

MAY 12, 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 May 5, 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:
Commissioners	Lois Snyder Melissa Clark	5/18	Columbus	JEDI Meeting
Board of Elections	Shawn Huston	5/20	Washington County	District Meeting with Secretary of State

President Snyder entertained a motion to approve travel requests as submitted. Joe Foster made and Harold Montgomery 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
5/9	13	0	0	2	1	2	0	5	6	27

OHIO DEPARTMENT OF YOUTH SERVICES – JUVENILE COURT GRANT AGREEMENT

Probate Court Administrator Greg Shrader submitted the Juvenile Court grant agreement and funding application between the state of Ohio - Department of Youth Services and Gallia County Board of Commissioners. The department will provide the base and variable allocations for each fiscal year for the biennial period beginning July 1, 2011, and ending June 30, 2013, subject to the terms and conditions of the agreement.

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

LEAVE DONATION APPLICATION

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

Donating Employee	Receiving Employee	Hours Donated	Pay Period
William Pickens	Danny Jones	40	5/9-5/13-11

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.

GUARDRAIL RESOLUTION

The County Engineer submitted the following resolution for signature:

Resolution

The Board of County Commissioners of Gallia County, Ohio met with the following members present: Lois M. Snyder, present; Vice President Mr. Howard J. "Joe" Foster, present; Member Harold G. Montgomery, present.

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. 12 – VAR GR (90592) 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 Harold Montgomery and duly seconded by Howard J. Foster, to adopt the foregoing resolution/ordinance.

Lois M. Snyder, President

Howard J. Foster, Vice President

Harold G. Montgomery, Member

Roll call: Ms. Snyder, yea; Mr. Foster, yea; Mr. Montgomery, yea.

PROCLAMATION
NATIONAL NURSING HOME WEEK

WHEREAS, the citizens of Gallia County, Ohio now residing in nursing homes have contributed immeasurably to the heritage, success and growth of our community; and

WHEREAS, nursing home residents of any age or ability are themselves living history and a precious resource; and

WHEREAS, member nursing homes of the American Health Care Association are holding events in observance of Nursing Home Week guided by this year's national theme of "Fulfilling the Promise", and

WHEREAS, Nursing Home Week begins on Mother's Day, May 8 and ends on May 14, 2011;

NOW THEREFORE WE, THE GALLIA COUNTY COMMISSIONERS, proclaim

May 8 – 14, 2011 as National Nursing Home Week

and we urge every citizen to honor the elderly and disabled residents of nursing homes by visiting or volunteering at a local nursing home to bring good cheer to the residents and appreciation to the staff who care for our community's most vulnerable citizens on our behalf.

This proclamation shall take effect upon its signing this 9th day of May, 2011.

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

Lois M. Snyder, President

Howard J. Foster, Vice President

Harold G. Montgomery, Member

CCAO LAWSUIT SUPPORT

Tentative to the Prosecutors approval; Harold Montgomery made and Joe Foster seconded the motion to approve the following resolution of support. Roll call: Ms. Snyder, yea; Mr. Foster, yea; Mr. Montgomery, yea.

A RESOLUTION

AUTHORIZING THE PARTICIPATION OF GALLIA COUNTY AS AMICUS CURIAE IN SUPPORT OF KNOX COUNTY IN THE CASE OF STOCKBERGER ET AL. V. HENRY

WHEREAS, the Knox County Commissioners and the Knox County Engineer have been engaged in litigation (*Stockberger et al. v. Henry*, Case No. 10CA000018, Knox County Court of Appeals) to determine whether the Commissioners may require the engineer to use motor vehicle and gas tax funds controlled by the engineer to pay the engineer's office's share of property and liability insurance costs; and

WHEREAS, this issue is an important one to all Ohio counties in this time of very difficult funding decisions; and

Whereas, the County Commissioners Association of Ohio (CCAO) has asked Gallia County to join it in an amicus curiae brief requesting the Ohio Supreme Court to accept jurisdiction of the case, and this Board wished to do so;

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Gallia County, Ohio:

Section 1. That Gallia County agrees to join with CCAO to participate as amicus curiae in support of the Knox County Commissioners in the case of *Stockberger et al. v. Henry*, Case No. 10CA000018, Knox County Court of Appeals, urging the Ohio Supreme Court to accept jurisdiction of the case.

Section 2. That it is understood that this participation will be at no cost to Gallia County.

Section 3. That this Board of County Commissioners hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of the Board of County Commissioners and that all deliberations of this Board of County Commissioners and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Lois M. Snyder, President

Howard J. Foster, Vice President

Harold G. Montgomery, Member

ECONOMIC DEVELOPMENT – EVERY CITIZEN ONLINE

Economic Development Assistant Director Jacob Bodimer met with the Commissioners to update them on Every Citizen Online - Connect Ohio computer training classes. He held the 1st training last night with 7 present and another class scheduled for next Tuesday. They plan to have one class a week and have made contact with Kingsley Meyer at University of Rio Grande to discuss using their facilities for some possible daytime training and will follow up with them. He will prepare a more extended schedule once classes are determined.

Commissioner Foster stated there would be an opportunity to draw attendance out in the county if the classes were offered locally in their areas. Bodimer stated that this is something they also want to pursue.

FAA CERTIFICATION OF RESIDENTIAL THROUGH-THE-FENCE ACCESS

Commission President Lois Snyder entertained a motion to approve the FAA Certification of Residential Through-the-Fence Access as required by the FAA. Joe Foster moved and Harold Montgomery seconded this motion. Upon roll call votes were as follows: Lois Snyder, yea; Joe Foster, yea; Harold Montgomery, yea.

OPWC LETTER OF ACCEPTANCE APPROVAL

2011 COUNTY ENGINEER EMERGENCY SLIP REPAIR PROJECT

Karen Sprague, Issue I Coordinator, presented the Commission with Ohio Public Works Commission letter of acceptance for the Williams Hollow Slip Repair Project, for approval and signing. This grant will provide \$182,506 or 80% of the funding for this project. The other \$45,626 or 20% funding is coming from the County Engineer's M&R fund for a total project of \$228,132. Lois Snyder entertained a motion that the Commission approve and sign the OPWC letter of acceptance. 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.

CDBG 2011 PROJECT – DRAFT RATING

County Administrator Karen Sprague provided the Commission with a draft rating of the FY 2011 CDBG Formula projects for review. It was noted that the County cannot move forward with final rating and project selection until ODOD sends out the allocation amount for this round of funding. It is anticipated allocation letters will be received in late June 2011.

OEPA SEWER VIOLATIONS

The County Administrator presented the Commission with sewer violation letters for April 2011 as follows:

- Rodney Village II Subdivision WWTP – heavy rain caused some infiltration flooding the plant, bacteria washed into sand filters. Plant is coming back to normal now.
- Tara Estates Subdivision WWTP – heavy rain caused some infiltration flooding the plant, bacteria washed into sand filters. Plant is coming back to normal now.
- Mercerville WWTP – Flow problems, suspect that flow timers are faulty and giving readings that are not correct. County requesting that WWTP contractor, Foill Inc., inspect the plant and make repairs as needed.

GENERAL SEWER DISTRICT FUND & RATE ANALYSIS

The County Administrator presented the Commission with a Fund & Rate Analysis for the General Sewer District as follows:

GENERAL SEWER DISTRICT FUND & RATE ANALYSIS			
Rate History	Monthly	Tap Fee	Late Fee
Effective 2/1/2009	\$38.00	\$2,000.00	same
Effective 2/1/2006	\$36.00	\$2,000.00	same
Effective 3/1/2001	\$35.00	\$2,000.00	same
Effective 1/1/1996	\$25.00	\$250.00	start 10 % Late Fee
2010 Revenue			
	<u>Amounts</u>	<u>Line items</u>	<u>Amounts</u>
2009 carryover balance	\$17,093.78		
Revenue	\$97,745.69		
Fees		034.4000.400100	\$97,704.65
Workers Comp Refund		034.9000.402100	\$30.81
Other Receipts		034.9001.400100	\$0.00
Reimbursements		034.9002.400100	\$10.23
		REVENUE TOTALS	\$97,745.69
Expense	-\$111,717.81		
Employee Salaries		034.0034.510200	\$29,915.27
Supplies		034.0034.530300	\$7,859.38
Contract Repairs		034.0034.530600	\$5,000.00
Contract Services		034.0034.530700	\$56,381.62
Other Expenses		034.0034.531100	\$7,000.00
PERS		034.0034.536400	\$4,039.40
Workers Comp		034.0034.536500	\$550.32
Medicare		034.0034.536600	\$433.68
Settlement Fees		034.0034.537900	\$538.14
		EXPENSE TOTALS	\$111,717.81
Yearend Balance 12/31/10	\$3,121.66		
SEWER SYSTEMS INCLUDED IN GENERAL SEWER DISTRICT			
<u>Subdivision Name</u>	<u># of Customers @ full rate</u>	<u># of Customers @ half rate</u>	
Meadowlook Subdivision	54		
Holiday Hills Subdivision		20	
Tara Estates Subdivision	50		
Rodney Village II Subdivision	56		
Clearview Estates	33		
TOTAL CUSTOMERS	193	20	213
Current Full Rate/month	\$38.00		
Current Half Rate/month		\$19.00	
Total Monthly Revenue if all customers pay in full	\$7,334.00	\$380.00	\$7,714.00
Total Annual Revenue if all customers pay in full	\$88,008.00	\$4,560.00	\$92,568.00
2011 Appropriations			-\$99,249.88

2011 Yearend Balance if all customers pay in full			-\$6,681.88
OPTIONS FOR RATE INCREASE			
Increase rate by \$2.00 per month	\$40.00	\$20.00	
Total Annual Revenue if all customers pay in full	\$92,640.00	\$4,800.00	\$97,440.00
Increase rate by \$3.00 per month	\$41.00	\$19.50	
Total Annual Revenue if all customers pay in full	\$94,956.00	\$4,680.00	\$99,636.00
Increase rate by \$4.00 per month	\$42.00	\$21.00	
Total Annual Revenue if all customers pay in full	\$97,272.00	\$5,040.00	\$102,312.00

Ms. Sprague advised that since the analysis reflects the FY 2011 expenditures exceed the revenues by as much as (\$6,681.88) at year end, she would recommend a \$2.00 per month increase to be effective 7/1/2011.

BIDWELL/PORTER SEWER DISTRICT FUND & RATE ANALYSIS

County Administrator Karen Sprague presented the Commission with a Fund & Rate Analysis for the Bidwell/Porter Sewer District as follows:

BIDWELL PORTER SEWER DISTRICT FUND & RATE ANALYSIS					
Rate History	Monthly O&M	Monthly Debt Ret	Total Monthly Rate	Tap Fee	Late Fee
Effective 4/1/2009	\$13.00	\$25.00	\$38.00	same	same
Effective 2/1/2006	\$11.00	\$25.00	\$36.00	same	same
Effective 4/1/1999	\$9.50	\$25.00	\$34.50	\$5,400.00	start 10 % Late Fee
2010 Revenue					
	<u>Amounts</u>	<u>Line items</u>	<u>Amounts</u>		
2009 carryover balance	\$34,991.82				
Revenue	\$84,162.56				
Fees		070.3000.400100	\$56,265.13		
Special Assessment Collection		070.4000.400100	\$27,869.60		
Workers Comp Refund		034.9000.402100	\$27.83		
		REVENUE TOTALS	\$84,162.56		
Expense	-\$77,398.02				
Employee Salaries		070.0070.510200	\$27,561.66		
Supplies		070.0070.530300	\$10,005.85		
Equipment		070.0070.530400	\$500.00		
Contract Repairs		070.0070.530600	\$1,760.81		
Contract Services		070.0070.530700	\$24,346.14		
Other Expenses		070.0070.531100	\$5,500.00		
Materials		070.0070.535200	\$500.00		
PERS		070.0070.536400	\$3,722.22		
Workers Comp		070.0070.536500	\$504.17		
Medicare		070.0070.536600	\$399.63		
Hospitalization		070.0070.536800	\$843.12		
Settlement Fees		070.0070.537900	\$1,754.42		
		EXPENSE TOTALS	\$77,398.02		
Yearend Balance 12/31/10	\$41,756.36				

SEWER CUSTOMERS INCLUDED IN BIDWELL PORTER SEWER DISTRICT					
<u># of Customers @ 1 EDU</u>	<u># of Customers @ 19 EDU</u>	<u># of Customers @ 2 EDU</u>	<u># of Customers @ 3 EDU</u>	<u># of Customers @ 9 EDU</u>	<u>Total Number of Customers/EDU</u>
437	1	3	1	1	443
1	19	2	3	9	
437	19	6	3	9	474
Current Full Rate/month	\$13.00				
Total Monthly Revenue if all customers pay in full	\$6,162.00				
Total Annual Revenue if all customers pay in full	\$73,944.00				
2011 Appropriations	(\$78,377.81)				
2011 Yearend Balance if all customers pay in full	(\$4,433.81)				
<u>OPTIONS FOR RATE INCREASE</u>					
Increase rate by \$2.00 per month	\$15.00				
Total Annual Revenue if all customers pay in full	\$85,320.00				
Increase rate by \$3.00 per month	\$16.00				
Total Annual Revenue if all customers pay in full	\$91,008.00				
Increase rate by \$4.00 per month	\$17.00				
Total Annual Revenue if all customers pay in full	\$96,696.00				

Ms. Sprague advised that since the analysis reflects the FY 2011 expenditures exceed the revenues by as much as (\$4,433.81) at year end, she would recommend a \$2.00 per month increase to be effective 7/1/2011.

CHILDREN SERVICES AGENCY UPDATE

Executive Director Russ Moore, Vice President Kent Shawver and Financial Manager Kathy Campbell met with the Commission for an update of the agency's fiscal condition. Cash, expenditures, intake and screening reports were distributed for the end of April and reviewed by everyone. They currently have 16 children in care at this time.

Moore also stated that they share a common porch area at the entrance of the building and with the rains we have experienced lately, the water comes down the downspouts and the drains are plugged so it is coming back up like a geyser and entering the facility like a waterfall down the steps. As a result we are having a musty smell. I have contacted someone that can come in and make repairs to this area to clean the drains. Commissioners suggested they report it to the county maintenance men to obtain their opinion in this regard and they would follow up with them. No action taken.

EXECUTIVE SESSION - JFS

At 10:08 a.m. the President entertained a motion to enter into executive session with JFS Director Dana Glassburn to discuss personnel issues, resignation, disciplinary action and negotiations. 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 10:52 a.m.; no action taken.

ALARM RESPONSE FEES

Sheriff Joe Browning and Administrative Assistant Heather Casto met with the Commissioners to discuss the cost of false alarm responses. The costs of responses for these types of alarms are getting costly; some are from companies and some from residential alarm systems. He presented ORC 505.511 (B) that allows his department to charge a fee for false alarms which would be implemented after the fourth false alarm. Their fuel cost this year is \$15,000 higher than this time last year, not to mention man hours and equipment costs for these false runs. This would help us recoup some of our expenses and also require the owners to maintain their systems. The Sheriff requested that it be reviewed and considered for action at a later date. No action taken.

CONCEALED CARRY FUND

Sheriff Browning submitted the ORC 311.42 for consideration to use some of these funds for operational costs of this program. Joe Foster made and Harold Montgomery seconded the motion to approve utilizing part of the funds for salary, based upon the recommendation of Browning. Roll call: Ms. Snyder, yea; Mr. Foster, yea; Mr. Montgomery, yea.

WORK RELEASE CENTER REPORT

Sheriff Browning submitted the April report for the work release center. This was reviewed and discussed with the Commissioners. No action taken.

EXECUTIVE SESSION – JOB INTERVIEWS

At 11:00 a.m. the President entertained a motion to enter into executive session with interviewees for job interviews. 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 11:55 a.m.; no action taken.

MERCERVILLE SEWER PAYMENT RESOLUTION # 13

County Administrator Karen Sprague presented the Commission with Payment Resolution # 13 for the Mercerville Sewer Project for the following items:

- Trimat Construction, Inc. Pay Estimate #12 - \$5,436.65
- Stantec Consulting Inv. # 486610 - \$3,759.76
- Total = \$9,196.41

Also, Gary Silcott presented Stantec's contract amendment to cover additional inspection and contract administration due to contractor overrun on construction contract time. Additional costs are \$46,467.00 for 10 months of additional time, which brings the overall contract with Stantec to \$111,467.

Joe Foster moved and Harold Montgomery seconded a motion to approve payment resolution # 13 as submitted. Upon roll call votes were as follows: Lois Snyder, yea; Joe Foster, yea; Harold Montgomery, yea.

MERCERVILLE SEWER - CHANGE ORDER COX ROAD STORM PIPING

Harold Montgomery moved and Joe Foster seconded a motion to approve a change to Trimat's Mercerville Sewer contract from seed and mulch on Cox Road to providing storm piping on Cox Road, with a limit for the change order not to exceed \$2,500. Upon roll call votes were as follows: Lois Snyder, yea; Joe Foster, yea; Harold Montgomery, yea.

KANAUGA/ADDISON PAYMENT RESOLUTION # 19

County Administrator Karen Sprague presented the Commission with Payment Resolution # 19 for the Kanauga/Addison Sewer Project for the following items:

- Trimat Construction Pay Estimate # 20 - \$91,024.12
- Stantec Consulting Inv. #486608 - \$18,155.60
- Total = \$109,179.72

Harold Montgomery moved and Joe Foster seconded a motion to approve payment resolution # 19 as submitted. Upon roll call votes were as follows: Lois Snyder, yea; Joe Foster, yea; Harold Montgomery, yea.

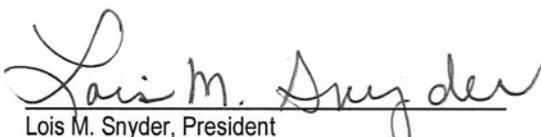
MEMO ENTRY – REVENUE/EXPENSE OPWC KA SEWER GRANT/LOAN

County Administrator Karen Sprague 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:

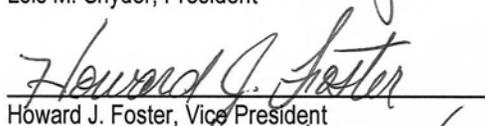
- Memo pay-in in the amount of \$37,870.03 into 106.3000.400101 from OPWC Loan # CO17L
- Memo pay-in in the amount of \$71,309.69 into 106.3000.400100 from OPWC Grant # CO16L
- Memo expense in the amount of \$18,155.60 from 106.1106.531101 to Stantec Consulting Inc. vendor # 6899 for invoice #486608
- Memo expense in the amount of \$19,714.43 from 106.1106.531101 to Trimat Construction vendor # 00071 for Pay Estimate # 20
- Memo expense in the amount of \$71,309.69 from 106.1106.531100 to Trimat Construction vendor # 00071 for Pay Estimate # 20

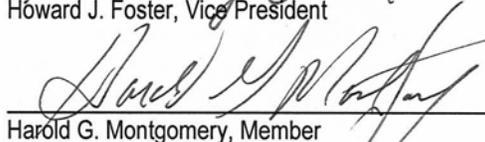
ADJOURN

At 4:30 p.m. President Snyder entertained a motion for adjournment. Joe Foster made and Harold Montgomery seconded the motion. Roll call: Ms. Snyder, yea; Mr. Foster, yea; Mr. Montgomery, yea.


Lois M. Snyder, President


Terry Hemby, Clerk


Howard J. Foster, Vice President


Harold G. Montgomery, Member