

NOVEMBER 18, 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 November 9, 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:
JFS	Fred Childers	11/16 & 11/18	Jackson, OH	Meeting
	Malena Phillips	12/13	Lebanon, OH	Meeting
Commissioners	Justin Fallon	11/18	Waverly, OH	OVRDC Exec Mtg
	Joe Foster	11/18	Wellston, OH	Solid Waste Exec Mtg

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
11/15	28	3	1	1	0	19	0	24	2	35

GALLIA-JACKSON-MEIGS BOARD OF ADAMHS

The Commissioners were informed via email by Executive Director Ronald A. Adkins, that the recommended candidate Lee Bauman had rescinded interest in serving on the GJM BADAMHS at this time. Adkins advised that he will post a legal notice announcing the vacancies on the Board and seek applications to fill these seats (in addition to this one (1) vacancy in Gallia County, there are also vacancies in both Jackson and Meigs Counties). He will keep the Commission apprised of any interest generated by this posting. Mr. Adkins will meet with the candidates, explaining the Board responsibility and Board members roles, and have them complete a Board Member application (as required for auditing purposes). That recommendation and completed application are then forwarded back to the Commissioners for consideration and approval. No action taken.

WORK RELEASE CENTER UPDATE

Sheriff Browning, Engineer Randy Breech and Chief Deputy J.D. Taylor met to update the status of the Work Release Center progress. Breech stated they had received the first permit on Monday for everything except the sprinklers and should receive this soon. Snuffer's has already installed the fire alarm and are working on the range hood. Once the sprinkler permit is received they will begin on it; the piping must be installed in the ceiling prior to the drop ceiling installation. The doors are on order and should arrive shortly so nothing should hold us up there. Initially, the expectations were finishing in 4 weeks and we see no delays in that estimate.

OHIO HOUSING TRUST FUND SUPPORT FORM

The County Administrator presented the Commission with a support form for the Ohio Housing Trust Fund. This fund was established 20 years ago to fund programs that house and serve low-income and vulnerable Ohioans while creating jobs and leveraging capital. The OHTF funds a full range of housing activities, including pre-development costs, rental assistance, housing counseling, homebuyer assistance, handicapped accessibility modifications, rehabilitation, home repair and new construction. A few years back a secure funding source was put in place for the OHTF, which is a recording fee. By voting to sign the support form, the Gallia County Commissioners will show their support to maintain these funds for OHTF's housing programs. Mr. Foster entertained a motion to approve the OHTF support form as presented. Lois Snyder made Justin Fallon and seconded the motion. Upon roll call votes were as follows: Joe Foster, yea; Justin Fallon, yea; Lois Snyder, yea.

HEALTH INSURANCE REVIEW

County Administrator Karen Sprague reviewed the health insurance information from Medical Mutual regarding other county plans and other government plans having contracts with MMO. The review documents the following:

- Gallia County's deductible in network is very low compared to the average other county & government plans
- Gallia County's deductible out of network is very low compared to the average other county & government plans
- Gallia County's maximum in network out of pocket is a little low compared to the average other county & government plans
- Gallia County's maximum out of network out of pocket is a very low compared to the average other county & government plans
- Gallia County's retail drug co-pay is very similar to the average other county & government plans
- Gallia County's mail order drug co-pay is the same for generic but a little higher for brand and non formulary to the average other county & government plans
- Gallia County's in network office visit copay is a little higher than the average other county & government plans

REVIEW RECORD - B-F-10-1AY-1
CERTIFICATION OF DETERMINATION FOR A FINDING OF NO SIGNIFICANT IMPACT ON THE ENVIRONMENT FOR AN ENVIRONMENTAL ASSESSMENT PROJECT

The County Administrator presented the Commission with the paperwork for approval of the Environmental Review Record for the following project for which a certification of determination for a finding of no significant impact on the environment for an Environmental Assessment project could be made:

- #2 - Ohio Township – Fire Facility Project (New Fire Substation Project)

Joe Foster entertained a motion to approve the forms 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, yea. All forms were signed by Joe Foster, as President of the Commission, and they are on file in the County's CDBG files.

OHIO UTILITIES PROTECTION SERVICE MEMBERSHIP

County Administrator Karen Sprague advised the Commission of a meeting she had with George Gillespie from OUPS. Mr. Gillespie advised that on Gallia County's original application the membership version requested with actually cost the county more than selecting full membership. Ms. Sprague presented the Commission with revised membership forms for approval as recommended by Mr. Gillespie. Joe Foster entertained a motion to approve the forms as presented. Justin Fallon made and Lois Snyder seconded that motion. Upon roll call votes were as follows: Joe Foster, yea; Justin Fallon, yea; Lois Snyder, yea.

CONTRACT SIGNING – TARA ESTATES SEWER REHABILITATION PROJECT

The County Administrator presented the Commission with the five required copies of the contract document for the Tara Estates Sewer Rehabilitation Project as awarded to United Survey, Inc. for their base bid of \$163,552.50. Joe Foster entertained a motion to approve the forms 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, yea.

K/A SEWER – GALLIPOLIS TOWNSHIP CATCH BASIN DRAWING

The County Administrator presented the Commission with Gallipolis Township catch basin drawing as completed as a part of the Kanauga/Addison Sewer Project. No action taken.

EASEMENTS - GREEN SEWER PROJECT

The County Administrator presented the Commission with the various easements that were sent out with regard to the Green Sewer Project. It was noted that one of the easements is for property that the Gallia County Commissioners owns where the Meadowlook Sewer Plant is located. No action taken.

NATIONAL HOME CARE AND NATIONAL HOSPICE AND PALLIATIVE CARE MONTH PROCLAMATION

The following were present for the National Hospice and Palliative Care Month Proclamation: Connie Carleton and Victoria Nottingham with Holzer Home Care/HMC; Kelly Ramey, Holzer LTC/Home Care Division; Liz Rickara and Jean Petrie with Hospice/HMC; Amber Gillenwater with the Gallipolis Dailey Tribune.

Commissioners presented the following proclamation:

Whereas, home care and hospice services provide high quality and compassionate health care services to those in need, especially at times of community or personal health care crisis,

Whereas, home care and hospice are the most preferred method of health care delivery among disabled, elderly, and chronically ill individuals eager to live independently in their own homes as long as they possibly can; and

Whereas, home care and hospice services allows families to stay together, and provide for greater health, dignity and comfort in our communities; and

Whereas, home care and hospice in the United States are growing alternatives to hospitalization or other institution-based forms of health care for acute, chronic and terminal illnesses, providing care to millions of Americans each year; and

Whereas, thousands of everyday heroes such as home care and hospice nurses, therapists and aides work tirelessly to provide professional health and palliative care and support to millions of Americans in need of quality health services; and

Whereas, these dedicated home care and hospice professionals and volunteers form a support network that continues to play a vital role in health care delivery for our nation's disabled, infirm and aging population; and

Whereas, Holzer Home Care, Holzer Extra Care and Holzer Hospice of the Holzer Medical Center, and the National Association for Home Care & Hospice, and thousands of home care and hospice agencies across the United States have declared the month of November 2010 as National Home Care Month and National Hospice and Palliative Care Month, and are calling on all Americans to observe these occasions with appropriate ceremonies and activities;

Now, therefore, be it resolved that we the Gallia County Commissioners, do hereby proclaim November 2010 as

**National Home Care and
National Hospice and Palliative Care Month**

throughout Gallia County, and encourage the support and participation of all citizens in learning more about the home care concept of care for the elderly, disabled, and infirm.

In witness whereof I have here unto set my hand and caused this seal to be affixed

S/Howard J. Foster, President

S/Justin L. Fallon, Vice President

S/Lois M. Snyder, Member

Commissioners expressed appreciation to those present for the valuable service they provide. Lois Snyder made and Joe Foster seconded the motion to approve the proclamation. Roll call: Mr. Foster, yea; Mr. Fallon, yea; Ms. Snyder, yea.

**GALLIA COUNTY COMMUNITY CHRISTMAS PROJECT
PROCLAMATION**

The Commissioners presented the following proclamation:

Gallia County Community Christmas Project

Whereas, for the convenience of purchasing a gift for a child or senior citizen of Gallia County,

*Whereas, volunteers will be located at Wal-Mart and K-Mart on **November 20th from 9am to 5pm and 21st from 1pm to 5pm** to distribute wishes to be filled and collect filled wishes for distribution.*

Whereas, to give out the old angel tree tags and collect them and the gifts all on one day to help smooth out the process.

NOW THEREFORE, BE IT PROCLAIMED that the Gallia County Commissioners declare two shopping days November 20th from 9am to 5pm and 21st from 1pm to 5pm, to be designated for

Community Christmas Shopping Days

and encourage all citizens to participate in this program.

IN WITNESS WHEREOF, We have hereunto set our hand and caused to be affixed the official seal of the County of Gallia, State of Ohio, this 18th day of November 2010.

s/Howard J. Foster, President

s/Justin L. Fallon, Vice President

s/Lois M. Snyder, Member

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

Glassburn advised we currently have approximately 200 children and 100 seniors that have not been sponsored. Students with Buckeye Hills are sponsoring 121 children. River Valley FFA students will be sponsoring a food drive for this project. You can choose to sponsor a child or senior or both and they are averaging between \$35 and \$40 per person for the gift. This project is the community taking care of the community.

The Commissioners commended the youth that are involved in this effort as well as all those participating.

In attendance: Marcella Taylor, Wendy Hamilton, Ashley Smith, Suzanne Eachus, Tabitha Wilt, Chris Grubb, Tracy Springer, Jade Massie, Brandon Bartels, Brandi Hunt, Brittany Rippeth, Renea Leach, Brad Harris, Robin Phalin, Melanie Simpson, David Walker, Kahassai Tafese.

PUBLIC HEARING – SHADYBROOK RD TO BUCK RIDGE RD, SPRINGFIELD TWP

At 11:00 AM, President Joe Foster opened the public hearing for Shadybrook Rd to Buck Ridge Rd in Springfield Township with the following attendees: Daniel L. Carter, Jack Harless, Pastor E. Buffington, Minni Peck Miller, Nina Peck Minnis, Mary Armstrong (Peck), Judy Payne, Jessie Payne, Kyle R. Gilliland, Promolia Smith, Gerald H. Smith, Steve Fuller, Elma Johnson, Ralph E. Garnes, Joseph E. Peck, Courtney, D. Peck, Emma Peck Johnson, Elaine Armstrong, Gene A. Armstrong, Gene A. Armstrong, Debra Smith, David Stroud, Andy Gilmore and Tribune Reporter Amber Gillenwater.

President Foster opened the floor for comments:

Attorney Kyle R. Gilliland, Communications Chairman. Southeastern Ohio Branch of the NAACP advised the NAACP of Southeastern Ohio Branch submitted a memorandum of favor of changing the name of Shadybrook Rd to Buck Ridge Road. On November 1, 2010, at the NAACP's regular monthly meeting, its members passed a motion supporting the name change of authorizing this memorandum. Mr. Gilliland reviewed the memorandum at length. A copy of complete memorandum is on file in the Commissioners office.

Judy Payne: Why and who changed the name?

President Foster said in the first public hearing we were informed that it was petitioned to change the name to Shadybrook in honor of the Brooks family. We operated with the ORC going beyond what was required and have always welcomed community input.

Mary Armstrong stated that the reason for the name change was not for the Brooks home, it was because one person was asked to show different ID's in various stores and he wanted to separate himself from those living in the apartments located on the other end of Buck Ridge Rd. (low income housing) One cannot think they are higher than anyone else. We were reared on Buck Ridge Rd., lived there, played there and it is part of our heritage. This is our history, stuff to pass down to our children. I don't understand why it has to be changed, why can't our heritage carry on?

Joe Foster explained the map that was displayed on the wall. The section of road being considered was in yellow with the names of property owners along this portion of road from the first petition in blue and names of property owners of the second petition in orange.

Minni Peck Miller: Why didn't you change all of Buck Ridge? Why separate; because we are all the same.

Foster stated that the Commissioners were only petitioned to change the section presented.

Minni Peck Miller: I think there was a problem there, I don't agree with you on that. I would have changed the entire road.

Ed Buffington stated you made mention of one person, someone had to start it. If his reason was just because his checks had Buck Ridge on it, that is pitiful. That is not being right, period. We are now going to have to change a whole lot of things now and it shouldn't be like that.

Debra Smith spoke of historical significance as well and what it means to her personally. Smith summed up by stating, If it ain't broke, don't fix it. I remember a long time ago Kerr Station Ohio got changed to Bidwell, why? If you don't like where you are, get up and leave. It is a shame that we have to live and go through this in America, in America! We were brought over here in the bottom of a boat and now we own property on Buck Ridge Rd.

Elaine Armstrong stated I do not live on Buck Ridge, my husband's family originated from this area and my first concern is what steps were taken to notify the community. Foster replied it was on the county website. Armstrong continued, so changing a mailing address that would affect their lives, notification of all those folks, unless they have access to the website, how fair do you think this was? There's a lot of people up there and, like I said, the vast majority of the history is based around that black community. Yes, we've come a long way and the community is very well integrated now, but there, as they've already said, a church, a school, a coon hunter's shanty, just numerous things; colored schools, all of that. Plus all those people: the genealogical agency that you go and check, the historical society; that's a major part of Gallia County and its history. And through the Emancipation, of which I've seen most of you attend and support during political times. And we are here now about this community. We are very concerned. My big concern is the way it was done." They have stated how it will affect them emotionally and the community and they want a change, a difference. How much a consideration will be given to them?

Foster advised that there was more notice given than was legally required. We have always sought input and have gone beyond what the law requires to accommodate everyone. To Ms. Armstrong he stated, as far as the Emancipation Celebration, I beg to differ with you. I have run for office one time and have attended every year. Ms. Armstrong replied, that is good and makes me all warm and fuzzy, but how much consideration will be given to our petition?

Buffington: You mentioned the internet, and that you went further than that. We do not want to go back to the old slavery days where a few people take advantage of other people. This is old slavery here and there is no doubt about that; just because one person wants the change? We don't want this in 2010. And to treat these people like that would be pitiful.

Foster asked "so should we discount the opinion of the others?"

Buffington stated no, the one person. For all these people that have been raised on the road, for one person to do this, we are back in slavery time because we don't own property? For Gallia County in 2010 to do this to these people, to let one person dictate and say what you are going to do?

Minni Peck Miller stated my father moved us to Buck Ridge when she was 5 years old and it was a black community and she rode a black school bus. It is sad to set in 2010 and talk about black and white. When we passed the white kids, they would wave at us and call us choice names. We attended a two room black school and we have come a long way and we must get past this. Time has changed but we mask it well and hide it well; we need to stop being separate and be a united community. The one thing we have, we are all equal and this is not that day. Buck Ridge is my history, my history. We are human, part of God's creation and we are not separate and need to quit acting like that.

Gene Armstrong asked, did you not realize as commissioners the gravity of situation? Knowing the residents, did you not have a hint by changing that name, did it not come to mind. As you read the petition, did it not even cross your mind when you took the petition and changed the name? Were you aware of the history?

Fallon agreed that we are definitely more educated now, but it was presented to us that we were honoring a black family by changing the road name to Shadybrook.

Gene Armstrong continued, then it is out of ignorance to the history of Buck Ridge. You acted in ignorance of the history, the emotions it would stir. Now that you have heard the history and what that names mean to the residents of Buck Ridge, what I'm asking is when you weigh the petition and are more aware, you can act in a way that will resemble that new awareness; not trying to appease one family, do right! Honoring one family or all the residents of color that have ties to Buck Ridge Rd.

Debra Smith stated that she knew the Brooks family very well when they had the nursing home and they were very proud of their home and what they were doing. They were good people and loved everything. I believe today they would turn over in their graves to hear this. Daisy Allen (*Brooks's family descendant*) and I, we had lots of talks and they never ever wanted that property to go out of their black community. When Daisy passed, everybody did not know her and they wouldn't put it in the paper for a possibility of what is going on right now. I called Daisy's sister and niece; they don't know anything about a name change honoring their family.

Daniel Carter informed those present, I passed around the first petition, I will own up to that. A lady brought a petition to sign for it to be changed to Left Fork and we didn't want that, so we got our petition for Shadybrook. As far as the check book problems, it's not only me, we have all had some experience in the past over this and I'm sure of that.

Joseph Peck: If you change it to Shadybrook, the apartments will be named this and you won't want that either. You just said everybody has had problems on Buck Ridge and everybody has problems everywhere you go. We cannot change part of it for one group of people.

Minnie Peck Miller stated that 90% of the people that live in those apartments are white. What are you doing? What does that say about us and the world we live in?

Joseph Peck stated if the apartments are the problem then clean it up!

Jack Harless stated this should not be a color issue; can there be a middle ground?

Debra Smith asked the following: Mary Armstrong, Promolia Smith, David Stroud... was any of you ask to sign the first petition? (All answered no.) They were never asked to sign the petition. Did anybody ask the Brooks family to change the name? She stated no, I have a problem with that.

Buffington asked why shouldn't the original person who requested the petition be present for this; maybe she could help clarify; she should be here.

Gene Armstrong wanted to know if the Commissioners would make a decision today.

Foster stated that Mr. Carter spoke for himself and we the Commissioners asked that everyone see it from our position as well. The map clearly shows the majority living on the section in question signed in support of changing the road name. It is unacceptable to state that we, the Commissioners had a preconceived notion about this petition. We acted with the information that was presented to us at that time.

Gilliland: The name change to Shadybrook is (1.) to honor and shows respect for the Brooks family and (2.) relates to the housing issue. Mr. Carter is unhappy with the amount of crime from the apartments, but changing the name of the road will not get rid of the crime. It needs to be a weighing and balancing process, not marks on a map. What is your plan for this, it is far better to settle this? What is your plan?

Foster: We have discussed both sides of the issues, would you agree?

Gene Armstrong stated for those of us that have ties, put it in the scale and see how it weighs for your decision; one family or all that live there.

Buffington stated I truly don't believe a lot of things were considered when the decision was made to change the name.

President Foster advised that we have no choice but to conclude the hearing, we have meetings to attend in Waverly and Wellston within the hour. We will be dispersing and not making a decision today.

Gene Armstrong wanted to know if they had a date in mind. When will you notify? Will it be public?

Foster suggested they choose a point of contact and leave their information with the Clerk for notifications on the decision. No action taken.

INDUSTRIAL SITE IMPROVEMENT FUND GRANT AGREEMENT EXTENSION

The Gallia County Economic Development Director, Melissa Clark informed the Commission the Industrial Site Improvement Fund (ISIF) Grant agreement, ECDD 09-338, has a completion date of February 5, 2011. With the project still under construction, an extension request letter needs to be approved and submitted. Lois Snyder made and Justin Fallon seconded the motion to submit the following extension request. Roll call: Mr. Foster, yea; Mr. Fallon, yea; Ms. Snyder, yea.

November 18, 2010

*Department of Development
Attn: Jason DeWitt
77 S. High Street, 28th Floor
P.O. Box 1001
Columbus, OH 43216*

Re: Industrial Site Improvement Fund (ISIF) Grant ECDD 09-338 - Extension Request

Dear Mr. DeWitt:

The Board of Gallia County Commissioners respectfully requests an extension to be granted for ECDD 09-338.

The grant Project Completion Date is scheduled for February 5, 2011. Grant funds from the Industrial Site Improvement Fund (ISIF) are currently being utilized for the construction of a 20,000 sq. ft. Speculative Building in the Dan Evans Industrial Park in Gallia County, OH.

The County is well underway with this project and has made significant progress toward its completion. At this time Gallia County has expended \$516,813.84 toward completion of the project, with \$359,207.00 of that total being ISIF Grant Funds.

Project work having recently been accomplished includes the concrete pours for footers and walls, building structural steel and reinforcements erected, and placement of the building's metal siding. Some of the final, important aspects of the project having yet to be completed include the installation of building roof, office enclosure and finishes, electrical service installation, utility hookups, overhead and walk-thru door installation, final grading, seeding and stonework.

With the grant closing date quickly approaching, the likelihood of an increase in inclement weather, and the above mentioned project aspects having yet to be completed, we are requesting a 60 (sixty) day extension of the Project Completion Date.

As we are sure you are aware, the loss of this funding would jeopardize the completion of the Gallia County Speculative Building Project. Therefore, we respectfully request that Gallia County be granted an extension for ECDD 09-338 until April 6, 2011. Thank you in advance for your approval of our request in this regard.

*Respectfully Submitted,
S. Howard J. Foster
President*

CHANGE ORDER #3 – KA SEWER CONTRACT

County Administrator Karen Sprague presented the Commission with Change Order No. 3 paperwork for the KA Sewer Project. Gary Silcott, Project Engineer with Stantec Consulting, has recommended the change order to adjust quantities and extend contract deadline as follows from the contract:

- Concrete barriers for 18 days @ \$1,041.60 per day

- 5 additional days

Mat Toler, with Trimat Construction, is in agreement with this change order which would increase the contract from \$3,661,405.96 to \$3,680,154.76 and extend the contract for 5 additional days changed substantial completion from 4/26/2011 to 5/1/2011.

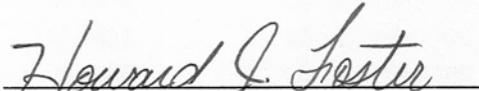
Joe Foster entertained a motion to approve the change order form as requested. Lois Snyder made and Joe Foster seconded that motion. Upon roll call votes were as follows: Mr. Foster, yea; Mr. Fallon, absent for vote; and Ms. Snyder, yea.

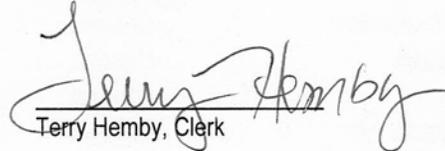
Form was signed by Joe Foster, as President of the Commission and will be forwarded to USDA for final approval and signing.

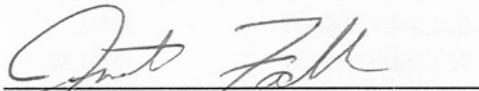
ADJOURN

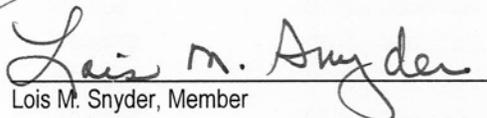
At 12:23 p.m. President Foster entertained a motion for adjournment. Justin Fallon made and Lois Snyder seconded the motion. Roll call: Mr. Foster, yea; Mr. Fallon, yea; Ms. Snyder, yea.

*Commissioner Foster left for Wellston to attend the Solid Waste District Meeting; Commissioner Fallon left to attend the Ohio Valley Regional Development Committee meeting in Waverly.


Howard J. Foster, President


Terry Hemby, Clerk


Justin L. Fallon, Vice-President


Lois M. Snyder, Member