

JUNE 2, 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 26, 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:
Info Technology	John Grubb	June 7-9	Columbus	Advanced CAMEO Course
		July 18-22	Cincinnati	Comprehensive Cyberterrorism Defense Course
Auditor	Larry Betz	June 6-9	Cleveland	CAAO Summer Conference

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
5/30	43	2	0	10	0	30	0	42	17	37

LEAVE DONATION APPLICATIONS

Commissioners received the following leave donation applications:

Department	Donating Employee	Receiving Employee	Hours Donated	Pay Period
Engineer	Earl Shaver	Donny Jones	32	6/17/2011
Sheriff	Wallace Workman	Sheila Northup	40	As needed
Sheriff	Richard Harrison	Sheila Northup	80	As needed

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

AFFIDAVIT – EQUITABLE SHARING PROGRAM COMPLIANCE

Prosecutor's office submitted Equitable Sharing Program Compliance Notice. The U.S. Department of Justice works closely with more than 8,000 state and local law enforcement agencies on cases involving the seizure and forfeiture of property. Through the Equitable Sharing Program, the Department is able to distribute forfeited property to participating agencies. Before funds can be distributed, agencies must be in compliance with the reporting requirements outline in the Guide to Equitable Sharing. To ensure compliance, the Prosecutor completed the Equitable Sharing Agreement and Certification and the Commissioners are required to sign an "Affidavit – Existing Participant". President Snyder entertained a motion to sign said document. Harold Montgomery made and Joe Foster seconded the motion. Roll call: Ms. Snyder, yea; Mr. Foster, yea; Mr. Montgomery, yea.

2011 COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY (CEDS)

Commissioners were in receipt of the following resolution for adoption:

RESOLUTION

Whereas, the Gallia County Board of Commissioners actively supports and currently participates in the economic development district activities of the Ohio Valley Regional Development Commission (OVRDC). OVRDC is a public regional planning commission within the State of Ohio, whose purpose is to influence favorably the future economic, physical, and social development of the twelve-county region through its regional development planning programs and technical assistance; and

Whereas, the Ohio Valley Regional Development Commission promotes a cooperative planning process involving local governments, public and private agencies, and individual citizens, toward improving their region within a democratic process; and 2011 Comprehensive Economic Development Strategy (CEDS), prepared by the Ohio Valley Regional Development Commission.

Therefore be it resolved, that the Gallia County Board of Commissioners hereby authorizes an appropriation of funds in the amount of \$5,259.00 as participating local funds for the Ohio Valley Regional Development Commission to be used as part of the agency budget for the fiscal year beginning January 1, 2012. The appropriated funds to be paid on or after January 1, 2012, and

Now therefore be it further resolved, the Gallia County Board of Commissioners continues to support the Ohio Valley Regional Development Commission's Economic Development District planning partnership investment grant program with the USDOC Economic Development Administration for the annual performance period January 1, 2012 through December 31, 2012.

Joe Foster moved the adoption of the Resolution and the motion was seconded by Harold Montgomery. Roll call: Ms. Snyder, yea; Mr. Foster, yea; Mr. Montgomery, yea.

The Gallia County Board of Commissioners hereby adopts this resolution on the 2nd day of June, 2011.

By: s/Lois M. Snyder, President

Gallia County Board of Commissioners

Certified by: s/Terry Hemby, Clerk

ASPHALT – MV SEWER PROJECT

Guyan Township Trustee Roger Watson met with the Commissioners to discuss asphalt issues with the Mercerville Sewer Project on Station Street. The contractor advised they would replace the asphalt with 2 inches and Watson told them at that time that it would not hold up with the equipment that travels that street. Watson said that Stantec Engineer Gary Silcott stated at the construction meeting that they had asked for 6 inches but they could go with 4 inches if the township would berm it and that was our understanding when we left the meeting. Trimat owner Mat Toler was present and stated that he also left the meeting with the understanding they were to apply 4 inches but had nothing in writing. He currently has 3 inches down and needs one more put down with an additional cost of \$6500, so if he needs to stop, now would be the time to do so. Toler advised that he sent Silcott an email regarding this issue on 5/25 and has not received a response regarding instructions or a change order.

Commissioner Snyder advised she had reviewed the sewer construction meeting minutes and it only noted that Watson was there with concerns of asphalt. Commissioner Foster suggested the Commission call Engineer Silcott this afternoon to find a resolve to this issue.

Watson also informed the Commissioners that Cox/Mercerville Rd road pavement was also breaking up. Montgomery advised that the contractor would be responsible for excess use, but normal usage would not be his responsibility. Watson said that the onsite Project Manager David Clagg stated it was not like that prior to the construction beginning.

Commissioners will be in contact with Silcott this afternoon.

911 AGENCY UPDATE

911 Director Sherry Daines met to update the commissioners on the 911 Agency. The new recording system provides reports of total 911 calls and she distributed a monthly report.

The communications meeting went very well and everyone is interested in getting a solution worked out. She has called AT&T to check into different options. We are still working on sorting through the inventory and categorizing. Next meeting is June 16th at 6pm at the 911 Center.

EXECUTIVE SESSION - DJFS

At 10:05 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 10:17 a.m.; no action taken.

NORTHWOODS CONSULTING AGREEMENT

DJFS Dana Glassburn presented the annual maintenance agreement with Northwood's Consulting Department for approval and signature. Joe Foster made and Harold Montgomery seconded the motion. Roll call: Ms. Snyder, yea; Mr. Foster, yea; Mr. Montgomery, yea.

ECONOMIC IMPACT STUDY REPORT

Bob Hood, Director of Gallia County Convention and Visitors Bureau, Board of Trustees President Bryna Butler and Vice President Annette Ward met with the Commissioners. Hood presented the Commissioners with uniquely decorated Ohio State Cookies. They shared the most recent Economic Impact Study Report which included the 2010 annual report and history of lodging report and distributed a visitor's guide. Hood also discussed:

- The Civil War kick off for each state, with Ohio's being held in Morgan County.
- Distributed brochures from Bob Evans Farms with a map of the new renovations when completed.

Ms Butler noted that the map actually appeared in National Geographic and that inclusion is due to Bob Hood and his efforts and he is the reason this was distributed nationally. She presented Bob with a 10-year service pen honoring his tenure with the Visitor's Bureau. Chateaugay is coming to Gallia County next year and this is also due to Bob's work here locally. Bob will be attending the opening ceremony this year.

Hood thanked the Commissioners for supporting the efforts of the Visitors' Bureau with the bed tax. The Commission also expressed their appreciation to the Bureau for their role in marketing the community.

CONTRACT FOR UPGRADE, MAINTENANCE AND USE OF FIRING RANGE

Sheriff Joe Browning and Truman Noe from the Buckeye Hills Career Center met to present a contract for upgrade and maintenance of the county owned firing range. The Career Center utilizes the range for the annual 9-month Peace Officer Basic Training Program; they are willing to assist with funding and renovations to meet new standards to remain compliant. Browning advised the contract had been reviewed and approved by the Prosecutor. Joe Foster made and Harold Montgomery seconded the motion to approve the following contract:

CONTRACT FOR UPGRADE, MAINTENANCE AND USE OF FIRING RANGE

This agreement made and concluded this _____ day of May, 2011, by and between Joseph R. Browning, Gallia County Sheriff, the Gallia County Board of Commissioners, and Truman Noe, Adult Education Director, authorized representative of Buckeye Hills Career Center, concerning the upgrade, maintenance, and use of the sheriff's firing range, located on Shawnee Lane, Gallipolis, Gallia County, Ohio.

WHEREAS, there exists a need for upgrades of the sheriff's firing range, in order to cause the firing range to continue to meet the standards for certification of a firing range as promulgated by the Ohio Peace Officers Training Commission (OPOTC), and

WHEREAS, an underlying assumption of the parties hereto is that the initial cost of said upgrades will be approximately thirty thousand dollars (\$30,000.00), and

WHEREAS, there exists a need for continued maintenance of the sheriff's firing range after the said upgrades are completed, and

WHEREAS, both the Gallia County Sheriff and Buckeye Hills Career Center have an ongoing need for use of an OPOTC-certified firing range,

NOW THEREFORE, it is hereby agreed by and between the parties hereto as follows:

1. Buckeye Hills Career Center will perform or cause to be performed, at the sole cost of Buckeye Hills Career Center, any and all upgrades to the sheriff's firing range that are deemed necessary by OPOTC in order for the firing range to continue to meet the standards for certification of a firing range as promulgated by OPOTC.
2. Buckeye Hills Career Center will cause the said upgrades to be completed on or before _____, 2011, and will continually maintain the said upgrades, at the sole cost of Buckeye Hills Career Center, for the duration of this contract.
3. All permanent or fixed upgrades to the firing range will become the property of Gallia County. All temporary or non-fixed upgrades to the firing range will be the property of Buckeye Hills Career Center.
4. After the said upgrades are completed, Buckeye Hills Career Center may have the use of the firing range, without charge by Gallia County, for the purposes of adult education, at reasonable times during its annual peace officer academy, by scheduling the use of the same with the sheriff.
5. The sheriff will make all reasonable efforts to accommodate the scheduling needs of Buckeye Hills Career Center, but in the event of a scheduling conflict, the needs of the sheriff, as determined solely by the sheriff, will prevail over the needs of Buckeye Hills Career Center.
6. Buckeye Hills Career Center will ensure that an OPOTC-certified firearms instructor is physically present and with authority to control the class and all employees, contractors, students, or agents of Buckeye Hills Career Center each and every time that Buckeye Hills Career Center uses the firing range. Buckeye Hills Career Center covenants not to use the firing range unless an OPOTC-certified firearms instructor is physically present.
7. Buckeye Hills Career Center will provide its own liability insurance for its use of the firing range under this contract. Buckeye Hills Career Center will indemnify the sheriff and Gallia County and hold harmless both the sheriff and Gallia County for any act or omission by any employee, contractor, student, or agent of Buckeye Hills Career Center using the firing range under this contract.
8. The sheriff and Gallia County will provide its own liability insurance for its use of the firing range, and nothing in this contract shall be construed as an indemnification agreement by the sheriff or Gallia County in favor of Buckeye Hills Career Center.
9. This contract will be effective on the date it is finally executed, and shall remain in effect for an initial period of ten (10) years thereafter, at which time it may be renewed for additional time periods as agreed between the parties hereto. Notwithstanding the ten (10) year term, the parties may mutually agree to terminate this contract with or without cause at any time.
10. The individuals executing this contract hereby represent that he/she is the duly authorized agent for the party indicated, and that he/she has full authority to contract on behalf of the party indicated.

IN WITNESS WHEREOF, the parties hereto have, by their duly authorized agents, executed this contract on the _____ day of May, 2011.

GALLIA COUNTY SHERIFF:

By:

s/ Joseph R. Browning
Gallia County Sheriff

APPROVED AS TO FORM:
COMMISSIONERS:

s/ Eric R. Mulford (0077719)
Asst. Prosecuting Attorney
Gallia County, Ohio

BUCKEYE HILLS CAREER CENTER

By:

s/ Truman Noe
Adult Education Director

GALLIA COUNTY BOARD OF

s/ Lois M. Snyder, President
s/ Howard J. Foster, Vice President
s/ Harold G. Montgomery, Member

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

ALARM RESPONSE MEETING

At 11:00 a.m. a public meeting was held by the Commissioners and Sheriff Joe Browning regarding an alarm response fee. Present: Tony Gallagher and Tribune Report Amber Gillenwater.

Montgomery stated he received some citizen concerns; (1) Can a record be wiped after a period of time? Browning advised, he thought it started over each year. (2) Someone expressed concern about an alarm going off and no one knowing the code. Browning explained this was only for FALSE alarms. Montgomery stated that issues of this type needed some clarification for the public to understand the purpose.

Gallaher stated he lived in Washington DC several years ago, and they allowed ONE call and after that each alarm call was \$100.

Browning advised this is a concern with manpower to send a deputy to every false alarm; not to mention fuel costs. The ORC allows up to 3 before a \$50 fee would be charged for the 4th false alarm. Commissioners encouraged him to stay aligned with the ORC and to work with the Prosecutor to move forward with a plan.

VICTIM OF CRIME ACT (VOCA) GRANT

No one showed for this appointment

EXECUTIVE SESSION - DJFS UNION CONTRACT

At 1:46 p.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. Harold Montgomery made and Joe Foster seconded the motion; Roll call: Ms. Snyder, yea; Mr. Foster, yea; Mr. Montgomery, yea. Returned to regular session at 2:14 p.m.; no action taken.

DJFS UNION CONTRACT - APPROVAL

Upon the recommendation of DJFS Director Dana Glassburn and Labor Consultant Don Keller, Joe Foster made and Lois Snyder seconded the motion to approve the Union Contract as presented. Roll call: Ms. Snyder, yea; Mr. Foster, yea; Mr. Montgomery, abstained.

NON BARGAINING UNIT EMPLOYEES

Dana Glassburn, Director, Gallia County Department of Job and Family Services (GCDJFS) recommended the following for GCDJFS Non-Bargaining Unit Employees:

Vacation: Employee shall be given the option of cashing out accumulated vacation leave in excess of one (1) year accrual or converting the excess vacation time to sick leave on an hour for hour basis in the first pay period of June 2011. If an employee does not select an option on or before June 9, 2011, the accumulated vacation leave in excess of one (1) year accrual shall automatically be converted to sick leave.

Lunch Period: Non-bargaining employees shall receive a half (1/2) hour paid lunch period with no paid fifteen (15) minute breaks.

Harold Montgomery made and Joe Foster seconded the motion to approve the vacation accrual reduction and paid lunch period for non-bargaining GCDJFS, as recommended by Director Glassburn. Roll call: Ms. Snyder, yea; Mr. Foster, yea; Mr. Montgomery, yea.

SUBGRANT AGREEMENT – CHILDREN SERVICES

Children Services Executive Director Russ Moore submitted a sub grant agreement for signature between ODJFS and Gallia County Children Services Board for the operation of the Gallia County Public Children Services Agency (PCSA), a stand alone agency performing all duties assigned to a public children services agency. Joe Foster made and Harold Montgomery seconded the motion to approve pending the Children Services Board Approval. Roll call: Ms. Snyder, yea; Mr. Foster, yea; Mr. Montgomery, yea.

FRANKLIN COUNTY SHERIFF DECEASED

Commissioners received the following information from Buckeye Sheriff's Association via email through Sheriff Joe Browning:

Sheriff,

Sheriff James A. Karnes, Franklin County, passed away today at 12:30 pm.

No funeral arrangements have been made at this time but I will forward the information to all of you when I have them.

Flags on County owned buildings may be flown at half staff from this date to sunset of the day of the funeral. This is done by asking the County Commissioners to pass a resolution to do so.

Bob (Cornwell)

Harold Montgomery made and Joe Foster seconded the motion disseminate this information to county agencies. Roll call: Ms. Snyder, yea; Mr. Foster, yea; Mr. Montgomery, yea.

* 3:27 p.m. Commissioner Snyder left the meeting for an outside appointment.

MERCERVILLE SEWER PROJECT ASPHALT COMPLAINT CONTINUED

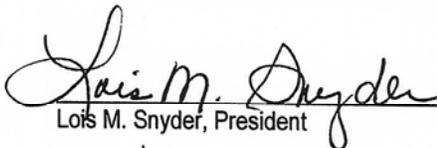
Guyan Township Trustee Roger Watson returned to voice his opinion on the decision of the Commission and Stantec Engineer Gary Silcott in regard to the asphalt depth on Station Street as discussed earlier today. He received a call from Silcott which he denied approving the 4 inches of asphalt and Watson believes differently and intends to prosecute for the township if necessary. Montgomery explained the conversations with Silcott and the Project Manager David Clagg and they both stated they agreed to the two inches. Watson stated that Silcott should have called them and told them that something had changed; something had come up and let them know they could not do this, but he did not. Watson has spoken to County Administrator Karen Sprague several times and she would agree with him as well that they had agreed to the 4 inches. The contractor has done a good job for us in Mercerville, but feels like the Engineer misled them.

Commissioner advised they spoke to Silcott and ask him how much funds they had left in the project and we are \$4,000 over budget right now; we cannot tell him to do anything outside the contract. Silcott said he gave specific instructions to Clagg that 2 inches was all that would be paid for and the Commissioners called Clagg and he confirmed this as well. Now Trimat has put down 3 inches outside the contract so this will fall back on them.

Watson reminded them of the rule to return the area to as good or better; so if you take out ¾ of the road and put back 2 inches is that acceptable? Trimat sent an email to Silcott and never did get a response. Commissioners will try to obtain a copy of these emails from Silcott and get a response to Mr. Watson at the meeting next week.

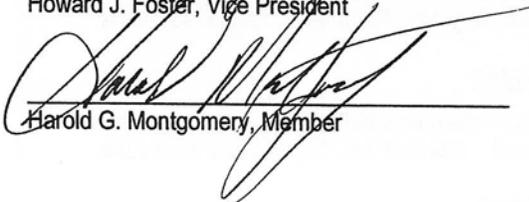
ADJOURN

At 4:35 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