

SEPTEMBER 20, 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 9:15 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 September 13, 2012 minutes. Joe Foster made and Lois Snyder seconded the motion.. Roll call: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, yea.

TRAVEL REQUESTS				
DEPARTMENT	NAME	DATE	TO	RE:
Commissioners	Harold Montgomery	9/27	Wellston	GJVM Policy Mtg
	Harold Montgomery Joe Foster Lois Snyder	9/27	Vinton Co	OVRDC Banquet
	Karen Sprague	10/2-10/3	Gahanna	FY 2013 ODOD Advisory Committee Meetings
	Harold Montgomery	9/26	Piketon	OVRDC meeting
Auditor	Jim Clark	10/2-10/4	Columbus	IAS User Group Conference

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	Shelt Tota
9/17	16	9	1	0	7	0	0	0	2	3	51	17	50

ANIMAL SHELTER FEES

Dog Warden Paul Simmers submitted an updated fee schedule for consideration. Fee schedule is under review and action tabled at this time.

RESOURCE OFFICER AGREEMENT

President Montgomery entertained a motion to approve the Sheriff's Resource Officer Agreement with Gallipolis City School District. Lois Snyder made and Joe Foster seconded the motion. Roll call: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, yea.

CONSULTANT AGREEMENT

This Agreement is entered into on August 15, 2012 by and between the Gallipolis City School District Board of Education ("Board") and Gallia County Sheriff's Office (Consultant"), an independent contractor, for the provision of services by the Consultant to the Board.

I. SERVICES TO BE PROVIDED BY THE CONSULTANT

The Consultant shall provide the following services:

The Service of 8 hour Student Resource Officer for the 2012-2013 school year (182 days).

The Consultant shall exercise independent professional judgment at all time and shall determine the manner by which the described services are to be rendered. Services shall be provided in accordance with all applicable laws, rules and regulations, including policies and regulations of the Board. The Consultant shall maintain strict confidentiality with respect to all services rendered. Notwithstanding the Consultant's status as an independent contractor, the Board has the right to monitor the Consultant's performance in order to ensure a high level of quality in the services provided and in the relationship between the Consultant and the recipient(s) of services or others with whom the Consultant interacts in performing this Agreement.

II. FEES

The Board shall pay the Consultant for 182 days for the 2012-2013 school year with the total amount of fees payable to the Consultant during the term of this Agreement not exceeding \$20,000.00. The Consultant shall provide documentation of services as required by the Board, and payment shall be made within thirty (30) days of receipt of documentation.

III. FREQUENCY OF SERVICES [Select Option]

_____ The Consultant shall provide the described services on an as-needed basis upon request of the Board's superintendent, who shall have the sole discretion to determine the quantity of services, if any, to be provided by the Consultant under this Agreement; use of the Consultant shall not create any expectation regarding further use, and the Board shall have no continuing obligation to utilize the services of the Consultant during the term of this Agreement or thereafter.

OR

X _____ The Consultant shall provide the following quantity of services during the term of this Agreement.

IV. TERM

This Agreement shall be in effect from August 22, 2012 through May 31, 2013 unless earlier terminated by the Board. The Board may terminate this Agreement at any time by giving notice to the Consultant at the address contained herein if the Board determines, in its sole discretion exercised in good faith, that the Consultant has violated any applicable law, rule, regulation, or policy; failed to perform any duty or warranty under this Agreement; or made a misrepresentation which materially affects the level or quality of services; or if the Board is otherwise dissatisfied with the Consultant's performance.

V. RELATIONSHIP OF THE PARTIES

The consultant is an independent contractor and may not hold himself/herself out to individuals receiving services or to others as the employee or agent of the Board. The Consultant is not required to perform services exclusively for the Board and may perform the same or similar services for others. The Consultant is responsible for all expenses incurred in rendering services

under this Agreement, and the Consultant agrees to hold the Board harmless from any such expenses. At his or her sole cost, the Consultant shall maintain all licenses/certifications required by law, shall secure professional liability insurance and any other insurance required by law, and shall pay all taxes and/or fees required by law. The Consultant shall indemnify and hold the Board harmless from and against any claim asserted by, or any liability to, any person on account of injury, death, or damage to property arising out of the Consultant's acts or omissions in the performance of the Agreement. Any services provided by the Consultant pursuant to this Agreement are in the nature of personal services and may not be subcontracted or assigned without the prior written consent of the Board.

VI. MISCELLANEOUS PROVISIONS

This Agreement creates no third party beneficiaries. This document sets forth the entire agreement of the parties and supersedes all prior agreements or contracts, whether oral or written between the parties.

CONSULTANT
GALLIA COUNTY SHERIFF'S OFFICE
18 Locust Street
Gallipolis, OH 45631

s/ Sheriff *Joseph R. Browning*

s/ Prosecutor *C. Jeffrey Adkins*

s/ *Harold G. Montgomery*, President

s/ *Howard Joe Foster*, Vice-President

s/ *Lois Snyder*, Member

BOARD OF EDUCATION

President

Superintendent

Treasurer

Supervisor

CASTO TECHNICAL SERVICES AGREEMENT

The current agreement with Casto Technical Services expires on 9/30/2012. The current agreement price is \$4,872 per year, payable at a rate of \$1,218 per quarter. The 2012-2013 renewal agreement will be \$5,067 per year, payable at a rate of \$1,266.75 per quarter. Joe Foster made and Lois Snyder seconded the motion. Roll call: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, yea.

HOUSING SEMI-ANNUAL PROGRAM INCOME REPORT FY 2012 CDBG CHIP/HOME GRANTS (B-C-11-1AY-1 & B-C-11-1AY-2)

The County Administrator presented the Commission with the Housing Semi-Annual Program Income Report for the period December 31, 2011 thru June 30, 2012 for the County's CHIP/HOME Grants Program Income, which must be submitted to the Ohio Department of Development. Harold Montgomery entertained a motion that the Program Income Report be approved and signed as presented. Lois Snyder made and Joe Foster seconded the motion. Upon roll call votes were as follows: Harold Montgomery, yea; Joe Foster, yea; Lois Snyder, yea. The form is on file in the County's CDBG grant files.

GREEN SEWER – DRAW # 51

The County Administrator presented the Commission with Draw # 51 for the Green Sewer Project for the following items:

- Stantec Inv. # 617534 - \$1,953.50
- Total = \$1,953.50

The President entertained a motion to approve draw resolution # 51 as submitted. Lois Snyder made and Joe Foster seconded the motion. Roll call: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, yea.

GMCAA –CORPORATE OFFICERS CERTIFICATE

The County Administrator presented the Commission with Gallia Meigs Community Action Agency's Corporate Officers Certificate for approval and signing by GMCAA Vice-President Joe Foster and Treasurer Lois Snyder.

LETTER OF SUPPORT – GALLIPOLIS TOWNSHIP KANAUGA PAVING PROJECT

The County Administrator presented the Commission with a draft letter of support for Gallipolis Township's Kanauga Paving Project application to reflect the county's CDBG formula grant funding for this project totaling \$32,700. President Montgomery entertained a motion to approve and sign the letter as submitted. Joe Foster made and Lois Snyder seconded the motion. Roll call votes: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, yea.

ENGINEER – ISSUE I AUTHORIZING LEGISLATION

The President entertained a motion to approve the following resolution for the County Engineer's Issue I Round 27 grant application. Joe Foster made and Lois Snyder seconded the motion. Roll call votes: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, yea.

A RESOLUTION AUTHORIZING BRETT A. BOOTHE, GALLIA COUNTY ENGINEER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure, and

WHEREAS, the County of Gallia is planning to make capital improvements to the Gallia County Road Improvement Project, and

WHEREAS, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the OPWC programs,

NOW THEREFORE, BE IT RESOLVED by Gallia County:

Section 1: The Gallia County Engineer is hereby authorized to apply to the OPWC for funds as described above.

Section 2: The Gallia County Engineer is further authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

Passed: 9/20/2012

s/ *Harold G. Montgomery*, Pres.

s/ *Howard Joe Foster*, Vice-Pres.

s/ *Lois M. Snyder*, Commissioner

911 AGENCY UPDATE

911 Director Sherry Daines and Deputy Director Keith Wilson met with the Commission for an update. 911 has an upcoming training 10/15 – 10/25 for new employees or potential new employees. FCC license update by Keith Wilson & Tim Miller. Both 911 and EMA departments are going well. EMA will have enough grant funding for 32 mobile and 53 handhelds and they will be distributed amongst the fire departments so that all will have necessary radios to meet the new narrow band deadline of 1/1/2013. Wilson explained that it still uses the same frequency as before just narrows it down and since Gallia County has so many towers there should not be any problems. Also, plan to put it into operation around Thanksgiving before the deadline to comply so they have time to deal with any problems.

The President noted it was a relief on the EMA side to be able to get the grants in compliance; also noting much appreciation to Commissioner Snyder for working diligently with Daines to get the EMA grants in compliance and working with the recent FEMA agency for the wind storm.

EXECUTIVE SESSION - DJFS

At 10:00 a.m. the President entertained a motion to enter into executive session with DJFS Director Dana Glassburn to discuss a personnel issue discuss the appointment and employment of a public employee and to discuss the contract terms of the MOU between the Gallia County Department of Job and Family Services and the Gallia County Department of Economic Development. 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 10:48 a.m.; no action taken.

TEMPORARY NEG POSITION ADDED/UPDATED POSITION DESIGNATION

Director Glassburn recommended motions as follows:

- Add Training Supervisor position to the Non-Bargaining Unit Pay Range 30 as a temporary National Emergency Grant (NEG) position. Lois Snyder made and Joe Foster seconded the motion. Roll call: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, yea.
- The intent of this motion is to update "DJFS Position Vacancies Filled" motion dated December 1, 2011 where Position 21001.0 and 21003.0 were filled by Tandy Rose and Amanda Elkins as part time employees. This update would change the "part time" designation to "full time", increasing work hours from an average of 30 per week to 40 per week, starting the first day of the next pay period, which is September 23, 2012. Such change is not retroactive nor does it change the job position but it will allow Ms. Rose and Ms. Elkins to become eligible for full time benefits and all other rights as a full time bargaining unit employee starting September 23, 2012. After discussion with the Union, the union concurred with this action as evidenced by a letter dated September 7, 2012 from Mr. Ernie Meadows, Chief Union Steward, Communications Workers of America, which states "It is the Union's contention and belief, that changing the two part-time IM3 positions to full time does not create a vacancy and therefore does not require posting of the position." Lois Snyder made and Harold Montgomery seconded the motion. Roll call: Mr. Montgomery, yea; Ms. Snyder, yea; Joe Foster, abstained.

NEG WIND GRANT ANNOUNCEMENT

DJFS Director Dana Glassburn recommended the following motion:
 The U.S. Department of Labor has announced a \$21,438,000 National Emergency Grant (NEG) to assist with clean-up and recovery efforts in the wake of severe storms and straight-line winds that occurred in Ohio between June 29 and July 2. Gallia County was one of 37 counties included within the grant as a result of the application submitted by Gallia County Department of Job and Family Services to the Ohio Department of Job and Family Services. The Wind Storm NEG will be similar to the Flood Storm NEG operations. In that, GCDJFS will perform the administrative functions of the grant and Gallia County Department of Economic Development Department (GCDED) will perform the Program Management duties. In that, the current Memorandum of Understanding (MOU) between the GCDJFS and GCDED reflects an agreement that began September 6, 2011 and shall expire upon the completion of the National Emergency Grant "NEG" which is expected to be twelve (12) months from that date unless otherwise terminated or extended. With the MOU being for a NEG and both the Flood Storm and Wind Storm projects being NEG's, is understood that both grants would fall under the same MOU. However, to eliminate any misunderstanding, it is recommended that clarification be approved in the minute record to state the current MOU will be used for all NEG's through the end of the projects, including extensions, unless otherwise amended or terminated. Joe Foster made and Lois Snyder seconded the motion. Roll call: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, yea.

EXECUTIVE SESSION - PERSONNEL

At 10:54 a.m. the President entertained a motion to enter into executive session with Labor Relations Attorney Mark Lucas to discuss a personnel issue and contract arbitration. 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 11:45 a.m.; no action taken.

GREEN SEWER – ISSUE I RESOLUTION

President Montgomery entertained a motion to approve the Green Sewer application Issue I resolution. Joe Foster made and Lois Snyder seconded the motion. Roll call: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, yea.

WHEREAS, the Gallia County Commissioners, Ohio, finds it necessary to install Sanitary Sewer in Green Township and WHEREUPON, said Commission finds it necessary to apply for Round 27 State Capital Improvements Program funds; NOW THEREFORE, BE IT RESOLVED, by the Gallia County Commissioners that it does hereby support the Green Township Sanitary Sewer Improvements Project and does hereby authorize the President of the Gallia County Commission to sign the application and execute the necessary contracts for State Capital Improvement Program funds being submitted to District 15.

Passed this 20th day of September, 2012.
 ATTEST: *sl Karen Sprague, County Administrator*
 Approved this 29th day of September, 2012.
sl Harold G. Montgomery, President

RESOLUTION – HSTS TENTATIVE BID AWARDS

County Administrator Karen Sprague presented the Commission with the results of the informal bid process performed by Gallia Meigs Community Action Agency and Gallia County Health Department for the Household Sewage Treatment System (HSTS) Projects as follows:

- Bid notices were sent by GMCAA on 8/20/2012 to all registered contractors on the Gallia County Health Department approved list.
- Bid Packets were distributed to 7 local registered contractors
- Sealed bids were due by 2 pm on 9/4/2012
- Three local registered contractors submitted sealed bids as follows:

HSTS Bid Tabulations Sheet	
Bid Packet No. 1	Residences:
	Sabrina Pendleton - 6656 State Route 325 N, Vinton, Ohio 45686
	Cloyd Ferrell - 4569 Clark Chapel Road, Bidwell, Ohio 45614
Ron Evans Enterprises	\$15,300.00
Waugh Excavating	\$16,274.00
Alderman Excavating	\$19,000.00
Bid Packet No. 2	Residences:
	Rebecca McDowell - 27 Kokeen Road, Oak Hill, Ohio 45656
	Marjorie Green - 1253 Sugar Creek Road, Crown City, Ohio 45623
	Anna Perroud - 7739 State Route 588, Bidwell, Ohio 45614
Ron Evans Enterprises	\$23,425.00
Waugh Excavating	\$24,669.40
Alderman Excavating	\$40,000.00

A letter of recommendation was received dated 9/12/2012 from Gallia Meigs Community Action Agency and the Gallia County Health Department recommending award of both bid proposals to Ron Evans Enterprises LLC. Based on the recommendation from GMCAA & Health Department, I recommend the County Commissioners tentatively award the contracts, contingent upon receiving WPCLF funding, for bid packet no. 1 & 2 to Ron Evans Enterprises LLC as the lowest and best bids of \$15,300 and \$23,425. Harold Montgomery entertained a motion to award both bids to Ron Evans Enterprises LLC. Lois Snyder made and Joe Foster seconded the motion. Roll call votes: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, yea. Ms. Sprague noted that based on income limitations 4 of these projects will be paid for 100% by the grant and the 5th will be paid for 85% by the grant and 15% by the property owner. A notification letter will be sent to each property owner by the Commissioners Office.

KANAUGA ADDISON SEWER SETTLEMENT AGREEMENT

President Montgomery entertained a motion to approve the following resolution with regard to a settlement agreement with the bonding company for the Kanauga Addison Sewer Project. Lois Snyder made and Joe Foster seconded the motion. Roll call votes: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, yea. Settlement is on file in the Commissioners Office.

The Board agrees to accept an offer of \$3.5 million from Fidelity and Deposit Company of Maryland, the surety for Trimat Construction, to settle the Board's claims against Fidelity and Deposit Company of Maryland in connection with the Kanauga/Addison Sanitary Sewer Improvements project, pursuant to terms to be negotiated by legal counsel.

DEVELOPMENTAL DISABILITIES LEASE AGREEMENT

President Montgomery entertained a motion to approve and sign the following request to renew the lease of the Gallico Facility with the State of Ohio. Lois Snyder made and Joe Foster seconded the motion. Roll call: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, yea.

*Ohio Department of Administrative Services
4200 Surface Road
Columbus, Ohio 43228-1395*

RE: Lease of Building 6.042 located at 2500 Ohio Avenue, Gallipolis, Ohio 45631-1699

Dear Sirs:

Please accept this letter as the Gallia County Board of Commissioners written notice requesting renewal of the lease for Building 6.042 located at 2500 Ohio Avenue, Gallipolis, Ohio 45631-1699 for a second continuous two year term beginning 11/1/2012 to 10/31/2014. Should you need anything further in this regard please let us know.

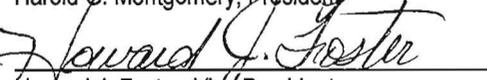
*Respectfully submitted,
s/ Harold G. Montgomery, President*

ADJOURN

At 2:30 p.m. President Montgomery entertained a motion for adjournment. Joe Foster made and Lois Snyder seconded the motion. Roll call: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, yea.


Harold G. Montgomery, President


Karen Sprague, County Administrator


Howard J. Foster, Vice President


Lois M. Snyder, Commissioner