

APRIL 21, 2011

The Gallia County Board of Commissioners met on this date for the purpose of approving the minutes of the previous meeting and current transfers, appropriations and bills. At 9:00 a.m. the meeting was called to order by President Lois M. Snyder. Roll Call: Lois M. Snyder, present; Vice President Mr. Howard J. "Joe" Foster, present; Member Harold G. Montgomery, present.

President Snyder entertained a motion for approval of the April 14, 2011 minutes. Joe Foster made and Harold Montgomery seconded the motion. Roll call: Ms. Snyder, yea; Mr. Foster, yea; Mr. Montgomery, yea.

TRAVEL REQUESTS				
DEPARTMENT	NAME	DATE	TO	RE:
JFS	Dana Glassburn	4/19	Jackson DJFS	Meeting
		4/28	Waverly	OVRDC Orientation
EMA	Mike Null	5/4	Jackson, OH	G318 Mitigation Planning Workshop
		5/16 – 18	Huntington WV	CAMEO Training
Commissioners	Lois Snyder	4/28	Pike County	OVRDC

President Snyder entertained a motion to approve travel requests as submitted. Harold Montgomery made and Joe Foster seconded the motion. Roll call: Ms. Snyder, yea; Mr. Foster, yea; Mr. Montgomery, 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
4/18	14	1	0	1	0	13	0	15	5	27

LEAVE DONATION APPLICATION

Commissioners received a leave donation application from Sheriff Joe Browning requesting the following:

Donating Employee	Receiving Employee	Hours Donated	Pay Period
Nathan Harvey	Sheila Northup	40	As needed
Catherine R. Hardyman	Sheila Northup	40	As needed

President Snyder entertained a motion to approve the leave donation application as requested. Joe Foster made and Harold Montgomery seconded the motion. Roll call: Ms. Snyder, yea; Mr. Foster, yea; Mr. Montgomery, yea.

**RESOLUTION OF SUPPORT OF SOIL & WATER  
CONSERVATION DISTRICTS FUNDING**

**RESOLUTION TO GENERAL ASSEMBLY EXPRESSING NEED FOR FUNDING SUPPORT TO OHIO'S 88 COUNTY SOIL & WATER CONSERVATION DISTRICTS**

**WHEREAS**, the Gallia County Commissioners recognize the economic challenges facing Gallia County and the State of Ohio;

**WHEREAS**, the Gallia County Commissioners seek to increase economic growth and job development in Gallia County and the State of Ohio;

**WHEREAS**, the Gallia County Commissioners recognize that conservation programs are a critical component to the sustainability of economic development, food development, the environment, and our quality of life;

**WHEREAS**, the Gallia County Commissioners value the technical assistance, services and programs the Gallia SWCD provides to Gallia County and the State of Ohio;

**WHEREAS**, the Gallia County Commissioners recognize that strong funding is necessary to enhance urban, suburban, and rural environmental quality; provide for productive soils and clean waters; forestry and wildlife management; improve public health; build sustainable economies and attractive communities; protect fertile farmland and important open spaces; create and maintain adequate recreational opportunities and accompanying infrastructure;

**WHEREAS**, the Gallia County Commissioners believes the Gallia SWCD is a cost-effective and efficient intergovernmental partnership which leverages local, state and federal funding for the purpose keeping our county viable, and protecting a way of life;

**WHEREAS**, the Gallia County Commissioners financially support the Gallia SWCD;

**NOW, THEREFORE BE IT RESOLVED** on the 21<sup>st</sup> day of April 2011, that the Gallia County Commissioners supports and urges the restoration of SWCD state match funding to the Fiscal Year 2011 level be approved by the Ohio General Assembly so that Ohio's 88 County SWCDs can continue providing critical conservation programs and practices needed to keep Ohio's soils productive and waters clean, aiding our economy; and enhancing our environment for the quality of life for all Ohioans; and

**BE IT FURTHER RESOLVED** that the Gallia County Commissioners forward this resolution and any other supporting documents to the Ohio General Assembly.

Harold Montgomery made and Joe Foster seconded the motion; Roll call: Ms. Snyder, yea; Mr. Foster, yea; Mr. Montgomery, yea.

Board of County Commissioners

s/Lois M. Snyder, President

s/Howard Joe "Foster", Vice-President

s/Harold G. Montgomery, Member

**EARTH DAY PROCLAMATION****Earth Day 2011 Theme: Billion Acts of Green®**

In the fall of 1969, Wisconsin Senator Gaylord Nelson announced plans for a national "environmental teach-in" -- one day, each year, of action and advocacy for the environment. His words rallied our Nation, and the first Earth Day, as it became known, saw millions come together to meet one of the greatest challenges of our times: caring for our planet. What Senator Nelson and the other organizers believed then, and what we still believe today, is that our environment is a blessing we share. Our future is inextricably bound to our planet's future, and we must be good stewards of our home as well as one another.

This year's Earth Day theme is "Billion Acts of Green®. The purpose of this theme is to mobilize one billion acts of environmental service around the world. The campaign calls for people of all nationalities to commit to an act that helps reduce carbon emissions and promotes sustainability. The act can be a simple gesture, such as washing laundry in cold water, or immense, like picking up a million pounds of trash. Whatever the act may be, Earth Day is a great time to generate as many as possible in your community. Collectively, these acts will not only have an impact on global carbon emissions, but will also demonstrate the power of small every-day individual acts of green.

Earth Day is an opportunity for us to reflect on the legacy we have inherited from previous generations and the legacy that we will bestow upon generations to come. Their future depends on the action we take now, and we must not fail them. Forty years from today, when our children and grandchildren look back on what we did at this moment, let them say that we, too, met the challenges of our time and passed on a cleaner, healthier planet.

Therefore we, The Gallia County Commissioners, do hereby proclaim April 22, 2011, as Earth Day and encourage all to participate in "Billion Acts of Green" with programs and activities that will protect our environment and contribute to a healthy, sustainable future.

IN WITNESS WHEREOF, We have hereunto set our hand this twenty-first day of April, in the year of our Lord two thousand eleven. Joe Foster made and Harold Montgomery seconded the motion. Roll call: Ms. Snyder, yea; Mr. Foster, yea; Mr. Montgomery, yea.

*s/Lois M. Snyder, President*

*s/Howard J. Foster, Vice President*

*s/Harold G. Montgomery, Member*

**CROWN CITY VILLAGE SEWER PROJECT – LETTER OF SUPPORT**

Commission President Lois Snyder entertained a motion to approve a letter of support for the Crown City Village Sewer Project as presented by the County Administrator. Harold Montgomery moved and Joe Foster seconded this motion. Upon roll call votes were as follows: Lois Snyder, yea; Joe Foster, yea; Harold Montgomery, yea.

April 21, 2011

Ohio Environmental Protection Agency  
Division of Environmental and Financial Assistance-PMP  
P.O. Box 1049  
Columbus, Ohio 43216-1049

RE: Ohio EPA Funding Support, Village of Crown City

Ladies & Gentlemen:

We understand the Village of Crown City has applied for funding from the Ohio EPA for its wastewater collection and treatment project. The Village is in dire need of funding to construct their project and address pollution problems previously documented by the Ohio EPA and local health department.

The Board hereby wishes to express its support for the project and requests the Ohio EPA also support the project with the necessary funding. Recently, the County has shown its support to Crown City by committing funds from our Community Development Block Grant, Community Housing Improvement Program (CHIP) to improve housing and assist low-income residents with connection to the new sewer system within the Village. With the Ohio EPA principal forgiveness funding, CHIP funds and other funding secured by the Village, the residents of Crown City will experience improvements in the environment and a better quality of life.

Thank you for your support to Crown City.

Sincerely,

Gallia County Commissioners

*s/ Lois M. Snyder, President*

*s/ Howard Joe Foster, Vice-Pres.*

*s/ Harold G. Montgomery, Member*

**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 2, 2010 thru March 3, 2011 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. Lois Snyder entertained a motion that the Status Reports be approved and signed as presented. Harold Montgomery made and Joe Foster seconded that motion. Upon roll call votes were as follows: Lois Snyder, yea; Joe Foster, yea; Harold Montgomery, yea. The form is on file in the County's CDBG grant files.

**PROPERTY EASEMENT APPROVAL – FARMVIEW RD**

Commissioner received the following correspondence dated 4/21/11:

RE: Vacating part of Farmview Road

Commissioners:

On October 28, 2010, The Gallia County Commissioners approved to vacate Farmview Road from State Route 588 to Canoe Livery Road tentative that the County Clerk receives copies of property easements approved by the County Engineer.

A description for an easement to the first property was submitted by Bob Evans Farms to the County Engineer's Office and I approved. The easement was recorded in Volume 388, page 100 on April 20, 2011. The remaining property owner, Connie Howard, has agreed to sell and has signed a contract with Bob Evans Farms. Therefore, an easement would not be necessary.

Should you have any questions regarding this matter, please feel free to contact me.

Respectfully,

*Brett A. Boothe, P.E., P.S., Gallia County Engineer*

Commissioner Foster stated that until the property sale is complete, the vacation would not be final and requested the Clerk monitor the property transfer. No action taken.

#### **BID OPENING – ROAD SIDE MOWING**

At 9:45 a.m. President Lois Snyder opened the following bid for the County Engineer Roadside Mowing Project:

Company	Total Bid
Quickmow Inc	\$ 159,686.80

The bid was turned over to the County Engineer for review and recommendation. The following were in attendance: Donley Tennant, Quickmow; Lana Lane, Engineers Office; Amber Gillenwater, Tribune Reporter.

#### **LEAVE DONATION – ENGINEER**

Commissioners received a leave donation application from County Engineer Boothe requesting the following:

Donating Employee	Receiving Employee	Hours Donated	Pay Period
Earl Shaver	Danny Jones	40	4/17 – 4/23/11

President Snyder entertained a motion to approve the leave donation application as requested. Harold Montgomery made and Joe Foster seconded the motion, to approve leave donation as submitted. Roll call: Ms. Snyder, yea; Mr. Foster, yea; Mr. Montgomery, yea.

#### **ELDER ABUSE PROJECT CONTRACT**

DJFS Director Dana Glassburn presented a contract for elder abuse project from Winghaven in Vinton OH. Funding from prevention services; developing ways to allow us to do the Adult protections services effectively in the future. They requested proposals from 3 agencies; one was received from Winghaven in the amount of \$22,500 for the total contract with completion by June 30, 2011. Dana will have review of the process and approval of the entire project. Most of the budget will be used for obtaining licensing fees to obtain training to pull it together. Funds will be used for the development of client outreach and education and to improve the prevention and awareness of these issues. Joe Foster made and Harold Montgomery seconded the motion to sign the contract as recommended by Director Glassburn. Roll call: Ms. Snyder, yea; Mr. Foster, yea; Mr. Montgomery, yea.

#### **FINANCIAL REVIEW**

Director Glassburn submitted a spreadsheet which defined everything his agency processes and brings into the county. He reviewed the document with the Commissioners in detail.

#### **WORK PARTICIPATION ACTIVITIES REPORT**

Director Glassburn distributed the Work Participation Activities Report for March 2011 with the Gallia-Meigs Community Action Agency. He advised that during March they switched from primarily collecting participant data by telephone to a mail based system. This is freeing up staff time to work on worksite placement and management of those already working. The partnership with CAA is already showing that we will have an improvement in this area. Referrals have increased and numbers have maintained steady. We have several government offices, businesses and agencies participating to direct the participants towards a productive career path. This will help us tremendously on our federal reporting.

#### **BIENNIUM SUBGRANT AGREEMENT WITH ODJFS**

Director Glassburn also presented the Ohio Department of Job and Family Services Sub grant Agreement G-1213-11-0039. This agreement is entered into every biennium in order to receive funding from ODJFS. The only changes are more accountability with the work participation, which we are already working on with the partnership through CAA. This agreement will be in effect from July 1, 2011 through June 30, 2013, unless the agreement is suspended or terminated pursuant to Article VII prior to the above termination date.

The Commissioners requested copies of the agreement to review prior to approval; no action taken.

#### **STRATEGIC PLANNING MEETINGS**

Economic Development Director Melissa Clark informed the Commission she has been attending Stronger Economies Together (SET) meetings since late 2010. The meetings focus on 22 counties in Southeast Ohio and are intended to help the region set visions and goals for future economic growth and development. Ms. Clark has recently had discussion with OSU Extension staff regarding the development of a new strategic plan for Gallia County, and will research the strategic planning process further and report back to the Commission.

#### **EXECUTIVE SESSION – ECONOMIC DEVELOPMENT**

At 10:46 a.m. the President entertained a motion to enter into executive session with Economic Development Director Melissa Clark to discuss a contract. Harold Montgomery made and Lois Snyder seconded the motion; roll call: Ms. Snyder, yea; Mr. Foster, yea; Mr. Montgomery, yea. Returned to regular session at 11:01 a.m.; no action taken.

CWA 4320

Chief Steward Ernie Meadows came before the Commission and stated he called the Union Hall to see what they could do to move the negotiation process along and if they could take the attorney out of the equation. He stated he had asked Mr. Glassburn if they would also consider removing their attorney and he was not favorable; so he asked the opinion of the Commission.

Commissioner Snyder stated that this would need to be looked into; Commissioner Montgomery advised if attorney's were removed from the equation, a waiver would need to be signed by the union representatives stating this would not be deemed as unfair labor practices if we were to move in that direction. Meadows did not think that would be considered unfair labor practice and stated if the attorney signs off on it, would the Commission consider this as well. Commissioner Foster advised that if we are sure there was no liability, we would be willing to look at this however, for them to see what their attorney says. The Commissioners want to do everything as set forth in the agreement and want to follow all directives.

Meadows prefaced his next statement by saying this isn't negotiations but, he had another question. We want to negotiate during the day; you want off hours. If we agree to off hours, would it be acceptable for you to pick the days and we could we pick the hours; because evenings we could possibly do. We want the least amount of impact on our bargaining unit if possible; is this doable? Commissioner Foster suggested the best way to handle this would be to work with the Director specifying it is not during work hours. There should be times that would be mutually agreeable times and we could move forward with this.

Meadows submitted an excerpt from the GCDJFS Union Agreement Article 8 – Union Representation and stated that they have some issues with the last paragraph (Section 8.7) concerning steward time. We currently have several issues on hold and Meadows believes it is pretty black and white. Commissioner Foster stated no one is denying legitimate steward time, but understood that there needs to be some documentation of time requested. Meadows stated as long as they punch in and out at the beginning and ending of the steward time that is all that's required by the contract. He wanted to make sure the Commission was aware of this issue. Commissioners advised they would look at the submitted information; no action taken.

PUBLIC HEARING & RESOLUTION – CONTRY ROADS LEASING LLC

**CANCELLED** - Per Country Roads Leasing LLC: The medical center has secured alternate financing and will not be using our services or asking the commission for their assistance.

HORIZON TELCOM UPDATE

Horizon Fiber Sales Manager Randy Drewyor and Broadband Network Consultant Cindy Cunningham met to update the Commissioners on the fiber expansion.

Drewyor explained that Gallia was included in the original FCC grant where the Hospitals applied for building the fiber backbone to supply those facilities and Horizon was awarded that contract. We have fiber run through Rio Grande into Gallipolis in December and have continued construction with the fiber currently in Gallipolis from all three directions; Chesapeake is hung but not live yet. From Rio Grande to Gallipolis is live and Gallipolis to Pomeroy and Athens is live and accepting customers. Holzer's facilities will be connected next month and OVB will be connected soon (17 locations) on our network. We are trying to do community outreach at the same time. The second project is Connection Appalachia which will be adding 21 more counties to the network. A map was projected with an overview of the live links that have been completed as well as the spurs that are being built in the county. Drewyor stated, we are primarily with commercial and industrial at this time.

Commissioner Foster stated that it was our understanding that it would provide service to homeowners along the way, is that true. Drewyor stated that residential is not high on priority; we are hoping other service providers will come on board with this service. We can provide it but it will not be low cost, possibly \$100 per month and most residents would not want to expend this amount. Foster questioned why it would cost \$5,000 to \$6,000 to get it to the residential customer if it is in already in the neighborhood. Drewyor explained this would be due to construction and equipment costs; the business model doesn't work in all instances.

Cunningham stated that we are currently working with businesses as we go through the areas and would be more than willing to set down with the Commissioners to come up with local solutions. Commissioners are looking at working with providers and the broadband council to work with a wireless internet provider and get these partnerships in a room.

Drewyor stated we will do what we can to assist the county to work on tower sites so you can expand your services. We want to be a partner, and you may have other entities they may want to also be a part of the meetings as well and you will want to take advantage of all your areas.

BID AWARD – ROADSIDE MOWING

Commissioners received the following recommendation from the office of the County Engineer on this date:

Dear Commissioners,

I have reviewed the proposals for the 2011 Gallia County Roadside Mowing project. One bid was received from Quickmow Inc. for \$159,686.80.

The lowest bid was received from Quickmow Inc. The bid is responsive, and below the engineer's estimate. The contractor meets all specifications and is qualified to perform the work

Therefore, it is my recommendation that the above named project be awarded to Quickmow Inc.

Sincerely,  
*s/Jennifer Brown*  
 Assistant Engineer

Joe Foster made and Harold Montgomery seconded the motion to award as recommended by the Assistant County Engineer. Roll call: Ms. Snyder, yea; Mr. Foster, yea; Mr. Montgomery, yea.

EXECUTIVE SESSION - DOG WARDEN

At 1:15 p.m. the President entertained a motion to enter into executive session with Dog Warden Tim Atha to discuss a personnel issue to consider the investigation of charges. Joe Foster made and Harold Montgomery seconded the motion. Roll call: Ms. Snyder, yea; Mr. Foster, yea; Mr. Montgomery, yea. Returned to regular session at 1:35 p.m.; no action taken.

EMPLOYEE RESIGNATION

Commissioners received the following:

April 21, 2011

*I, Timothy Atha would like to apologize for recent activities and submit my resignation on this date for the position of Dog Warden with Gallia County.*

Best Regards,  
s/Timothy G. Atha

Harold Montgomery made and Joe Foster seconded the motion to accept the resignation as submitted; roll call: Ms. Snyder, yea; Mr. Foster, yea; Mr. Montgomery, yea.

LANDFILL LEASE AGREEMENT

Jerry Ross returned with some answers to recent inquiries. The question can we renew the agreement for the life of the site; and he confirmed that it currently states it is renewable every 5 years. He inquired if the Commission would consider making it an automatic 5-year unless either party notified the other; all terms and protections would stay the same. We are about to put another big investment into this facility to develop more cell space which must be advertised out over 5 years which also increase the cost to operate. These costs could be taken out over the life of the facility with an automatic 5-year contract which would reduce the cost drastically.

Montgomery stated that the only thing the county receives is 4 free days annually with no real dollars back to the county. He would also like to review the current contract to see how you perceive this contract addressing post closure. We would hope to see some more volume and would like to work with you on this. We would also like some latitude on the area of acceptance for solid waste.

Foster also agreed with the need to find ways to increase revenues. We received a letter from our Health Department and this was distributed:

Dear Commissioners:

*This letter is in regard to the Landfill contract with Waste Management. It is my understanding that the contract will be negotiated in 2011. Please consider requesting additional tonnage for the Gallia County Health Department during the contract negotiations.*

*In 1996, the Health Department was issued one thousand (1,000) tons of free disposal at the landfill. The current Health Department balance is 13.59 tons. The tonnage has been used for open dump clean-up, dead animal vouchers, nuisance complaint clean-up, and vouchers for clean-up for the townships and villages.*

*We are requesting seven hundred seventy-five (775) tons for a ten (10) year contract. This additional tonnage is needed to continue the voucher program for free disposal of dead animals, township and village disposal vouchers, and nuisance clean-up vouchers. The voucher program enables the Health Department to assist area farmers, townships, villages and low income residents in the disposal of solid waste that could lead to illness.*

*I would like to discuss the additional tonnage request with you at your earliest convenience. You may contact me at 441-2944, Monday through Friday, 8 AM to 4 PM.*

*Thank you for your consideration.*

Sincerely,  
s/Barbara S. Bradley, R. S.  
Director of Environmental Health

Commissioners stated we are interested in increasing those tonnages to accommodate the many programs the Health Department has in place. Ross agreed this would be looked into.

Ross submitted a draft agreement for the Commissioners to review with the Prosecutor. Harold Montgomery made and Joe Foster seconded the motion to enter into negotiations to either renew or extend the present contract agreement. Roll call: Ms. Snyder, yea; Mr. Foster, yea; Mr. Montgomery, yea.

HOLZER TAX EXEMPT FINANCING

Present were Glendon Pratt, with Peck Shaffer & Williams Bond Counsel; Brent Saunders and Ken Payne with Holzer Medical Center.

Pratt advised this bond financing request would have no affect on the County's bonding abilities. These bonds are issued on Chapter 140; by statute the county is not liable for the debt service and does not count as debt by Ohio law and would not affect bonding abilities. Pratt advised that they would include in the documents that the county is made whole based upon some agreed upon amount so the county is not affected adversely by the debt.

We are hoping to have this ready by late July early August. Holzer has facilities located in 5 different jurisdictions and we will also ask the other entities to enter into an agreement with Gallia County to do one bond financing. Gallia would have no liability issues for the other counties as well. We wanted to talk with Gallia first and then proceed to the other counties. Once the document is in place a public hearing will be held here in Gallia County and obtain your approval as well as host approval from the other counties.

Having all their concerns addressed, the Commissioners stated that their role is to be cooperative and help the community through HMC and to also not create any liability for the county general fund. Pratt stated with the County's permission he would go ahead and make contact with the other counties involved. Commissioners agreed.

Saunders also discussed the merger with HMC and Holzer Clinic; in order for both to survive and thrive, we need this to happen and feel sure that it will. We want to keep the jobs here and keep the healthcare business here. It is a great opportunity and will help the community for years to come.

**ECONOMIC DEVELOPMENT ASSISTANT HIRED**

Economic Development Director Melissa Clark recommended the hiring of Jake Bodimer as Economic Development Assistant. This will be an unclassified exempt (salary) position at \$25,480 per year contingent upon the availability of grant funding as related to the projects he will be overseeing. Start date will be Monday April 25, 2011; the job description has been reviewed and approved by our Labor Consultant Ken Edsall and will be presented to Mr. Bodimer for signature.

Harold Montgomery made and Joe Foster seconded the motion to hire as recommended by Ms. Clark; roll call: Ms. Snyder, yea; Mr. Foster, yea; Mr. Montgomery, yea.

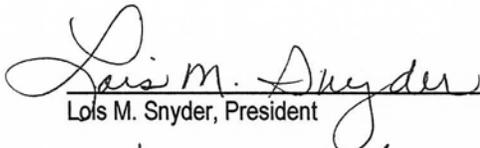
**BUSINESS VISITS**

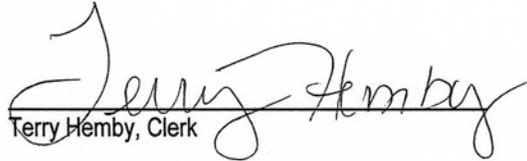
Clark advised that she had visited two businesses this week discussing the programs available to them in Gallia County. The visits have been well received. She has gathered information from businesses and agencies and compiled a folder that can be distributed to developers to let them know what is available to them. She has a couple more scheduled for next week.

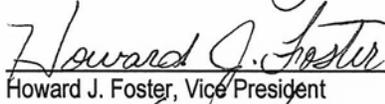
\* 2:50 pm - Commissioner Snyder left the meeting.

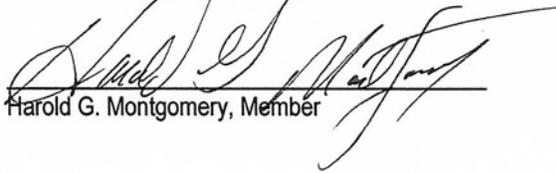
**ADJOURN**

At 4:12 p.m. Vice President Foster entertained a motion for adjournment. Harold Montgomery made and Joe Foster seconded the motion; roll call: Ms. Snyder, absent; Mr. Foster, yea; Mr. Montgomery, yea.

  
Lois M. Snyder, President

  
Terry Hemby, Clerk

  
Howard J. Foster, Vice President

  
Harold G. Montgomery, Member