

MARCH 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 March 4, 2010 minutes. Lois Snyder made and Justin Fallon seconded the motion. Roll call: Mr. Foster, yea; Mr. Fallon, yea; Ms. Snyder, yea.

TRAVEL REQUESTS				
DEPARTMENT	NAME	DATE	TO	RE:
JFS	Fred Childers	3/11	Columbus	Rapid Response Training
		3/10	Columbus	JFSDA General Session Mtg
		3/24	Chillicothe	Fiscal Meeting
	Dana Glassburn	3/31	Lancaster	District Director's Mtg
Recorder	Roger Walker	3/18	Dublin, OH	Ohio Recorders Assoc Mtg
Commissioners	Justin Fallon	3/10	Columbus	ODNR 4-Wheeler meeting

President Foster entertained a motion to approve travel requests as submitted. Lois Snyder made and Justin Fallon seconded 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
3/8	9	1	0	22	0	11	0	34	0	9

OHIO LIVESTOCK CARE STANDARDS BOARD
LETTERS OF SUPPORT

The following letter of support was sent to Governor Ted Strickland, Senator John Carey and Representative Clyde Evans in support of Reverend John Jackson for a position on the Ohio Livestock Care Standards Board:

March 11, 2010

The Gallia County Commissioners support Reverend John Jackson for appointment to the **Ohio Livestock Care Standards Board**. Mr. Jackson has a clear appreciation and understanding of animal agriculture; and has proven time and again his excellent ability to build consensus and develop meaningful compromise on significant issues.

For the reasons stated and numerous others, we feel Reverend John Jackson would be an asset to this board to carry out the directive of the voters of the State of Ohio as set forth in the overwhelming passage of State Issue 2.

Respectfully,

s/Howard J. Foster

President

Justin Fallon made and Lois Snyder seconded the motion to send the above letter of support. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.

POSTAGE MACHINE

County Administrator Karen Sprague presented the Commission with proposal options from Pitney Bowes for the county's postage machine that is housed in the County Treasurer's Office and used by all county agencies. Ms. Sprague explained the following:

- Currently the county has a DM1000 mailing system with a 30 lb scale and SmartMailer software – Quarterly lease amount \$2,532.00
- Option # 1 – DM1100 mailing system with a 30 lb scale – Quarterly lease amount \$2,136.00
- Option # 2 - DM1100 mailing system with a 30 lb scale & SmartMailer software – Quarterly lease amount \$2,481.00
- Option # 3 - DM1100 mailing system with a 30 lb scale & Electronic Return Receipt Hardware & Software – Quarterly lease amount \$2,367.00
- Option # 4 - DM1100 mailing system with a 30 lb scale & SmartMailer software & Electronic Return Receipt Hardware & Software – Quarterly lease amount \$2,697.00

Ms. Sprague advised the Commission that the recommendation of herself, IT Director John Grubb, Tammy McConnell from the Treasurer's Office and Clerk of Courts Noreen Saunders is to go with Option # 1, which will save the County \$1,584 per year. Mr. Foster entertained a motion to approve Option # 1 as recommended. Lois Snyder made and Justin Fallon seconded a motion. Upon roll call votes were as follows: Joe Foster, yea; Justin Fallon, yea; Lois Snyder, yea.

AIRPORT HANGAR POLICIES

County Administrator Karen Sprague discussed with the Commission airport hangar policies with regard to enforcement of the same in conjunction with a vacant hangar. Commission agreed that the policies adopted by the Airport Authority need to be enforced and the vacant hangar must be filled by the next person on the waiting list.

STATUS REPORT
FY 2009 CDBG CHIP & HOME GRANTS (B-C-09-025-1 & B-C-09-025-2)

The County Administrator presented the Commission with the Status Reports for the period September 1, 2009 thru March 2, 2010 for the County's FY 2009 CDBG CHIP & HOME Grants (B-C-09-025-1 & B-C-09-025-2), which must be submitted to the Ohio Department of Development. Joe Foster entertained a motion that the Status Reports be approved and signed as presented. Lois Snyder made and Justin Fallon seconded that motion. Upon roll call votes were as follows: Joe Foster, yea; Justin Fallon, yea; Lois Snyder. The form is on file in the County's CDBG grant files.

ANNUAL CDBG PROGRAM INCOME REPORT

The County Administrator presented the Commission with the Annual Program Income Report for the CDBG Program for the period of FY 2009 & FY 2010. Joe Foster entertained a motion that the report be approved and signed as presented. Justin Fallon moved and Lois Snyder seconded that motion. Upon roll call votes were as follows: Joe Foster, yea Justin Fallon, yea; Lois Snyder, yea. The form is on file in the County's CDBG grant files.

ODOT LETTER RE: KA SEWER PCB'S

The County Administrator presented the Commission with the following letter to be sent to the Ohio Department of Transportation with regard to the portable concrete barriers being required for the Kanauga/Addison Sewer Project. Justin Fallon made and Lois Snyder seconded a motion to approve the letter as presented. Upon roll call votes were as follows: Joe Foster, yea Justin Fallon, yea; Lois Snyder, yea.

3/11/2010

Mr. Larry Woodford, Deputy Director
ODOT District # 10
338 Muskingum Drive
Marietta, Ohio 45750

RE: ODOT Permit No. 10-0217-08 & 10-0348-08
Kanauga/Addison Sanitary Sewer Project

Dear Deputy Director Woodford:

The Gallia County Commissioners are currently under construction on the Kanauga / Addison Sanitary Sewer project that includes providing sanitary sewer to the Kanauga and Addison areas of Gallia County. A portion of the project extends along SR 7 in these areas and recently ODOT Engineer Saleh Eldabaja met with our office to review requirements of our permit allowing the construction in State right-of-way. Mr. Eldabaja has required us to adjust our traffic control to something that is different than the Permit we received from ODOT. We used ODOT's permit requirements to bid the project out. This change has the potential to create a \$100,000 expense to our project and will greatly impact the rates we will have to charge our residents. The monthly rate to our customers will be based on the final construction costs as almost 50% of the project is funded with loan dollars that will have to be paid back over time by what we charge them.

Our contractor was originally required to use barrels and appropriate signage to warn traffic of the construction along SR 7 and this was approved by ODOT and a permit issued. Now that the contractor is in construction along this stretch, Mr. Eldabaja has since required the contractor use Portable Concrete Barriers (PCB) when the contractor is not working or move all of his equipment out of the right of way. We have complied with ODOT's request, but after getting the price from the Contractor for this change we are seeking a different alternative to reduce the cost.

In meeting with Gallia County, Mr. Eldabaja reviewed with us ORC Section 3781.25 to 3781.32 stating these sections require the PCB's. However, in our review of these sections they relate to existing utilities and contacting OUPS and deal with the who, how and what to do in events of existing utilities. Nothing to do with Traffic Maintenance.

Mr. Eldabaja also reviewed with us ODOT 614 Maintaining Traffic stating this document required the PCB's. However, in our review of this document it is ODOT's specification on how to maintain traffic. The only thing that we see that references anything to do with our situation is shown on sheet 2 of 10. It gives certain dimensions that equipment must be stored off the edge of the traveling lane depending on whether there is guardrail or curb, etc. In part it says **"At night if any such material or equipment is stored between the side ditches, or lies 6 feet (2 m) behind any raised curbs, clearly outline them with dependable lighted devices that are approved by the Engineer"**. Since the other part of the section states that equipment needs to be 6 feet behind a guardrail or 30 feet beyond the traveled way and knowing how other projects we have witnessed have been done without any issues, we interpret it as meaning that if you are in a situation like we are and we can't be 30 feet off or behind a curb or guardrail that we must clearly outline the equipment with dependable lighted devices.

We would like to cooperate as much as possible with ODOT District 10 and have offered alternate solutions that would address Mr. Eldabaja's concerns as best we can without severely impacting the cost of the project. So far we have been denied approval of these alternate solutions.

We would like to request that you review this situation and take into consideration the impact these changes are having on our project. The original permit requirements (barrels and appropriate signage) are used in numerous locations throughout the state for construction along state highways without any issues. We respectfully request that our project be treated the same as others throughout the State of Ohio.

If you have any questions please feel free to contact us. Thank you in advance for your assistance in this regard.

Respectfully submitted,

Gallia County Commissioners
s/ Howard Joe Foster, President
s/ Justin L. Fallon, Vice-President
s/ Lois M. Snyder, Commission Member

cc: Jolene M. Molitoris, Director Ohio Department of Transportation
Mark Kirkhart, Gallia County Manager, ODOT

Ohio State Senator John Carey
Ohio State Representative Clyde Evans

KANAUGA/ADDISON PAYMENT RESOLUTION # 5

The County Administrator presented the Commission with Payment Resolution # 5 for the Kanauga/Addison Sewer Project for the following items:

- Trimat Construction Pay Estimate # 6 - \$163,806.66
- Stantec Consulting Inv. # 386633 - \$15,406.67
- CMI Billing Software Inv. # 072081 - \$1,325.00
- Total = \$180,538.33

Lois Snyder moved and Joe Foster seconded a motion to approve payment resolution # 5 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 \$15,406.67 into 106.3000.400101 from OPWC Loan # CO17L
- Memo expense in the amount of \$15,406.67 from 106.1106.531101 to Stantec Consulting Inc. vendor # 6899 for invoice # 386633

**LETTER OF SUPPORT – CITY OF GALLIPOLIS
RE: PUBLIC USE AREA DEVELOPMENT PROJECT**

The County Administrator presented the Commission with a request from the City of Gallipolis for a letter of support for their Public Use Area Development Project. Justin Fallon made and Lois Snyder seconded a motion to approve the letter as presented. Upon roll call votes were as follows: Joe Foster, yea Justin Fallon, yea; Lois Snyder, yea.

3/11/2010

Gallipolis City Commission
Attn: Randall Finney, City Manager
518 Second Avenue
Gallipolis, Ohio 45631

RE: Letter of Support – Gallipolis Public Use Area Development Project

Dear Mr. Finney:

We wish to declare our full support for the proposed Gallipolis Public Use Area Development Project. The completion of this project will substantially revitalize downtown Gallipolis as well as provide an area where the citizens of both the City and County can come together for multifaceted recreational and cultural activities.

The Board of Gallia County Commissioners feels the development of the Gallipolis City Public Use Area along the riverfront is a project critical to the continued growth and enhancement of downtown Gallipolis.

Therefore, we agree that this project is crucial and we lend our full support to Gallipolis City in their efforts to secure funding for this much needed project.

Respectfully submitted,

Gallia County Commissioners
s/ Howard Joe Foster, Pres.
s/ Justin L. Fallon, Vice-Pres.
s/ Lois M. Snyder, Commission Member

CHILDREN SERVICES

Executive Director Russ Moore and Board President Kent Shawver met with the Commission for an update on the status of their agency. Monthly reports were distributed and reviewed. The reports reflect the agency is currently in the red however, funds are expected next week which will return the accounts to the black. Children Services operates on a reimbursement type basis.

Moore also advised they were in the process of working through the identified issues in order to rent the office space to Southern Ohio Behavioral Health. They are also in search of the original certificate of occupancy. If it cannot be found, there is a fee of \$514 for the State to reissue a duplicate; they will continue to search through their older files.

DJFS AGENCY UPDATE

Director Dana Glassburn submitted a Public Assistance Monthly Statistic Report with comparisons of 2009 to 2008 for review. He indicated that the volume increases are the result of increases in food stamps due to stimulus monies as well as an increase in applicants. He expects this trend to continue gradually throughout 2010. This is what JFS operations bring into Gallia County as a straight benefit to the clients.

Brief update on the Supplemental Employment Program (SEP) and grant monies were received to be utilized to help individuals with cash assistance that are below the national poverty level. The program provides a portion of their salary. They have requested additional funding for more assistance in this area.

ENTERPRISE ZONE RESOLUTION

Economic & Community Development Director Melissa Clark submitted an Enterprise Zone Resolution designating Addison Township as part of the Enterprise Zone as follows:

**OHIO ENTERPRISE ZONE PROGRAM
COUNTY RESOLUTION**

WHEREAS, Ohio Revised Code Section 5709.61 through 5709.69 ("The Act") has authorized counties, with the consent and agreement of affected municipalities and townships therein, to designate areas as Enterprise Zones and to execute agreements with certain enterprises for the purpose of establishing, expanding, renovating or occupying facilities and hiring new employees and preserving jobs within said zones in exchange for specified local tax incentives granted by the county; and

WHEREAS, the Board of County Commissioners, Gallia County, Ohio ("The Board") upon the due consideration desire to implement said Act and to designate an Enterprise Zone within the boundaries of Gallia County ("The County") to promote the economic welfare of said county; and

WHEREAS, the Board finds and determines that designation of the zone pursuant to the Ohio Revised Code Section 5709.632 will promote the economic welfare of the residents of Gallia County and the participating Municipalities, and Townships by creating new jobs and retaining and preserving existing jobs and employment opportunities within such areas and is in the best interest of said county, city, village and townships; and

WHEREAS, pursuant to the Act, the Municipalities and Townships have authorized the Board to designate Addison Township as part of the current Enterprise Zone ("The Zone") in Gallia County which currently consists of Gallipolis Township, Green Township, Springfield Township, and Gallipolis, and to petition the Director of the Department of Development to certify the area described as such a zone; and

WHEREAS, the Board of County Commissioners is required by law to administer all Enterprise Zones and agreements within the County and will therefore appoint a designee to be responsible for 1) the establishment and operation of the Tax Incentive Review Council as specified in Ohio Revised Code Section 5709.85, 2) to ensure that the Enterprise Zone Incentive Agreements contain the information required in Ohio Revised Code Section 5709.631, including but not limited to description of the project, the amount to be invested, the number of jobs created and/or retained, the annual new payroll associated with these jobs, and the specific percentage and term of the tax exemptions being granted an real and/or personal property, 3) to forward copies of all Enterprise Zone Agreements to both the Ohio Department of Development and the Ohio Department of Taxation within fifteen days after the agreement is entered into, as specified in the Ohio Revised Code, 4) to notify affected school boards of the proposed projects a minimum of fourteen days prior to formal local legislative consideration and to include comments by the school boards as part of the review process as required under Ohio Revised Code Section 5709.83, 5) to maintain a centralized record of all aspects of the Zone, including copies of the agreements, a list of the members of the Tax Incentive Review Council, and a summary of the Tax Incentive Review Council's annual review of each agreement, and 6) to submit a comprehensive annual report of the status of all Enterprise Zone activities on or before March 31 of each year pursuant to Section 5709.68.

WHEREAS, the County is requesting designation of an Enterprise Zone which includes all or part of the municipal corporation(s) and/or townships(s) and meets the population and boundary requirements to be certified as an Enterprise Zone under Section 5709.632.

WHEREAS, the Board of County Commissioners will have primary responsibility for negotiating and administering Enterprise Zone Agreements. It is the intention of the Board to involve affected Municipalities and Townships in the negotiation process and to receive the consent and approval of the affected Municipality or Township prior to formal approval by the Board; and

WHEREAS, the Board by this Resolution does hereby agree to form a Tax Incentive Review Council or Councils having the characteristics set forth in the Ohio Revised Code Section 5709.85 and this Tax Incentive Review Council shall be formed within two months of the state development director's certification of the zone; and

BE IT FURTHER RESOLVED, that based upon the factual data, reports land conditions, the Board hereby finds and determines the City, Village, Township area meets the requirements of the Act for designation and the Board hereby designates the area shown in Exhibit "A" and described in Exhibit "B" as an Enterprise Zone in the County pursuant to and in accordance with the requirements of the Act: and

BE IT FURTHER RESOLVED that based upon the factual data, reports and conditions of the area designated as an Enterprise Zone, the Board hereby finds and determines that the zone has a population of at least one thousand (1,000) persons according to the best and most recent data available to the Director of the Department of Development and the zone meets characteristics outlined in Ohio Revised Code Section 5709.632. The development of the area proposed as the Enterprise Zone would create and preserve employment opportunities in the zone and would improve the economic climate of the Municipalities and Townships.

BE IT FURTHER RESOLVED, that the Clerk of the Board of County Commissioners, Gallia County, Ohio, is hereby authorized and directed to provide a certified copy of this Resolution to the Director of the Ohio Department of Development.

s/Howard J. Foster

President, County Commissioners

March 11, 2010

Date

s/Justin Fallon

Vice President, County Commissioners

s/Lois M. Snyder

Member, County Commissioners

s/Terry Hemby

Clerk of the Board

Lois Snyder made and Justin Fallon seconded the motion to approve the resolution to petition ODOD to include Addison Township as part of the Enterprise Zone. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.

RURAL BUSINESS ENTERPRISE GRANT LOAN COMMITTEE

Economic Development Director Melissa Clark advised that the Rural Business Enterprise Grant (RBE) loan committee has met and everything is in line with what was in the submitted grant agreement except for the change in interest rate. The Committee decided to set a fixed rate of 2.34% no matter what current interest rate would be. This will be reviewed each year to assure competitiveness. Lois Snyder made and Joe Foster seconded the motion to set the rate as recommended. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.

DEVELOPMENTAL DISABILITIES AWARENESS MONTH PROCLAMATION

Developmental Disabilities (DD) Superintendent Rosalie Durbin and Administrative Assistant Janet Hamilton were present for the following proclamation:

Proclamation

Whereas: Individuals with developmental disabilities, their families, friends, neighbors and co-workers encourage everyone to focus on the abilities of all people, and

Whereas; the most effective way to increase this awareness is through everyone's active participation in community activities and the openness to learn and acknowledge each individual's contribution; and

Whereas; opportunities for citizens with developmental disabilities to function as independently and productively as possible must be fostered in our community; and

Whereas; we encourage all citizens to support opportunities for individuals with developmental disabilities in our community that include full access to education, housing, employment, and recreational activities; and

Now, therefore, we, the Gallia County Commissioners, do hereby proclaim March, 2010 as Developmental Disabilities Awareness Month and recognize that people with developmental disabilities are "**just like you**". Take the time to get to know someone with a disability and what he or she has to offer.

Signed this 11th Day of March, 2010

s/Howard J. Foster

s/Justin Fallon

s/Lois M. Snyder

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

*** 11:15 a.m. Commissioner Fallon stepped out of the meeting.**

LEPC - REAPPOINTMENTS

EMA Director Mike Null submitted a resolution for LEPC Nominations for the following members:

Public Safety Communications - Sherry Daines
Law – Richard Grau, Vice Chairman

WHEREAS, the County Commissioners established a Local Emergency Planning Committee and

WHEREAS, as a requirement of the State Emergency Response Commission, the Gallia County Local Emergency Planning Committee recommended members to be appointed pursuant to a Resolution dated February 22, 2010, and

WHEREAS, the original list of members has been revised as follows/attached:

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Gallia County that we do hereby recommend that the State Emergency Response Commission appoint the members of the Gallia County Local Emergency Planning Committee as they appear on the revised list.

I hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Board of County Commissioners of Gallia County, Ohio, on March 11, 2010.

s/Howard Foster, President

s/Justin Fallon, Vice President

s/Lois Snyder, Commissioner

s/Terry Hemby, Clerk

Lois Snyder made and Joe Foster seconded the motion to approve the above appointments as recommended by the LEPC Committee. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.

*** 11:45 a.m. - Commissioner Fallon returned to the meeting.**

KANAUGA-ADDISON SEWER CONSTRUCTION MEETING

Attending the monthly construction meeting: Matt Toler, Maurice Toler, Karen Sprague, Michelle Miller, Ryan Springer, Jason Sherrill, Bob Rothgeb, Fred Burnett, Deborah Oliver, Josh Starlin, Gary Silcott, Lloyd Danner, Richard M. Bane, Charles E. Martin and B.S. Bradley.

Project Manager Josh Starlin gave an update of the progression of the project to date. TriMat Contractor Matt Toler advised he is currently running two crews, one on State Rte 7 and the other finishing up on Kindewood, which will then move to Omar. He advised the seeding and mulching will begin the 2nd week of April after line testing is completed which will begin March 15th.

Resident Debra Oliver on SR 7 requested that the trees on her property be left undamaged. She advised if the tree roots are within road right-of-way that they be left undamaged. Mr. Silcott advised the tree trunks are not in the road right-of-way, but the roots and branches may be. Stantec has asked the trees not be cut but, when the machine swings it may break some of the limbs if in the right of way area. She requested a letter from the Commissioners stating they would be responsible for any and all future liabilities in regard to damages incurred by the project. Toler stated if we trim them back to 7 feet from the trunk we can eliminate damages to the tree, otherwise there will be damages to the tree within the right-of-way. Commissioner Foster stated we must go through the area with the project; and will remain within the right of way area and could trim the branches to minimize the damage to the trees. Oliver wanted to know who would be responsible if the trees died. The contractor stated that who is responsible is not known, but they will stay on the right-of-way to do the least amount of damage possible. Silcott advised that it would probably be the property owner because it is on their property and with the trees being inside the right of way, the property owner should have maintained proper trimming to avoid the right of way area. The contractor will follow her request to either trim to prevent damage or continue through the area and cause probable damage as they go. The contractor advised that if she opted for trimming the branches, he would attempt to be as aesthetically pleasing as possible. Her concern was for the health of the tree. Commissioner Fallon advised that by trimming versus breaking, the trees would be less disease prone but there are too many factors involved to give a guarantee on the trees. The family needs to come to a decision today, because the crew is onsite now. With the two options being offered, Ms. Oliver stated "What choice do I have, none! Trim them as least as possible."

Gallipolis Trustees again asked what the plan would be for fixing the road cuts. Silcott advised the specs are set up so the road cuts will be dug out 8" and then 6" of 401 and a 2" cap of 448. We may do a 2" pavement overlay of the entire road, depending on the area. The trustees want to be sure the roads are restored; Silcott assured them of this. Addison Trustees expressed concern in keeping Flamingo Rd maintained. The contractor advised it would be taken care of at a proper time with the construction project.

The County Administrator reminded everyone that this was a construction project and they county had previously completed a similar project in the Bidwell Porter area and had the same issues. The County worked with every property owner and trustee to return the areas to the same if not better than before construction. If you drive out through the Bidwell Porter area, you cannot tell the construction ever existed. Silcott advised that everyone will begin to see dramatic differences beginning in May.

The traffic back up was also brought up. The contractor suggested the need to adjust the quitting time to miss the shift change traffic from the power plants. With the additional hour of light in the evening; we will have more daylight hours to work within. He explained that right now they are ending the day at near 4pm to begin putting out the concrete barriers and requested to begin putting the barriers out between 5-5:30pm to reduce the traffic problem. This will result in about 11 hours a day. Silcott stated that if the Project Mgr was not required onsite for the installation of the barriers, then we can keep his costs at a 40 hour week. The County Administrator advised they should at least try it to see if it alleviates traffic backups in this area. The Commission had no problems with extending the time to move the barriers after shift change at the power plants and reduce traffic tie ups.

The Contractor also advised that they have had only one delay to date; having missed one day of work. They continue to be on schedule with the project.

Mrs. Oliver also asked what she would have to do with her old septic system. Silcott advised that a letter would be sent to all property owners letting them know they have 90 days to connect to the system. Instructions will be included advising them that it will be necessary to pump out the old septic tank, crush it and fill in the area. Connection to the system will be mandatory if the nearest corner of your structure is within 200 feet of the system. The County Administrator also informed the residents that there are some extra grant monies available if they are low income, for on lot construction. Contact the Community Action Agency and if qualified, you could get hooked up for free.

Toler asked about the status of the change order on barriers. Foster advised a letter is being sent to ODOT requesting them to review this order. The Commissioners advised TriMat to comply with the orders as set forth until we hear otherwise. Toler also asked about the status of the monetary cost of the change order request. Commissioners agreed that TriMat was instructed by the Commission to take certain steps and as a result has incurred costs. TriMat will be paid for what we ask them to do; we will honor our commitment.

Before everyone left, Commissioner Fallon wanted to be clear regarding shutting down the job every time we have a problem. He went on to say that this project is paid for by public monies and we need to work with the residents as much as possible because the Commissioners are the ones getting the calls in this regard and we must slow down and give answers to them.

* 2:15 pm. Commissioner Fallon left the meeting.

CHANGE ORDER REQUEST

Silcott advised that as long as we can agree on the hourly rate for the change order, we would pay the costs. If ODOT produces the requirement, the costs would be on the contractor but Silcott has not found any requirements for such in the permit. Silcott recommended the submitted quote of \$1,041.60 per day; totaling \$21,873.60 through March 3, 2010.

In order to understand the process, Ryan Springer with USDA requested an explanation of the change order labor hours. Toler explained that they have purchased ten 12' concrete barriers which is set up every evening and taken out each morning. It takes one hour in the morning and two hours in the evening to set up and take down. Springer will discuss this with USDA to include the request with the next pay.

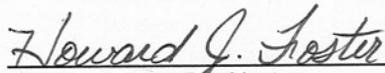
Lois Snyder made and Joe Foster seconded the motion to approve the change order as recommended by Silcott. Roll call: Mr. Fallon, absent; Mr. Foster, yea; Ms. Snyder, yea.

Silcott suggested that TriMat continue to use the barriers where needed otherwise, the contractor should move the equipment out of the area each evening then the barriers would not be necessary. Discussions ended at 2:50 pm

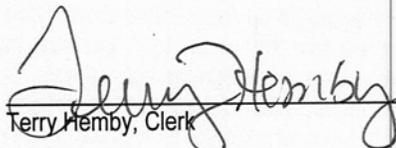
*3:00 p.m. - Commissioners Foster and Snyder left to attend a Solid Waste District meeting in Wellston, Ohio.

ADJOURN

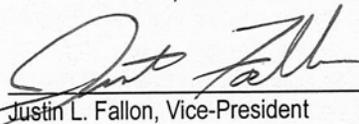
At 5:30 p.m. President Foster entertained a motion for adjournment. Justin Fallon made and Lois Snyder seconded the motion. Roll call: Mr. Foster, yea; Mr. Fallon, yea; Ms. Snyder, yea.



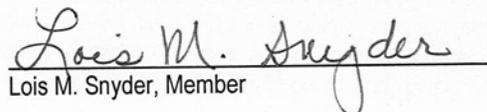
Howard J. Foster, President



Terry Hemby, Clerk



Justin L. Fallon, Vice-President



Lois M. Snyder, Member