

DECEMBER 29, 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 December 22, 2011 minutes. 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
12-26	36	1	0	1	0	24	0	26	4	68

CLERK OF COURTS – BUDGET REVISION

Clerk of Courts Noreen Saunders stated that she had already decreased her budget 9 ½ % due to unknown health costs and moved all postage and "other" line item expenses to Title IV-D fund. She also advised that she has not moved the fulltime employee salaries and fringes out of general fund and as a result \$185,743.17 is still the total for the legal dept budget. She wants to keep it there which is \$21,000 above what she was told to appropriate for 2012. To get there would mean she would have to cut employees, salaries and benefits. The work cannot be done if she has to lay someone off or shorten the work week.

Saunders advised she was willing to return \$21,000 of the carryover from 046 title fund to the general fund to be appropriated into the 205 fund. Commissioners advised that this could be done and for her to meet with County Administrator to accomplish this. She requested this approval be on record; Commissioners stated they would follow the advice of the County Administrator and would review this request and get back with her today.

County Administrator Sprague met with Ms. Saunders and advised the Commission of the details for the return of \$21,000 carryover balance as follows:

- \$21,000 will be included in the appropriation resolution in the 046 title fund so that a check can be cut to the Gallia County Commissioners
- The \$21,000 will be deposited into the County General Fund
- The 0205 Clerk's legal dept budget will have appropriations totaling \$185,743.17

The Commission unanimously agreed they would approve the appropriation resolution with this scenario included.

RECORDER – BUDGET REVISION

Recorder Roger Walker stated he had found more cuts but cannot come up with the numbers requested. He has contractual obligations for leasing equipment with COTT that he cannot get out of now. Commissioners reviewed his budget with him explaining the necessary cuts and encouraged him to meet with the County Administrator for further reductions.

HEALTH INCENTIVE RESOLUTION

WHEREAS, the Gallia County Commissioners find that certain County Employees are able to obtain Health/Hospital Insurance from another source outside the County; and

WHEREAS, the Gallia County Commissioners further find, if any employee obtains insurance from an outside source it would be a financial benefit to Gallia County; and

WHEREAS, the Gallia County Commissioners agree to offer a cash incentive up to \*One Thousand Five Hundred Dollars (\$1,500.00) to employees who obtain Health/Hospital Insurance from another source outside the County, and are not receiving benefits from any County Health Insurance Program in any way (i.e., via Medical, Vision and/or Dental Health Insurance Coverage); and

WHEREAS, the Gallia County Commissioners further find that this resolution can only be superseded by **Union Contract Agreements** and **departments governed by their own respective boards** and is subject to the **\*amounts specified by those boards and respective collective bargaining agreements**.

NOW, THEREFORE, BE IT RESOLVED that any employee of a department for Gallia County that receives its funding from the **County General Fund** shall receive up to One Thousand Five Hundred Dollars \*(\$1,500.00) cash incentive (prorated if less than a year) on the last payday of November.

BE IT FURTHER RESOLVED, that any employee who obtains Health/Hospital Insurance from an outside source, and is not receiving benefits from any County Health Insurance Program in any way (i.e., via Medical, Vision and/or Dental Health Insurance Coverage), must sign a release stating that they have obtained Health/Hospital insurance from an outside source and agree to dismiss Gallia County from its obligation to provide said insurance.

BE IT FURTHER RESOLVED that, if, for any reason, any employee's outside insurance is terminated during 2012, the County will re-admit the employee to the County Plan, based upon the County's insurance company's approval and the employee will receive the cash incentive on a pro rata basis.

This resolution shall take effect upon its signing this 29<sup>th</sup> day of December 2011.

GALLIA COUNTY COMMISSIONERS

s/ Lois M. Snyder, PRESIDENT

s/ Howard J. Foster, VICE-PRESIDENT

s/ Harold G. Montgomery, MEMBER

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

RECOGNITION PROCLAMATION

**A P R O C L A M A T I O N**  
 IN RECOGNITION OF  
**Pauline McCoy**  
**The Quick Stop, Vinton OH**

**WHEREAS**, Pauline McCoy is the owner/operator of the Quick Stop in Vinton, OH and has been a very charitable member of the Vinton community;

**WHEREAS**, for the past several years, she and her staff have prepared a huge dinner for the holiday season which is offered free of charge to anyone wanting to participate. This year on December 3rd, they served **325** people.

**WHEREAS**, they have also open their doors to a musical gathering every Saturday featuring local artists, which is also free of charge. This is a wonderful opportunity for the artists to exhibit their musical talents as well as provide wholesome entertainment for the community.

**NOW THEREFORE**, the Gallia County Commissioners, hereby wish to recognize and publicly thank Pauline McCoy and the Quick Stop in Vinton for her immeasurable contributions and continued investment in their community.

Signed this 29<sup>th</sup> day of December 2011

The Gallia County Commissioners  
*s/ Lois M. Snyder*, PRESIDENT  
*s/ Howard J. Foster*, VICE-PRESIDENT  
*s/ Harold G. Montgomery*, MEMBER

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

SOACDF GRANT APPLICATION

Economic Development Director Melissa Clark finished the end of December for SOACDF funds which help fund ED office. She advised we can reapply again for the 2012 year and has put another grant together for \$29,000 and submitted for approval. Joe Foster made and Harold Montgomery seconded the motion; roll call: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, yea. Commissioner Foster reported the analysis and review submitted to SOACDF has received positive comments back on the reporting of the past grant.

OSU EXTENSION AGENCY UPDATE

Extension Agent Tracy Winters and Richard Stephens met with the Commission and updated them on several activities. Winters noted they had received two 4-H Foundation grants; she and Stephens attended the Annual Conference where both received several awards. Stephens is planning to meet with the produce auction folks and hopes to set up training. Winters also advised they would be offering college scholarships again next year.

EXECUTIVE SESSION - EMA

At 10:00 a.m. the President entertained a motion to enter into executive session with EMA Interim Director Sherry Daines to discuss personnel issue. Joe Foster made and Harold Montgomery seconded the motion; roll call: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, yea. Returned to regular session at 10:30 a.m.; no action taken.

AIRPORT AUTHORITY

Airport Authority President Bret Little advised that they have discussed doing away with late fees on the hangars for 2012 then start over new in 2013. There have been several recent changes with several moving in and out just before or after the due date and getting hit with unwarranted late fees. Commissioners advised if it is a legitimate transition and not owed, this can be reviewed on a case by case basis, but to eliminate for the entire 2012 year will not foster prompt payment of rental fees. Commissioners suggested he review the policy for late fees; Little advised he was unaware of a policy but would look into this.

BOND – DAVIS HALL PARKING LOT

Bond Counsel Dennis Schwallie stated the purpose of the meeting was for the Commission to approve the bond for the county to borrow \$160,000 for the Davis Hall property parking lot. The County Commission approved a bid on the property on 6/16/11 in the amount of \$206,050 and signed a purchase agreement with the City of Gallipolis on 10/27/11. This is a 20 year bond at 4 ½% beginning December 2012, with an annual payment of \$12,318. He explained that if by some chance the county could not repay due to budgetary issues, the un-voted inside tax millage would be used to repay the bond. He distributed and reviewed all forms and obtained proper signatures. Harold Montgomery moved and Joe Foster seconded the motion to approve the following bond resolution. Roll call: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, yea.

*The Board of County Commissioners of the County of Gallia, Ohio, met in regular session at 11:00 o'clock a.m., on December 29, 2011, at the office of said board of county commissioners, located in the Gallia County Courthouse, 18 Locust Street, Gallipolis, Ohio, with the following members present: Lois M. Snyder, Howard J. Foster and Harold G. Montgomery.*

*Harold Montgomery moved the adoption of the following resolution:*

COUNTY OF GALLIA, OHIO  
 RESOLUTION

**RESOLUTION AUTHORIZING THE ISSUANCE OF \$160,000 OF BONDS FOR THE PURPOSE OF PAYING PART OF THE COST OF ACQUIRING THE DAVIS HALL PARKING LOT.**

**WHEREAS**, this board of county commissioners has heretofore by proper legislation declared the necessity of acquiring the Davis Hall parking lot (the "Project"); and

**WHEREAS**, the county auditor has heretofore estimated that the life of the improvements constituting the Project is at least five (5) years, and has certified that the maximum maturity of the bonds issued therefore is at least twenty (20) years; and

**WHEREAS**, this board of county commissioners anticipates that debt service on such bonds will be paid from the general revenues of this county (the "Revenues");

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of the County of Gallia, Ohio:

**SECTION 1.** That it is necessary to issue and sell bonds of this county in the principal sum of \$160,000 (the "Bonds") for the purpose of paying part of the costs of the Project, including "financing costs" as defined in Section 133.01 of

the Ohio Revised Code, under authority of and pursuant to the general laws of the State of Ohio, particularly Chapter 133 of the Ohio Revised Code. It is hereby determined that notes shall not be issued in anticipation of the Bonds.

SECTION 2. That the Bonds shall be issued in such principal amount for the purpose aforesaid. The Bonds shall be dated their date of initial delivery to the purchaser thereof, shall be in the form of a single registered Bond and numbered from R-1 upwards in order of issuance, shall be of the initial denomination of \$160,000 each, shall mature in installments payable on the dates in the respective principal amounts, and shall bear interest at the rate of four and fifty hundredths percent (4.50%) per annum, payable on December 1 of each year, commencing December 1, 2012 until the principal sum is paid, as follows:

Payment Date	Principal Amount Due	Payment Date	Principal Amount Due
December 1, 2012	5,100.18	December 1, 2022	7,920.43
December 1, 2013	5,329.69	December 1, 2023	8,276.84
December 1, 2014	5,569.52	December 1, 2024	8,649.30
December 1, 2015	5,820.15	December 1, 2025	9,038.52
December 1, 2016	6,082.06	December 1, 2026	9,445.26
December 1, 2017	6,355.75	December 1, 2027	9,870.29
December 1, 2018	6,641.76	December 1, 2028	10,314.45
December 1, 2019	6,940.64	December 1, 2029	10,778.61
December 1, 2020	7,252.97	December 1, 2030	11,263.64
December 1, 2021	7,579.35	December 1, 2031	11,770.59

The Bonds shall be subject to redemption at any time prior to maturity, in whole or in part, at the option of the county, in inverse order of maturity at the price of 100% of the principal amount to be redeemed, plus accrued interest to the date of redemption.

The county shall send notice of any such redemption by first class mail, postage prepaid, to the registered holders of the Bonds to be redeemed at least 30 days prior to the date of redemption, or such lesser time as may be acceptable to such holders. When less than all the Bonds of a single maturity are to be redeemed, the selection of Bonds to be redeemed shall be made in such manner as the county shall determine.

The Bonds shall be designated "Parking Lot Bonds, Series 2011".

SECTION 3. That the Bonds shall express upon their faces the purpose for which they are issued and that they are issued in pursuance of this resolution. The Bonds shall be in fully registered form. They shall bear the signatures of at least two members of this board of county commissioners, provided that any or all such signatures may be facsimile signatures, may bear the seal of such county auditor or a facsimile thereof, and shall bear the manual authenticating signature of the county auditor, who is hereby designated as paying agent, registrar and transfer agent (the "Paying Agent and Registrar") for the Bonds. Installments of principal of and interest on the Bonds are payable in lawful money of the United States of America to the registered owner of the Bonds as shown on the registration records of the county. No transfer of ownership of the Bonds shall be valid unless made at the request of the registered owner thereof on the registration records of the county and on the Bonds. The county may deem and treat the registered owner of the Bonds as the absolute owner thereof for all purposes, and the county shall not be affected by any notice to the contrary. Payments of installments of principal of and interest on the Bonds shall be made by check or draft mailed to the registered owner thereof at the address shown on the registration records of the county.

The Bonds shall be transferable by the registered owner thereof in person or by his attorney duly authorized in writing at the office of the Paying Agent and Registrar upon presentation and surrender thereof to the Paying Agent and Registrar. The county and the Paying Agent and Registrar shall not be required to transfer any Bond during the 15-day period preceding any interest payment date, and no such transfer shall be effective until entered upon the registration records maintained by the Paying Agent and Registrar. Upon such transfer, a new bond or bonds of authorized denominations of the same maturity and for the same unpaid principal amount shall be issued to the transferee in exchange therefore.

SECTION 4. That for the payment of the Bonds and the interest thereon, the full faith, credit and revenue of this county are hereby irrevocably pledged, and for the purpose of providing the necessary funds to pay the interest on the Bonds promptly when and as the same falls due, and also to provide a fund sufficient to discharge the Bonds at maturity, there shall be and is hereby levied on all the taxable property in the county within applicable limitations, in addition to all other taxes, a direct tax annually during the period the Bonds are to run in an amount sufficient to provide funds to pay interest upon the Bonds as and when the same falls due and also to provide a fund for the discharge of the principal of the Bonds at maturity, which tax shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Constitution of Ohio.

Said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended or collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from said tax levies hereby required shall be placed in a separate and distinct fund, which, together with all interest collected on the same, shall be irrevocably pledged for the payment of the interest on and the principal of the Bonds when and as the same shall fall due; provided, that in each year to the extent that the Revenues or other moneys are available for the payment of the Bonds and are appropriated for such purpose, the amount of such tax shall be reduced by the amount of the Revenues or other moneys so available and appropriated.

SECTION 5. That the Bonds shall be sold to The Ohio Valley Bank Company, Gallipolis, Ohio, in accordance with its offer to purchase which is hereby accepted. The proceeds from the sale of the Bonds, except any premium or accrued interest received, shall be paid into the proper fund and used for the purpose aforesaid and for no other purpose, and for which purposes said proceeds are hereby appropriated. The premium and accrued interest, if any, shall be transferred to the bond retirement fund of the county to be applied to the payment of the principal of and interest on the Bonds in the manner provided by law.

SECTION 6. That this board of county commissioners hereby covenants that it will restrict the use of the proceeds for the Bonds hereby authorized in such manner and to such extent, if any, as may be necessary after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute "arbitrage bonds" under Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations prescribed thereunder and will, to the extent possible, comply with all other applicable provisions of the Code and the regulations thereunder to retain the Federal income tax exemption for interest on the Bonds, including any expenditure requirements, investment limitations, rebate requirements or use limitations. Without limiting the generality of the foregoing, the county will not allow the Project or any portion thereof to be operated or used in any trade or business carried on by any person within the meaning of the Code which would cause the Bonds to be "private activity bonds" within the meaning of Section 141 of the Code. The county auditor or any other officer having responsibility with respect to the issuance of the Bonds is authorized and directed to give an appropriate certificate on behalf of this county on the date of delivery of the Bonds for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of the Code and regulations thereunder.

SECTION 7. That the Bonds are hereby designated as "qualified tax-exempt obligations" to the extent permitted by Section 265(b)(3) of the Code. This board of county commissioners finds and determines that the reasonable anticipated

amount of qualified tax-exempt obligations (other than private activity bonds) which will be issued by the county during the calendar year in which the Bonds are initially delivered does not and the board hereby covenants that, during such year, the amount of tax-exempt obligations issued by the county and designated as "qualified tax-exempt obligations" for such purpose will not exceed \$10,000,000. The county auditor and other appropriate officers, and any of them, are authorized to take such actions and give such certifications on behalf of the county with respect to the reasonably anticipated amount of tax-exempt obligations to be issued by the county during such calendar year and with respect to such other matters as appropriate under Section 265(b)(3).

SECTION 8. That the law firm of Peck, Shaffer & Williams LLP be and is hereby retained as bond counsel to the county to prepare the necessary authorization and related closing documents for the issuance, sale and delivery of the Bonds and, if appropriate, rendering its approving legal opinion in connection therewith, in accordance with the written agreement presently on file with the county which at least two members of this board of county commissioners and the county auditor are hereby separately authorized to execute and deliver on behalf of the county, with such changes thereto not substantially adverse to the county as may be approved by the officer(s) executing the same. The approval of such changes by such officer(s), and that the same are not substantially adverse to the county, shall be conclusively evidenced by the execution of such agreement by such officer(s). Such law firm shall be compensated by the county for the above services in accordance with such written agreement.

SECTION 9. That the clerk of this board of county commissioners is hereby directed to forward a certified copy of this resolution to the county auditor.

SECTION 10. That it is found and determined that all formal actions of this board of county commissioners concerning and relating to the adoption of this resolution were adopted in an open meeting of this board of county commissioners, and that all deliberations of this board of county commissioners and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law, including Section 121.22 of the Revised Code of Ohio.

SECTION 11. That this resolution shall take effect immediately upon its adoption.

Joe Foster seconded the resolution, and the roll being called upon the question of its adoption, the vote resulted as follows: AYES: Lois M. Snyder, Howard J. Foster, Harold G. Montgomery

NAYS:

ADOPTED, this 29th day of December, 2011.

*s/ Terry Hemby, Clerk*

#### CERTIFICATE OF CLERK

I hereby certify that the foregoing is a true and correct copy of a resolution adopted on December 29, 2011 and that a copy thereof was certified to the county auditor on December 29, 2011. *s/ Terry Hemby, Clerk*

#### RECEIPT

The undersigned hereby acknowledges receipt this day of a certified copy of the foregoing resolution.

Dated: December 29, 2011

*s/ Larry M. Betz, County Auditor*

#### AMERICAN NATIONAL INSURANCE

American National Insurance Representative Jerry Post met with the Commissioners to present an opportunity to employees for supplemental benefits; i.e. cancer protection, critical and terminal illnesses etc., as well as 15% discounts on home and auto policies. Before any further discussion could take place, Commissioners referred them to the Auditor's Office to discuss it with payroll to see if this was something their system could accommodate. Commissioners also advised there was also an anti soliciting policy in place for the facility so this would need to be addressed as well.

#### SHERIFF AWARDS & PRESENTATIONS

Sheriff Joe Browning came before the Commission to make the following award presentations:

- Deputy Randy Johnson was presented a "Life Saving" award.
- In honor of deceased employee Cris Clary, her daughters Brandy Richards and Rachel Patterson were presented a certificate retiring their mother's unit number (8) from service.

#### EMS - BUDGET REVISIONS

EMS Director Larry Boyer met to review necessary budget reductions for the 2012 year. He presented the following options for budget reductions:

- Eliminate 100% of budgeted overtime = annual savings of 108,606.96 (does not include the cost to fill in for time off).
- Remove one truck from service for one 8 hour shift per day = savings of \$144,717.96 (salaries only)
- Reduce Director Salary \$5,272.80 and reduce clerical staff hours from 80 to 70 hours bi-weekly.

In order to make the necessary reductions, Boyer recommended they (B) remove one truck for one 8 hour shift per day and (C) reduce his salary as well as office staff hours to 70 biweekly. Commissioners advised him to turn in his recommendations to the County Administrator for revisions.

#### SEWER OPERATOR - CONTRACT AGREEMENT

County Administrator Karen Sprague advised the Commission that after advertising in the Gallipolis Daily Tribune and online with Gallia Hometown Herald, the County had received one proposal for a Class 1 Sewer Operator under contract agreement. The proposal was from the current contracted sewer operator Glenn K. Soles, Jr. and the dollar amounts and conditions in the contract for 2012 are the same as for the current year. Ms. Sprague recommended approval of the contract agreement as presented in order for the county to have continued coverage into 2012. Mr. Foster moved and Mr. Montgomery seconded a motion to approve the contract agreement as presented. Roll call votes: Ms. Snyder, yea; Mr. Foster, yea; Mr. Montgomery, yea.

*THIS AGREEMENT made this 29th day of December, 2011, by and between Glenn K. Soles, Jr. (Technical Assistant in Wastewater Management)(1), hereinafter called the "Sewer Operator", and Gallia County Commissioners, hereinafter called the "Owner".*

WITNESSETH, that the Sewer Operator and the Owner for the considerations stated herein mutually agree as follows:

#### ARTICLE 1. Statement of Work

The Sewer Operator shall provide the following service to Gallia County:

- Charge for the following will be \$120.00 per Treatment Plant per month:
  - Shall maintain Class I Certified Operator License for term of contract.
  - Shall generate and sign all Monthly Operating Reports, all Violation Reports and NPDES Permit Renewal Applications.

- 2. Shall work with employees or owner, will make daily visits to all treatment works, if needed.
- 3. Charge for the following will be \$10.00 per hour, with a minimum of one hour per callout:
  - Shall provide the services necessary to maintain the reliable operation of the system.
  - Shall be available by phone during all periods of treatment works operation.

ARTICLE 2. The Contract Price

The Owner will pay the Sewer Operator for the total costs associated with the services outlined in Article 1 above as follows:

- 1. \$120.00 per Treatment Plant per month for all testing and reporting
- 2. \$10.00 per hour for any additional services needed, with a minimum of one hour per call out.

ARTICLE 3. Term of Agreement

This agreement shall be in effect from the date of signing thru December 31, 2012 and may be renewable upon the agreement of both parties.

ARTICLE 4. Contract

The executed contract documents shall consist of the following:

- a. This agreement
- b. Invitation for proposals
- c. Specifications
- d. Signed copy of proposal

This agreement, together with other documents enumerated in this Article 4, which said other documents are as fully a part of the Contract as if hereto attached or herein repeated, forms the Contract between the parties hereto. In the event that any provision in any component part of this Contract conflicts with any provision of any other component part, the provision of the component part first enumerated in this Article 3 shall govern, except as otherwise specifically stated.

IN WITNESS WHEREOF, the parties hereto have caused this AGREEMENT to be executed in one original copy on the day and year first above written.

SEWER OPERATOR:  
Glenn K. Sales, Jr.  
Owner, Technical Assistant in Wastewater Treatment

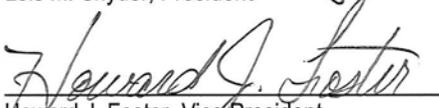
OWNER:  
Lois M. Snyder  
President, Board of Gallia County Commissioners

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