

**MAY 17, 2012**

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 Harold G. Montgomery. Roll Call: Harold G. Montgomery, present; Vice President Mr. Howard J. "Joe" Foster, present; Commissioner Lois M. Snyder, present.

President Montgomery entertained a motion for approval of the May 10, 2012 minutes. Lois Snyder made and Joe Foster seconded the motion; Roll call: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, yea.

<b>TRAVEL REQUESTS</b>				
<b>DEPARTMENT</b>	<b>NAME</b>	<b>DATE</b>	<b>TO</b>	<b>RE:</b>
DJFS	Dana Glassburn	5/21	Jackson, OH	Southern 7 Collaboration Meeting
EMS	Larry Boyer	5/21	Columbus, OH	CCAO Group Retro Meeting
Economic Development	Melissa Clark	5/23	Athens, OH	State of the Region Conference

President Montgomery entertained a motion to approve travel requests as submitted. Lois Snyder made and Harold Montgomery seconded the motion; Roll call: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, yea.

<b>Animal Shelter Canine Weekly Report</b>										
<b>Week Ending</b>	<b>IN</b>	<b>Adopted</b>	<b>Reclaimed</b>	<b>Euthanized</b>	<b>Died (Natural Causes)</b>	<b>Rescued</b>	<b>Destroyed (in field)</b>	<b>Out</b>	<b>In Foster Care</b>	<b>Remaining at Shelter</b>
5/14	15	1	0	0	0	33	0	32		57

**VETERANS – MEMORIAL DAY EXPENSES**

Commissioners received the following request in accordance with the Ohio Revised Code 307.66 for funds to defray the Memorial Day expenses for 2012:

American Legion Post 27     \$500.00

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

**EMS PART TIME HIRE**

EMS Director Larry Boyer recommended the following part time hire for approval, effective 5/18/12:

Matthew Freeland Gallipolis     \$10.15 per hour     PT EMT-P

Upon the recommendation of Director Boyer, Joe Foster made and Lois Snyder seconded the motion to approve the hire; roll call: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, yea.

**DRAINAGE ISSUE - CENTERPOINT RD**

David Hurd walked in unscheduled and reminded the Commission of a petition he brought into this office about 4 ½ years ago and was told to take it to the Engineer's Office, which he did. Hurd stated that it appears this is going to court and he needs this paper and thought someone else would be attending the meeting today on this issue. The President informed Hurd that he was unaware of anyone being present for this issue and shared the agenda items with Mr. Hurd. Mr. Hurd advised he would stay and wait. Commissioners moved on with their agenda items.

**OEPA SEWER VIOLATION**

County Administrator Karen Sprague presented the Commission with notification from OEPA of a sewer violation for Meadowlook Subdivision WWTP, noting the response to OEPA from County Sewer Operator Glenn K. Soles, Jr., states the plant has some infiltration due to all the wet weather, it is hard work trying to keep the sand filters from all of the wash outs. Ms. Sprague further advised County Sewer Operator Gary Myers report that during the last rain even the nearby creek jumped its banks and infiltrated the plant and sand filters, which is outside of any control the County could invoke.

**FINANCIAL REPORT REVIEW**

County Administrator Karen Sprague presented the Commission with the 12<sup>th</sup> Amended Certificate of Estimated Resources from Budget Commission and May 2012 sales tax distribution report from County Auditor.

**NACO DENTAL DISCOUNT PROGRAM**

County Administrator Karen Sprague reviewed with the Commission a new program available to all member counties thru the National Association of Counties. The new Dental Discount Program gives counties an opportunity to offer their uninsured residents or employee's dental and orthodontics savings. The discount card allows people to save 5% to 50% on dental care and 20% on orthodontics. The NACo Dental Discount Program is easy to use. County residents pay an annual or monthly fee for access to participating providers who have agreed to give services at discounted rates. For individuals, the fee is \$59 per year or \$6.95 per month. For families, the fee is \$69 per year or \$8.95 per month. With the dental discount program, a county resident simply schedules an appointment with a participating dentist or specialist and presents the membership card to receive a discount at the time of service. Important program highlights: everyone is accepted; family membership includes all family members; discounts are available at the time of service; unlimited plan usage, with no administrative forms or waiting; significant savings on dental cleanings, x-rays, braces, dentures, crowns, root canals and more; discount dental plans are a great option for individuals or families on tight budgets, but who still place great importance on their family's dental hygiene. The plan can compliment health insurance plans or work with health savings accounts, flexible spending accounts and health reimbursement arrangements. This plan is not insurance. The Commissioners stated they felt this would be a great benefit to Gallia County residents. Joe Foster made and Lois Snyder seconded a motion for Gallia County to enroll in

the program. Roll call votes: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, yea. Commission requested Ms. Sprague proceed with enrolling Gallia County, nominating all local dental practitioner on the website and following the nomination up with letters to all local dental practitioners requesting they become providers.

#### ATTORNEY GENERAL DEMO PROGRAM

County Administrator Karen Sprague reviewed the Attorney General's Residential Demolition Program with the Commission again noting a Lead Entity must be selected to make application to the AG's Office, the application is due by 6/30/12 and the dollar amount being allocated to Gallia County is \$89,019. Ms. Sprague noted she had been contacted by Gallipolis City Code Enforcement Officer Bret Bostic that Gallipolis is interested in utilizing these for demolitions within the City of Gallipolis if no other Townships or Villages are interested in them. The funds are to be used to demolish vacant, abandoned and blighted properties that detract from existing home values and create a toxic breeding ground for crime. Ms. Sprague suggested since Gallipolis has several properties they are ready to proceed with demolition, that the Commission could select Gallipolis City as the Lead Entity and let them write and administer the application. The Commission requested that Ms. Sprague contact the City Manager and ask that he meet with them to make the request. No action taken.

#### EXECUTIVE SESSION - 911

At 9:49 a.m. the President entertained a motion to enter into executive session with 911 Director Sherry Daines and Deputy Director Keith Wilson to discuss a personnel issue regarding a resignation. Lois Snyder made and Joe Foster seconded the motion; Roll call: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, yea. Returned to regular session at 10:00 a.m.; no action taken.

#### RESIGNATION - 911

911 Director Sherry Daines advised she had received a written resignation from 911 Dispatcher Shane K. Plantz and recommended the acceptance thereof. Lois Snyder made and Joe Foster seconded the motion to accept as recommended; Roll call: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, yea.

#### PROCLAMATION - NATIONAL POLICE WEEK

The President entertained a motion to proclaim the following:

##### *PROCLAMATION NATIONAL POLICE WEEK*

*WHEREAS, The Congress and President of the United States have designated the week of May 13-19, 2012 as National Police Week, and*

*WHEREAS, the members of the law enforcement play an essential role in safeguarding the rights and freedoms of the citizens of Gallia County, and*

*WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards and sacrifices of their law enforcement officers, and recognize their duty to serve the people by safeguarding life and property, by protecting them against violence or disorder, and by protecting the innocent against deception and the weak against oppression or intimidation; and*

*NOW THEREFORE WE, the Board of County Commissioners do hereby proclaim the week of May 13-19, 2012 as National Police Week for Gallia County and urges all citizens to commemorate these officers, past and present, who by their faithful and loyal devotion to their responsibilities have rendered a dedicated service to their communities, and in doing so, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.*

*IN WITNESS WHEREOF, we hereunto set our hand and caused the Seal of Gallia County to be affixed on this 17th day of May, 2012.*

*Harold G. Montgomery, President*

*Howard J. Foster, Vice President*

*Lois M. Snyder, Commissioner*

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

#### PROCLAMATION - POPPY DAYS

The President entertained a motion to proclaim the following:

##### *A PROCLAMATION*

*WHEREAS, America is the land of freedom, preserved and protected willingly and freely by citizen soldiers; and*

*WHEREAS, millions who have answered the call to arms have died on the field of battle; and*

*WHEREAS, a nation at peace must be reminded of the price of war and the debt owed to those who have died in war; and*

*WHEREAS, the red poppy has been designated as a symbol of sacrifice of lives in all wars; and*

*WHEREAS, the American Legion Auxiliary has pledged to remind America annually of this debt through the distribution of the memorial flower; and*

*WHEREAS, American Legion Auxiliary Lafayette Unit No. 27 of Gallipolis, Ohio annually fulfills this pledge.*

*NOW THEREFORE, BE IT PROCLAIMED that May 25 and 26, 2012, be and hereby are*

##### *POPPY DAYS*

*in Gallia County, and ask that all citizens pay tribute to those who have made the ultimate sacrifice in the name of freedom by wearing the Memorial Poppy on this day.*

*IN WITNESS WHEREOF, We have hereunto set our hand and caused to be affixed the official seal of the County of Gallia, State of Ohio, this 17th day of May 2012.*

*Harold G. Montgomery, President*

*Howard J. Foster, Vice President*

*Lois M. Snyder, Commissioner*

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

#### PROCLAMATION - GRAHAM ANNIVERSARY

The President entertained a motion to proclaim the following:

A PROCLAMATION  
IN RECOGNITION OF  
The 60<sup>th</sup> Anniversary of  
E. Glen & Jackie Graham  
May 18, 1952

60 years is a long period of time and much can happen over such years, you can both be justly proud of the achievements you have personally made and the many friendships established.

As long standing residents of Gallia County, you are both held in very high esteem and respect on this special occasion. 60 years of marriage is something to be equally proud of and we wish you the very best in this milestone year and for many years to come. May your blessings be bountiful and friendships grow; may this special day be filled with joy for the both of you.

It is with great pleasure that we, the Gallia County Commissioners extend our congratulations and best wishes while commemorating this 60<sup>th</sup> Diamond Wedding Anniversary and express our appreciation and recognition of this milestone.

The Gallia County Commissioners  
Signed this 17<sup>th</sup> day of May 2012

*Harold G. Montgomery, President*  
*Howard J. Foster, Vice President*  
*Lois M. Snyder, Commissioner*

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

**EXECUTIVE SESSION - PERSONNEL**

At 10:44 a.m. the President entertained a motion to enter into executive session to discuss a personnel issue. Lois Snyder made and Joe Foster seconded the motion; Roll call: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, yea. Returned to regular session at 11:14 a.m.; no action taken.

**NEW HIRE RECOMMENDATION**

911 Director Sherry Daines submitted the following recommendation:

*Dear Commissioners,*

*With the recent changes in staffing at the Gallia County 911 Center, I have conducted interviews for a part-time employee to supplement the current schedule.*

*It is my recommendation to hire the Zachary Watson as a part-time 911 Operator. His rate of pay will be \$8.50 per hour with a one (1) year probationary period. He will begin training on Sunday, May 20, 2012 upon your approval.*

*Respectfully Submitted,*

*Sherry Daines*  
911 Director

Lois Snyder made and Joe Foster seconded the motion to approve the hire as recommended; Roll call: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, yea.

**DRAINAGE ISSUE – CENTERPOINT RD**

Mr. David Hurd stated the following and wanted it to be on record:

*"Last week I went to County Engineers Office; I did not get in to see him but other people did while I waited in line. Same thing in the Highways Superintendent's office; I waited for an hour nothing happened. I went back to Engineers Office and the Engineer walked out and left. I got a hold of the Assistant Engineer; she told me there will not be a ditch dug there because of the fall out. It is like a conspiracy or lie or whatever you want to call it. I've been waiting on the Engineer to show up and I'm going to confront him. I have proof from the Prosecutor who was sitting there and the Engineer has not called me yet; something has to be done! The Engineer and Roush was out there Tuesday and they are building a "fix all". 5 years ago me and my cousin had a culvert put in and now they are going to enlarge the ditch on my side and try to make me enlarge my culvert which will cost me \$2000. When 4 ½ years ago they could have put in a culvert, so if they don't do it I will do it myself. The word has been put out; there will never be a ditch there as long as certain people live there. It was stated a few years ago "my cousin is the Assistant County Engineer and there will not be a ditch there". When I say they are going to keep from putting a ditch there, believe me there will be a ditch there. There is a natural run off from a big hill and runs on me; there will be a ditch there! The Prosecutor is in on this and I'm going back up stairs and see him when I leave here."*

**11:30 a.m. - Commissioners Montgomery and Snyder left to have lunch with the Abbyshire Place Nursing Home residents and share the Nursing Home Week Proclamation, returning at 1:00 p.m.**

**GUN RANGE INSTALLATION**

The following residents were present to voice their opposition to the proposed gun range installation by Business Owner Jeremiah Brown in their neighborhood of Hemlock Rd: Eric & Cindy Cisco, Autumn Vanaman, Leslie Henry, Jay Brown, Michelle Miller, Melissa Clark, Amber Gillenwater, Chris Marazan and Prosecutor Jeff Adkins.

Eric & Cindy Cisco: Our home is ¼ mile from range and we are concerned about noise and distance, it is shooting in the direction of our home and there is no supervision. There are by-laws but you don't know if they follow the rules. We all have nice homes and would like to keep it that way. It is also 1 ½ mile from the schools. It is not about the business, we are business people ourselves. But not right next to my home; it sounds like a war zone now. What does this do to our property value now? It will be open 8am to 9pm! It has also been said the property used to be dumping land and we had the option to purchase if we wanted it, but no one wanted it because it was waste land. He came back with an offer of \$500,000 to sell. We will take legal action if needed if we can't get any help from the county.

Leslie Henry resident of Hemlock Hills Subdivision: I purchased because of the environment and neighborhood which is quiet, peaceful and beautiful. Under these conditions, I'm not sure I want to stay there. I don't know what my

options are; who will want this property now knowing the gun range is near. I'm concerned with safety issues even though he has followed the ORC for shooting ranges. My home is 400 yards from the range.

Autumn Vanaman: Ms. Vanman noted that she was also representing Jim Thomas Jr. Truss. She advised they were the original owners of the property which they purchased and subdivided. We envisioned a nice quiet subdivision and we feel that Green Valley is an up and coming area and are concerned about property values declining due to the range. We still have 3 lots for sale which probably will not sell now. We are very concerned about a stray bullet hitting a person, child, car, or home. We cannot afford to purchase the property. I have put in a stable and break young horses and also offer trail riding. This is causing a problem with the horses, bucking and running off. I am concerned with the future of my business. Having no supervision, there is no way to enforce the rules. He may have followed the law but a range on top of a hill in a residential area is just not good sense. We are prepared to protect our property, legally if necessary.

Prosecutor advised there are standards ORC 1533.84 & 85 for shooting ranges. I'm not sure if the developer has complied with this or not, you could check with the Division of Wildlife. Commissioner Montgomery stated that the County has a shooting range for law enforcement personnel and we had to meet specifications for safety as well.

Henry: With the county shooting range; is this for hunting type guns? Montgomery advised no, it is for certification of law enforcement personnel. Henry continued - the comment was made that one type of gun the bullet could carry up to 3 miles. We know the County doesn't have zoning, but when one section is trying to grow and another one is taking away, it is not good. Does the county see value in zoning? Montgomery replied; it would depend on what the zoning rules would be.

Mr. Cisco: We were there before this went in and we pay high taxes and the property value is our concern as well. Montgomery advised they could file a challenge on the value of their property taxes which would go before the Board of Revisions. They will listen to your concerns and make a decision.

Mr. Cisco - How do we get zoning? The Prosecutor stated he believes the township does this and things that were currently there would be grandfathered under zoning.

Brown - They had an ODNR guy check this out, the back walls are higher than they need to be, gates were moved back as recommended. This looks like it will be an ongoing battle. There has been shooting in the area recently but was NOT from the range. Everyone needs to get together and make him a reasonable offer so he doesn't lose any money on this.

Ms. Cisco - we suggested this and he said he would see and he came back with \$500,000. This is not reasonable; it is not fair to us. We felt like with an offer of this kind, he was trying to take advantage.

Brown - Jeremiah has more in this property than what you may think, it is seeded, there is three carport buildings, excavation, gravel etc; but felt the neighboring owners should still take the opportunity to attempt negotiations.

Vanaman - there is talk of purchasing this as an LLC; but without any soil sampling, we may be stuck with this property.

Commissioner Montgomery closed the session by stating their concerns were understood however, this would be more of a civil issue. Maybe there is room for negotiations to work this out, we encourage you to set down as a small group in a calm atmosphere and work something out.

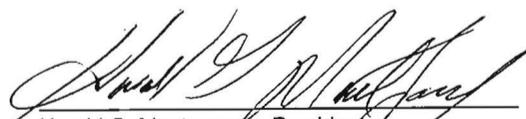
#### ATTORNEY GENERAL DEMO PROGRAM

City Manager Randy Finney met to discuss the Moving Ohio Forward Grant- Attorney General's Residential Demolition Program that allows additional demolition in the county as previously discussed this morning. He advised the City would they be willing to utilize this funding within the City of Gallipolis if no other Townships or Villages were interested. Commissioners wanted to assure that this will still encompass the county and should we find something you would be able to administer this through the paperwork; Finney was in agreement. He also stated that if lead and asbestos abatement must be done it becomes more costly and could run up to \$15,000 per structure, otherwise \$3,000-\$6,000.

Joe Foster made and Lois Snyder seconded the motion to designate the city as the lead applicant on the Moving Ohio Forward Grant program with the understanding that any county submittals would be included. Roll call: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, yea.

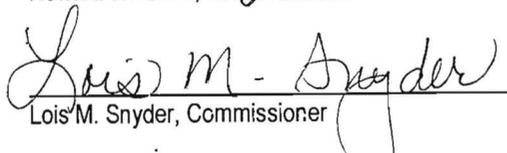
#### ADJOURN

At 3:45 p.m. President Montgomery entertained a motion for adjournment. Joe Foster made and Harold Montgomery seconded the motion; Roll call: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, yea.

  
Harold G. Montgomery, President

  
Terry Hemby, Clerk

  
Howard J. Foster, Vice President

  
Lois M. Snyder, Commissioner