

**JULY 26, 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 **July 19, 2012** minutes. Joe Foster made and Lois Snyder seconded the motion; Roll call: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, yea.

President Montgomery entertained a motion for approval of the **July 24, 2012 Special Meeting** minutes. Lois Snyder made and Joe Foster seconded the motion; Roll call: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, yea.

TRAVEL REQUESTS				
DEPARTMENT	NAME	DATE	TO	RE:
DJFS	Belinda Jones Malena Phillips Lynda Smith	9/26	Columbus	CSEA Training Enf Medical
	Brenda Myers Malena Phillips	9/12		CSEA Training Paternity

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

**Animal Shelter Canine Weekly Report**

Week Ending	Came in	Adopted	Reclaimed	Euthanized	Rescued	MIA	Died (Natural Causes)	Destroyed (in field)	To Foster Care	Back from Foster	Foster Care Total	Total Out	Shelter Total
7/9	19	5	3	0	2	0	0	0	0	0	34	10	20
7/16	49	2	1	4	40	1	1	0	2	0	36	49	18

**ISSUE 1 ROUND 27 MEETING**

The County Administrator presented the Commission with a letter for approval and signing to be sent to township & village elected officials, city manager and county engineer as notification of the upcoming Issue I Round 27 public meeting to be held Tuesday, August 7, 2012 at 7pm in the courthouse second floor meeting room. Joe Foster made and Lois Snyder seconded the motion; to approve and sign the letter as presented. Roll call votes: Harold Montgomery, yea; Joe Foster, yea; Lois Snyder, yea.

**FAA AIRPORT GRANT – CARRYOVER ENTITLEMENTS LETTER**

The County Administrator presented the Commission with a letter to the FAA to carryover any unexpended grant funds. Lois Snyder made and Joe Foster seconded the motion; roll call: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, yea.

Ms. Irene Porter, Program Manager  
FAA – Detroit Airports District Office  
11677 S. Wayne Rd. #107  
Detroit, MI 48174

RE: Gallia-Meigs Regional Airport (GAS); Gallipolis, Ohio  
Carryover of AIP grant funds

Dear Ms. Porter,

The Gallia County Commissioners request that the FAA carry-over all remaining entitlements until next year, FY2013. It is also understood, that once the funds are carried over to FY2013, they will not be available until the FY2013 funds become available.

Should you have any questions, please feel free to contact us at any time.

Yours truly,  
s/ Harold G. Montgomery  
President

**AIR CONDITIONER REPLACEMENT**

The President entertained a motion to approve proposal below from Burnett's Heating & Cooling to replace the A/C unit servicing the Engineer's Office that was damaged during the 6/29/12 storm event.

- Remove existing 3-Ton A.C. equipment/reclaim R-22 freon.
- Install one Trane brand Three ton air conditioner with new A-coil over existing indoor furnace, line-set and controls.
- New system will use R-410 A Freon.
- Equipment available on 7/25/12
- We propose hereby to furnish material and labor – complete in accordance with above specifications, for sum of Three Thousand Five Hundred Eighty dollars. (\$3,580.00)

s/ John G. Burnett

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

**CONTRACTS APPROVED**

Engineer Brett Boothe submitted the following contracts for approval as was awarded 7/19/2012:

The Shelly Company	\$ 974,740.25
Scioto Valley Precast	\$ 26,974.00

The President entertained a motion to approve contracts as recommended by the Engineer. Lois Snyder made and Joe Foster seconded the motion; roll call: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, yea.

**SENATOR BOB PETERSON**

Senator Bob Peterson dropped in to discuss relevant local and state issues.

**HEALTH DEPARTMENT LEVY RESOLUTION 1**

County Sanitarian Barb Bradley presented the following resolution for the replacement of an existing levy and the Gallia County General Health District is requesting approval:

RESOLUTION  
O.R.C. 5705.03(B)

*The Board of County Commissioners of Gallia County, Ohio, met in regular session on the 26<sup>th</sup> day of July, 2012, and the following members were present: Harold G. Montgomery, Howard J. Foster and Lois M. Snyder.*

*Ms. Snyder moves the adoption of the following Resolution:*

*WHEREAS, the amount of taxes which may be raised within the ten-mill limitation will be insufficient to provide an adequate amount for the necessary expenses of the Gallia County General Health District, Gallia County, Ohio, and*

*WHEREAS, the Board of the County Commissioners of Gallia County, Ohio, requests certification from the Auditor of Gallia County, Ohio pursuant to Section 5705.03(B) of the Ohio Revised Code, therefore, be it*

*RESOLVED, by the Board of County Commissioners of Gallia County, Ohio, two-thirds of all members elected thereto concurring, that it is necessary to levy a tax in excess of the ten mill limitation for the benefit of the Gallia County General Health District, for the sole purpose of providing for the expenses of said Health District.*

*And pursuant to Ohio Revised Code Section 5705.03(B), the Board of County Commissioners of Gallia County, Ohio, hereby request the Auditor of Gallia County, Ohio to certify to the Board of County Commissioners of Gallia County, Ohio the total tax valuation of Gallia County that would be generated by (.5) mill, based upon the following:*

*Said levy is a replacement of an existing (.5), for each one hundred dollars of valuation, and which amounts to five cents (\$.05) for each one hundred dollars of valuation, which levy is a replacement of an existing levy of (.5) mill as authorized by Section 5705.25 of the Ohio Revised Code.*

*RESOLVED that the Administrator of this Board of County Commissioners of Gallia County, Ohio, be and she hereby is directed to certify a copy of this Resolution to the Auditor of Gallia County, Ohio.*

*Mr. Foster seconded the motion and roll call being called upon its adoption the vote resulted in as follows:*

Montgomery	Yea
Foster	Yea
Snyder	Yea

*Adopted this 26<sup>th</sup> day of July, 2012.*

*s/ Karen Sprague, County Administrator*

BOARD OF COUNTY COMMISSIONERS OF GALLIA COUNTY, OHIO

*Harold G. Montgomery, President*

*Howard J. Foster, Vice President*

*Lois M. Snyder, Commissioner*

STATE OF OHIO, COUNTY OF GALLIA, SS:

*I, Karen Sprague, Administrator of the Board of County Commissioners of Gallia County, Ohio, do hereby certify that the foregoing is taken and copied from the record of the proceeding of said Board of County Commissioners; that the same has been compared by me with the Resolution on said records and that it is a true and correct copy thereof.*

*WITNESS my signature, this 26<sup>th</sup> day of July, 2012.*

*s/ Karen Sprague, County Administrator*

**PROPOSED TAX LEVY  
GALLIA COUNTY GENERAL HEALTH DISTRICT  
A Majority Affirmative Vote is Necessary for Passage.**

*A replacement of a tax in excess of the ten-mill limitation for the Gallia County General Health District, commonly known as the Gallia County Health Department, for the purpose of MAKING UP ANY DEFICIENCY OF FUNDS IN ORDER TO PROVIDE THE BOARD OF HEALTH OF THE GALLIA COUNTY GENERAL HEALTH DISTRICT, COMMONLY KNOWN AS THE GALLIA COUNTY HEALTH DEPARTMENT, WITH SUFFICIENT FUNDS TO MEET THE EXPENSES OF SAID HEALTH DISTRICT, said tax being a replacement of five-tenths (.5) mill for each one dollar (\$1.00) of valuation, which amounts to five cents (\$.05) for each one hundred dollars of valuation, for a period of ten (10) years commencing in 2012 first due in calendar Year 2013.*

**FOR THE TAX LEVY  
AGAINST THE TAX LEVY**

**9:45 a.m. – Commissioners traveled to Holzer Medical Center to attend the CROSSCHX Press Conference returning to the office at 11:00 a.m.**

**EXECUTIVE SESSION - DJFS**

At 11:05 a.m. the President entertained a motion to enter into executive session with JFS Director Dana Glassburn to discuss contracts. Joe Foster made and Lois Snyder seconded the motion; Roll call: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, yea. Returned to regular session at 11:35 a.m.; no action taken.

**VEHICLE TRANSFER**

Sheriff Browning and Chief of Rio Grande Police Dan Day were present for the following vehicle transfer:

July 18, 2012

Dear Honorable Members of the Board,

Please consider this request to allow the Village of Rio Grande to purchase a 2005 For Crown Victoria that is no longer used by the Gallia County Sheriff's Office for \$1 for use by the Rio Grande Police Department. The vehicle ID number is 2FAHP71W55X137315.

Respectfully,  
*s/ Joe Browning, Sheriff*

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

**SHERIFF BUDGET UPDATE**

Sheriff Joe Browning and Administrative Assistant Heather Casto distributed financial information and reviewed the documents with the Commission updating them on the status of the department. Future expenses and projections were discussed.

**EXECUTIVE SESSION - SHERIFF**

At 11:56 a.m. the President entertained a motion to enter into executive session with Sheriff Browning, Administrative Assistant Heather Casto and Chief Deputy Richard Grau 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 12:15 p.m.; no action taken.

**HEALTH DEPARTMENT LEVY RESOLUTION 2**

Commissioners received from the county auditor certification of the total current tax valuation of the subdivision, and the number of mills required to generate a specified amount of revenue, or the dollar amount of revenue that would be generated by a specified number of mills and the County Sanitarian Barb Bradley, presented the following resolution for the replacement of an existing levy and the Gallia County General Health District:

RESOLUTION

WHEREAS, the Gallia County General Health District, commonly known as the Gallia County Health Department is a union created pursuant to Section 3709.07 of the Ohio Revised Code, of the previous general health district of the County of Gallia.

WHEREAS, the estimated amount of money necessary to meet the expenses of the Gallia County General Health District, also known as the Gallia County Health Department, will not be forthcoming to the Board of Health of said district, out of the District Health fund because the taxes within the ten mill limitation will be insufficient therefore;

WHEREAS, the Board of County Commissioners of Gallia County, Ohio by virtue of Section 3709.07 of the Ohio Revised Code, is ordained as a special taxing authority for purposes of said section only, in proposing a special health levy outside of the ten mill limitation;

WHEREAS, a levy outside of the ten mill limitation, at a rate not exceeding five-tenths (.5) of one mill, being a replacement of an existing levy, for a period of at least ten years within the ten mill limit, to make up any deficiency of funds in order to provide the Board of Health of the Gallia County General Health District, commonly known as the Gallia County Health Department, with sufficient funds to meet the expenses of said Health District, therefore be it,

RESOLVED, that the Board of County Commissioners have the within resolution filed with the Board of Elections of Gallia County, Ohio, and placed on the ballot of the coming election replacement of a five-tenths (.5) existing levy, which amounts to five cents for each one hundred dollars of valuation for a period of ten (10) years for the operation of the Gallia County Health District, commonly known as the Gallia County Health Department. Said election to be held on the date of the general election on the 6th day of November, 2012.

RESOLVED, that said levy be placed upon the tax list of the current year after the election, if a majority of the electors voting thereon vote in favor thereof in the general election; and be it further;

RESOLVED, that the Administrator of this Board of County Commissioners of Gallia County, Ohio, be and she is hereby directed to certify a copy of this Resolution to the Board of Elections, Gallia County, Ohio and notify said Board of Elections to cause notice of election of the question of levying said tax to be given as required by law.

Mr. Foster moves for the adoption of the following resolution; Ms. Snyder seconded the Motion and the roll being called upon its adoption the vote resulted as follows:

Harold Montgomery	Yea	
Howard Foster		Yea
Lois Snyder		Yea

Adopted this 26th day of July, 2012.

*s/ Karen Sprague, County Administrator*

STATE OF OHIO, COUNTY OF GALLIA, SS:

I, Karen Sprague, Administrator of the Board of County Commissioners of Gallia County, Ohio, do hereby certify that the foregoing is taken and copies from the record of the proceeding of said Board; that the same has been compared by me with the Resolution on said record and that it is a true and correct copy thereof.

WITNESS my signature, this 26th day of July, 2012. *s/ Karen Sprague, County Administrator*

**EXECUTIVE SESSION – CONTRACT**

At 1:31 p.m. the President entertained a motion to enter into executive session with City Manager Randy Finney, DJFS Director Dana Glassburn and Prosecutor Jeff Adkins to discuss a contract. Lois Snyder made and Harold Montgomery

seconded the motion; Roll call: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, yea. Returned to regular session at 1:46 p.m.; no action taken.

**EXECUTIVE SESSION**

At 1:52 p.m. the President entertained a motion to enter into executive session with Prosecutor Jeff Adkins, DJFS Dana Glassburn, Olive Street LLC representatives Steve and Shana Chapman to discuss a legal/contracts 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 2:16 p.m.; no action taken.

**AMENDED PURCHASE AGREEMENT - JFS PROPERTY**

Prosecutor Jeff Adkins and Olive Street LLC representatives Steve & Shana Chapman presented the Commissioners with an amended purchase agreement for the JFS Property at 848 Third Avenue in Gallipolis:

**AMENDED PURCHASE AGREEMENT**

(A) The Olive Street Group, LLC hereby offers to sell and gift to the Gallia County Board of Commissioners who desire to purchase the buildings and improvements situated upon the following described real estate attached as Exhibit "A". Seller desires to gift to buyer the land and surface upon which the buildings and improvements are situated. The described property is located at 848 Third Avenue, and is the current Gallia County Job & Family Services building and surrounding property.

(B) Purchase price.

The purchase price for the buildings and improvements shall be \$739,000.00 and payment shall be made upon receipt of USDA Loan or bank financing. Said sale of property is also contingent upon the completion of the closing of deal whereby Evans Enterprises, Inc. is selling the subject property to Olive Street Group, LLC.

(C) Property, fixtures, and equipment subject to contract.

The property subject to this contract includes the land, all appurtenant rights, privileges, and easements, and all buildings and fixtures in their present condition

(D) Possession.

Seller will deliver possession of the property to buyer immediately upon closing and buyer will take full responsibility of the premises.

(E) Conveyance; evidence of title; survey.

Seller will convey marketable, fee simple title to buyer by general warranty deed, with release of dower if any, free and clear of all liens, encumbrances, conditions, easements, and restrictions, except conditions, easements, and restrictions of record on the date of this offer, and except taxes and assessments which are a lien but not yet due and payable. The deed shall be made out to the Gallia County Board of Commissioners, a political subdivision of the State of Ohio.

(F) Taxes and assessments.

Property taxes and assessments shall be prorated to the date of closing. If any installment of taxes and assessments or any conversion charges which seller is obligated to pay are not paid as of the date of closing, the amounts of the installments and charges with penalties and interest, if any, shall be paid to buyer or credited on the purchase price at buyer's option.

(G) Proration of rents, interest, and insurance; transfer of security deposits.

Adjustments shall be made through the closing date for rents, interest on any mortgage assumed by buyer. Security deposits shall be transferred to buyer.

(H) Payment of utilities and other charges.

Buyer will continue to pay all utilities as current occupants of the facility.

(I) Inspections.

Prior to closing, buyer at its expense may procure inspections and reports in the following areas by qualified, licensed inspectors. In the event any such inspection reveals the necessity for repairs, satisfactory repairs shall be made at seller's expense. If seller fails to make the repairs, buyer has the option to make the repairs at buyer's expense or to rescind the contract.

(J) Insurance; damage or destruction of property.

Until the deed is delivered, seller shall maintain fire and extended coverage insurance on the property in the same amount as maintained by seller at the time of executing this contract. If the improvements on the property are damaged or destroyed prior to delivery of the deed, seller shall promptly notify buyer, and buyer may elect to complete the closing and receive the proceeds of the insurance, to extend the time for closing to permit seller to repair the damage, or to rescind this contract and receive a refund of all money deposited. Buyer's election shall be exercised by written notice to seller given within ten days after receiving notice from seller of the damage or destruction. Buyer's failure to give timely notice constitutes an election to proceed with the closing and receive the proceeds of the insurance.

(K) Seller's warranties.

Seller agrees that the premises be inspected by USDA Rural Development. Seller may at its sole expense agree to meet any modifications required to comply with USDA guidelines. In the event Seller elects not to meet USDA requirements, Seller may rescind the agreement. Seller warrants there is no structural damage.

(L) Buyer's examination of property.

Buyer has examined the property subject to this contract and in making the offer is relying solely on the examination with respect to the condition, character, and size of the land, improvements, and fixtures.

(M) Duration of offer.

This offer shall be open for acceptance until midnight, on the 29<sup>th</sup> day of June, 2012.

(N) Closing.

The transaction shall be closed within 60 days after acceptance of the offer, unless the parties agree in writing to an extension. The closing shall be at a time and place mutually agreeable to the parties.

(O) Miscellaneous.

This contract constitutes the entire agreement between the parties, and there are no oral or written representations which have not been incorporated in the contract. Time is of the essence for all provisions of this contract. All certifications and warranties of seller shall survive the closing.

Buyer acknowledges receipt of a copy of this offer.

WARNING TO BUYER: This is a legally binding contract. If you have any questions about the contract, or about the manner in which you should hold title to the real estate, consult an attorney.

s/ Steven B. Chapman  
**Olive Street Group, LLC, Seller**  
**by Steven B. Chapman, Member**

ACCEPTANCE BY BUYER

The undersigned buyer accepts the foregoing offer according to its terms. The undersigned warrant(s) that the persons signing this acceptance have the authority to bind any such entity.

Buyer hereby acknowledges receipt of a copy of the offer and acceptance.

8/2/2012

Date

s/ Harold G. Montgomery

Harold G. Montgomery, President  
 Gallia County Commissioners

s/ Howard Joe Foster

Howard Joe Foster, Vice-President  
 Gallia County Commissioners

s/ Lois M. Snyder

Lois M. Snyder, Member  
 Gallia County Commissioners

The President entertained a motion to approve and accept the amended purchase agreement. Joe Foster made and Lois Snyder seconded the motion; Roll call: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, yea. Upon the approval of the agreement, President Montgomery presented the warrant for \$739,000 to Mr. Chapman and the deed was delivered to the County by Prosecutor Adkins. All documents were signed, notarized and recorded and are kept on file in the Commissioners Office.

**JFS - OFFICE SPACE LEASE**

The President entertained a motion to approve the following lease agreement:

BOARD OF COUNTY COMMISSIONERS  
GALLIA COUNTY, OHIO

*IN THE MATTER OF LEASE WITH DEPARTMENT OF JOB & FAMILY SERVICES FOR 848 3<sup>rd</sup> AVE FACILITY; Howard J. Foster moved that the following Lease be approved and entered into with the Gallia County Department of Job and Family Services for building and parking facilities located at 848 3<sup>rd</sup> Avenue, Gallipolis, Ohio 45631:*

LEASE AGREEMENT

*THIS AGREEMENT, made this 26<sup>th</sup> day of July, 2012, by and between the Board of Gallia County Commissioners, 18 Locust Street, Gallipolis, Ohio 45631 (sometimes referred to hereinafter as "Landlord") and the Gallia County Department of Job and Family Services, 848 3<sup>rd</sup> Avenue, Gallipolis, Ohio 45631 (sometimes referred to hereinafter as "Tenant").*

*WITNESSETH, that the said Landlord does hereby demise and lease to Tenant and Tenant does hereby lease from Landlord the following described premises:*

*The building and parking facilities located at 848 3<sup>rd</sup> Avenue, Gallipolis, Ohio 45631, known as the Gallia County Department of Job and Family Services (GCDJFS) Building, for the daily use of the Gallia County Department of Job and Family Services. Said premises consisting of a one (1) story structure of approximately 11,760 square feet, and parking areas located at facility which goes from 3<sup>rd</sup> Avenue to 4<sup>th</sup> Avenue, all in Gallipolis, Ohio.*

*This lease shall be subject to the following terms and conditions:*

1. *The term of this Lease Agreement is for a period of one year, effective August 1, 2012 and continuing through July 31, 2013. The Lease Agreement shall automatically renew annually unless otherwise amended, terminated, etc. as permitted within the terms of this agreement.*
2. *The Tenant shall pay Sixty Thousand Dollars and Zero Cents (\$60,000.00) or Five Thousand Dollars and Zero Cents (\$5,000.00) per month for rent of the premises during the first year of this agreement. Lease payment shall fluctuate based on the attached schedule for each year thereafter. The annual lease amounts are determined based on the \$744,000.00 actual purchase price of the building (not including land) located at the address stated above in July 2012, depreciated over the estimated twenty-five (25) year remaining useful life of the structure previously rented by the tenant from a private owner since 1966, (last renovated in 2002) and a maintenance fee, as noted in the attached schedule, to address maintenance costs as described within this agreement. (Refer to attached Lease Transactions table for further breakdown of lease payments). Said lease payments shall be made on or before the 1st day of each State Fiscal Year or month and every month and shall be paid to the Board of Gallia County Commissioners, 18 Locust Street, Gallipolis, Ohio 45631. In addition, said Lease payment shall be prorated based on total square feet of facilities being utilized for the Gallia County Department of Job and Family Services (and their One-Stop partners).*

*Maintenance fees shall be maintained separate from the General Fund. Detailed transaction reports related to the maintenance fee account shall be readily available detailing the amounts paid in and the amounts paid out over the life of the account. Such fees collected can only be used for the facility at 848 3<sup>rd</sup> Avenue Gallipolis, Ohio 45631.*

3. *This Lease Agreement is considered a "Less-Than-Arm's-Length" transaction, as defined by 2 CFR 225, Appendix B, Section 37(b) and (c) and Ohio Administrative Code Section 5101:9-4-11(C), and thus only allowable costs under those provisions are included in this Lease.*
4. *The Lease amount for future years can be adjusted based on any building improvements made the preceding year, as building improvements paid by the Landlord are allowable based on actual costs, depreciated over the useful life of the improvement. In addition, the lease may be adjusted in future years to include any other allowable costs determined to be applicable in a "Less-Than-Arm's-Length" transaction as identified above.*

5. The Tenant shall not assign this Lease, nor sublet the premises, or any part thereof, without the written consent of the Landlord, (excluding One-Stop partners). Landlord reserves the right to lease any unused space of the facility as determined appropriate by the Landlord.
6. The Tenant shall have the full use of all furnishings presently located in the leased premises.
7. The Tenant shall promptly and fully comply with all statutes, ordinances, rules, orders, regulations, and requirements of the federal, state, or local governments relating to their use of the premises. The Tenant shall not use the premises for any purpose which is prohibited by any such law.
8. The Tenant shall be fully responsible for the cleaning of the premises and shall pay for the cost of any cleaning services for the premises.
9. The Tenant shall be responsible for 100% of the cost of utilities for the leased premises. If Landlord leases unused space, Landlord shall include in the lease agreement that utilities shall be reimbursed to Gallia County Department of Job and Family Services at a percentage based on square footage of building or higher. Gallia County Department of Job and Family Services shall be responsible to invoice and collect for utilities used by others in the facility.
10. The Landlord shall maintain in good condition and repair the structural portions of the leased portions of the leased premises and the exterior areas. The structural portions include the roof, foundations, exterior walls, windows, waterlines and pipes, gas supply lines and pipes, heating systems, air conditioning systems, and plumbing systems. The exterior areas include the parking area, water lines and pipes, gas supply lines, and conduit exterior to the building. The Tenant shall at its own cost and expense maintain in good condition the non-structural portions of the leased premises. The Tenant shall be responsible for any minor repairs and routine maintenance to the leased premises, whether structural or non-structural. Maintenance fees are for the sole purpose of all structural and potentially non-structural maintenance/repair expenses greater than five thousand dollars (\$5,000) in any given year, (unless otherwise agreed to by Tenant and Landlord). Maintenance fees may be used by the Landlord for any additional improvements, etc., to the facility located at 848 Third Avenue Gallipolis, Ohio, as deemed necessary by the Landlord.
11. The Tenant may during the term of this lease, make at its own expense, any alterations or improvements which may be necessary or proper to the conduct of the Tenant's operation. Any such alterations or improvements to the leased premises shall be completed in accordance with any applicable laws or ordinances and shall be completed in a workmanlike manner. All alterations or improvements to the leased premises shall constitute permanent fixtures and shall remain on the premises at the conclusion of this lease. If needed, the Maintenance Fee may be used for such alterations/improvements upon mutual agreement between Tenant and Landlord.
12. In the event the premises shall be destroyed or so damaged or injured by fire or other casualty during the life of this agreement, whereby the same shall be rendered untenable, then the landlord shall have the right to render said premises tenantable within six (6) months there-from. If said premises are not rendered tenantable within said time, it shall be optional with either party to this agreement to cancel this Lease. Such cancellation shall be evidenced in writing. The Tenant shall be entitled to an abatement of rent under this agreement during such time as the premises are untenable.
13. The Landlord shall maintain fire and casualty insurance, property liability insurance, and personal property insurance on the leased premises and content. Such cost shall be assessed and charged to the maintenance fees account. Deductibles related to said coverage shall be paid out of the maintenance fee account. The Landlord shall also be responsible for any and all taxes and assessments imposed upon the leased premises, if any.
14. The Tenant shall permit the Landlord and any agent of the Landlord to enter upon the leased premises at all reasonable times to examine the conditions thereof or to make such repairs, alterations, or improvements as are required for the safety, preservation, or maintenance of the premises.
15. Tenant shall leave the premises at the expiration of this lease in as good condition as received, excepting reasonable wear and tear.
16. This Lease Agreement contains the complete expression of the parties' agreement and there are no promises, representations, or inducements except as are herein provided.

IN WITNESS WHEREOF, the parties have executed this Lease Agreement in duplicate, each counterpart to constitute an original, the day and year first referred to hereinabove.

BOARD OF GALLIA COUNTY COMISSIONERS

*s/ Harold G. Montgomery, President* 7/26/12  
*s/ Howard J. Foster, Vice President* 7/26/12  
*s/ Lois M. Snyder, Commissioner* 7/26/12

GALLIA CO. DEPT. OF JOB AND FAMILY SERVICES

*s/ Dana Glassburn, Director* 7/26/12

WITNESSES:

*s/ Karen Sprague, County Administrator* 7/26/12  
*s/ Terry Hamby, Clerk to the Board* 7/26/12

Lois M. Snyder seconded the motion and upon the roll being called, the vote resulted: Mr. Montgomery, Yea – Mr. Foster, Yea – Ms. Snyder, Yea; Motion Carried.

**TITLE IV-D CONTRACT – PROSECUTOR**

Prosecutor Jeff Adkins and DJFS Director submitted the following for approval:

**RESOLUTION**

In the matter concerning the Title IV-D Service Contract between Gallia County Child Support Enforcement Agency (hereinafter referred to as "CSEA") and the Gallia County Prosecutor (hereinafter referred to as "Contractor"). Be it resolved by the Board of County Commissioners of Gallia County, Ohio, to authorize said contract pursuant to Title IV-D of the Social Security Act, section 3125.13 and 3125.14 of the Ohio Revised Code, and rule 5101:12-10-45 and its supplemental rules of the Ohio Administrative Code promulgated by the Ohio Department of Job and Family Services, the CSEA is authorized to enter into said contract with the Contractor for the purchased services on the 1<sup>st</sup> day of July 2012.

As part of this resolution, the following performance standards are hereby established and included as an attachment to said contract:

- Pay rates as reflected in this contract shall not change without renegotiating this contract,
- Staff designated and allocation of cost/time shall not change without renegotiating contract
- Prosecutor agrees to adhere to the County's personnel policy and no more than one year of accumulated vacation shall be carried over from one year to the next

The foregoing resolution was introduced upon a motion by Board member Lois Snyder, and seconded by Board member Howard Foster and the vote taken thereon resulted

In the following:

Votes in favor of the resolution: 3  
Votes opposed to the resolution: 0

Gallia County Commissioners:  
s/ Harold G. Montgomery, President  
s/ Howard J. Foster, Vice President  
s/ Lois M. Snyder, Commissioner

This resolution adopted by the Gallia County, Ohio, Board of County Commissioners on the 26<sup>th</sup> day of July, 2012.  
Attest: s/ Terry Hemby, Clerk to the Board

**MERCERVILLE SEWER – OEPA LOAN FINAL EXHIBIT 1**

The President entertained a motion to approve and sign the Mercerville Sewer – OEPA Loan #5485 Final Exhibit 1. The report reflects Gallia County expended \$450,000 of the \$450,000 principal forgiveness loan and \$116,195.90 of the \$119,778.85 loan. Lois Snyder made and Joe Foster seconded the motion; roll call: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, yea.

**AGRICULTURAL SOCIETY FUNDING REQUEST**

Commissioners were in receipt of the following request:

7/20/12

*We, the Board of Directors of the Gallia County Agricultural Society, would like to request \$10,000 for financial assistance to the fairgrounds. We appreciate your past support and would greatly appreciate any consideration you can give us.*

*Thank you for your support of the Gallia County Junior Fair and the youth of Gallia County.*  
s/ Tim Massie, Secretary

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

**TRANSPORTATION IMPROVEMENT DISTRICT RESOLUTION**

The President entertained a motion to approve the following resolution:

Resolution  
Appointing Members of Transportation Improvement District  
In Gallia County, Ohio

Whereas, The Gallia County Board of Commissioners wishes to appoint members to the Transportation Improvement District, and

Whereas, a Transportation Improvement District will allow for the cooperative County-wide coalition of political subdivisions to participate in the benefits made available only through a Transportation Improvement District.

Now Therefore Be It Resolved, that the Gallia County Board of Commissioners hereby appoints the following members to the Gallia County Transportation Improvement District:

- Gallia County Commissioner Harold G. Montgomery
- Gallia County Engineer Brett A Boothe
- Gallia County Economic Development Director Melissa Clark
- Gallia County Township Trustee Association President James Allen
- Gallipolis City Manager Randy Finney

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

Adopted this 26<sup>th</sup> day of July 2012.

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

I certify that this is a true and accurate copy of the Resolution adopted on the 26<sup>th</sup> day of July, 2012.  
s/ Terry Hemby, Clerk of the Board of Commissioners

**APPOINTMENT OF TRANSPORTATION IMPROVEMENT DISTRICT MEMBERS**

The President entertained a motion to approve the following resolution:

RESOLUTION  
CREATING A TRANSPORTATION IMPROVEMENT DISTRICT IN GALLIA COUNTY, OH

WHEREAS, The Gallia County Board of Commissioners wishes to form a Transportation Improvement District, and

WHEREAS, Ohio Revised Code Section 5540 provides authority to the County Board of Commissioners to establish Transportation Improvement District, and

WHEREAS, a Transportation Improvement District will allow for the cooperative County-wide coalition of political subdivisions to participate in the benefits made available only through a Transportation Improvement District.

NOW THEREFORE BE IT RESOLVED, that the Gallia County Board of Commissioners establish the Gallia County Transportation Improvement District in accordance with Ohio Revised Code Section 5540, and

BE IT FURTHER RESOLVED, that the Gallia C county Transportation Improvement District be governed in accordance with Ohio Revised Code Section 5540.02 (C) (2).

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

Adopted this 26<sup>th</sup> day of July 2012.

*Harold G. Montgomery, President*

*Howard J. Foster, Vice President*

*Lois M. Snyder, Commissioner*

I certify that this is a true and accurate copy of the Resolution adopted on the 26<sup>th</sup> day of July, 2012.

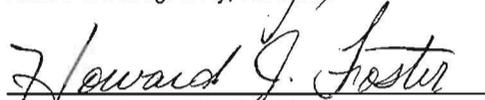
*sl Terry Hemby, Clerk of the Board of Commissioners*

**ADJOURN**

At 4:10 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.

  
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Harold G. Montgomery, President

  
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Terry Hemby, Clerk

  
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Howard J. Foster, Vice President

  
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Lois M. Snyder, Commissioner