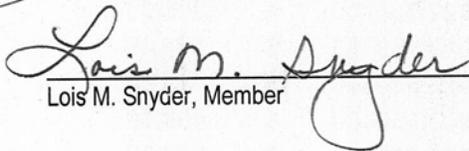
ADJOURN

At 5:30 p.m. Vice President Fallon entertained a motion for adjournment. Lois Snyder made and Justin Fallon seconded the motion. Roll call: Mr. Fallon, yea; Ms. Snyder, yea; Mr. Foster, absent.


Howard J. Foster, President


Terry Hemby, Clerk


Justin L. Fallon, Vice-President


Lois M. Snyder, Member