

MAY 21, 2015

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 Brent Saunders. Roll Call: President Brent Saunders, present; Vice President Harold G. Montgomery, present; Commissioner David K. Smith, absent.

The President entertained a motion for approval of the May 14, 2015 minutes. Harold G. Montgomery made and Brent Saunders seconded the motion. Roll call: Mr. Montgomery, yea; Mr. Smith, absent; Mr. Saunders, yea.

2015 Canine Shelter Weekly Report														
Week Ending	Came in	Adopted	Reclaimed	Euthanized	Out to Rescue	MIA	Died (Natural or unknown Causes)	Destroyed (in field)	Total Out	Remaining at shelter	Out to County Foster	In from County Foster	Died in Foster (Natural or Unknown Causes)	Total i. Foster
5/17	7	7	2	0	2	0	1	0	12	25	0	0	0	1

FINANCIAL REPORT REVIEW

County Administrator Karen Sprague presented the Commission with:

- 9th Amended Certificate of Estimated Resources
- Sales Tax Report for May 2015

**PARTIAL RELEASE OF REAL ESTATE MORTGAGE
GALLIA COUNTY CHIP PROGRAM (B-C-03-025-1)**

Karen Sprague, County Administrator, advised the Commission that the following deferred mortgage from a previous round of Community Housing Improvement Program (CHIP) grant has met the term of the mortgage being 10 years and a partial release is now warranted. A partial release is required since the county can only release 85% of the mortgage, which amount equals \$11,556.41. The balance of 15%, which amount equals \$2,039.37, must remain in effect until paid in full. The Prosecuting Attorney prepared the Partial Release of Real Estate Mortgage forms. President entertained a motion that the Partial Release of Real Estate Mortgage for the following persons be approved and signed as presented:

- Laramie & Diana Roush

Harold G. Montgomery made and Brent Saunders seconded the motion. Upon roll call votes were as follows: Brent Saunders, yea; Harold Montgomery, yea; David Smith, absent. Release of real estate mortgage forms were signed by Brent Saunders, as President of the Commission, and are on file in the County's CHIP files.

PARTIAL RELEASE OF REAL ESTATE MORTGAGE

KNOW ALL MEN BY THESE PRESENTS, That County of Gallia, Office of Gallia County Commissioners, for a good and valuable consideration, the receipt of which is acknowledged, does hereby remise, release and discharge a portion of a real estate mortgage executed by **LARAMIE & DIANA ROUSH** to the above named County of Gallia, Office of Gallia County Commissioners, dated May 17, 2005 and recorded in Volume 427, Page 327, of the Mortgage Records of Gallia County, Ohio. (This document releases 85% of said mortgage, which equals \$11,556.41. The balance of said mortgage will remain in effect until paid in full, balance remaining equals \$2,039.37.)

IN WITNESS WHEREOF, the above named County of Gallia, Office of Gallia County Commissioners, has hereunto subscribed its name and seal this 21st day of May, 2015.

WITNESSES:

COUNTY OF GALLIA, OFFICE

GALLIA COUNTY COMMISSIONERS

S/ Karen Sprague

S/ Brent Saunders

Brent Saunders, President

S/ Lana Lane

STATE OF OHIO, GALLIA COUNTY, SS:

Before me, a Notary Public in and for said County and State, personally appeared Brent Saunders, President of County of Gallia, Office of Gallia County Commissioners, to me personally known, who acknowledged that he did execute the foregoing instrument as such officer and that the same is his free act and deed as such officer.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal at Gallipolis, Ohio, the day and year last above written

S/ Connie Johnson

NOTARY PUBLIC

This instrument Prepared by:

C. Jeffrey Adkins, Gallia County Prosecuting Attorney
18 Locust Street, Gallipolis, Ohio 45631.

**RELEASE OF REAL ESTATE MORTGAGE
GALLIA COUNTY CHIP PROGRAM (B-C-03-025-1)**

County Administrator Karen Sprague advised the Commission that the following deferred mortgage from a previous round of Community Housing Improvement Program (CHIP) grant has met its term and is to be released in full effective 5/17/2015 in the amount of \$5,000. The Prosecuting Attorney prepared the Release of Real Estate Mortgage forms. Mr. Saunders entertained a motion that the Release of Real Estate Mortgage for the following persons be approved and signed as presented:

- Laramie & Diana Roush

Harold G. Montgomery made and Brent Saunders seconded the motion. Upon roll call votes were as follows: Brent Saunders, yea; Harold Montgomery, yea; David Smith, absent. Release of real estate mortgage forms were signed by Brent Saunders, as President of the Commission, and are on file in the County's CHIP files.

RELEASE OF REAL ESTATE MORTGAGE

KNOW ALL MEN BY THESE PRESENTS, That County of Gallia, Office of Gallia County Commissioners, for a good and valuable consideration, the receipt of which is acknowledged, does hereby remise, release and discharge a real estate mortgage executed by **LARAMIE & DIANA ROUSH, husband and wife** to the above named County of Gallia, Office of Gallia County Commissioners, dated May 17, 2005 and recorded in Volume 425, Page 754 of the Mortgage Records of Gallia County, Ohio.

IN WITNESS WHEREOF, the above named County of Gallia, Office of Gallia County Commissioners, has hereunto subscribed its name and seal this 21st day of May, 2015.

WITNESSES: COUNTY OF GALLIA, OFFICE

GALLIA COUNTY COMMISSIONERS

S/ Karen Sprague

S/ Brent Saunders

BRENT SAUNDERS, PRESIDENT

S/ Lana Lane

STATE OF OHIO, GALLIA COUNTY, SS:

Before me, a Notary Public in and for said County and State, personally appeared Brent Saunders, President of County of Gallia, Office of Gallia County Commissioners, to me personally known, who acknowledged that he did execute the foregoing instrument as such officer and that the same is his free act and deed as such officer.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal at Gallipolis, Ohio, the day and year last above written

S/ Connie Johnson

NOTARY PUBLIC

This instrument Prepared by: C. Jeffrey Adkins, Gallia County Prosecuting Attorney
18 Locust Street, Gallipolis, Ohio 45631.

CHANGE ORDER #2 – COUNTY CDBG BRIDGE REPLACEMENT - PAVING CONTRACT

County Administrator Karen Sprague presented the Commission with Change Order No. 2 paperwork for the 2013 County CDBG Bridge Replacement - Paving Project contract. Ms. Sprague noted the County Engineer has approved additional materials in the field during the project for the Rocky Fork Road Bridge project as follows:

- Increase 448 Asphalt concrete tonnage from 499 to 499.05 = \$4.18
- Decrease 407 Tack gallons from 599 to 550 = (\$98.00)
- Add 301 Asphalt Base 61 tons @ \$83.00 = \$8,383.00
- Total increase = \$8,289.18
- Prior contract amount = \$42,864.50
- New contract amount = \$51,153.68

Ms. Sprague recommended the change order as requested, noting The Shelly Company has signed. Brent Saunders entertained a motion to approve the change order form as requested contingent upon County Engineer signing documentation. Harold G. Montgomery made and Brent Saunders seconded that motion. Upon roll call votes were as follows: Mr. Saunders, yea; Mr. Montgomery, yea; Mr. Smith, absent.

VETERANS – MEMORIAL DAY EXPENSES

Commissioners received the following requests in accordance with the Ohio Revised Code 307.66 for funds to defray the Memorial Day expenses for 2015 from the American Legion Lafayette Post 27. Harold G. Montgomery made and Brent Saunders seconded the motion to approve the funds as requested. Roll call: Mr. Montgomery, yea; Mr. Smith, absent; Mr. Saunders, yea.

AEP OHIO LEAP GRANT

Economic Director Melissa Clark reported that AEP Ohio has released a grant opportunity up to \$10,000 for local Economic Development offices. After attending an Economic Development meeting in Athens, she spoke to Jackson County Economic Development about partnering with them on the application to bring in the same speaker that was at the Athens meeting regarding sales training. Commissioners gave their approval for Ms. Clark to proceed with the application.

WIOA LOCAL AREA DESIGNATION RESOLUTION

Director Dana Glassburn presented the following resolution:

The Board of Gallia County Commissioners of Gallia County, Ohio, met in regular session on the 21st day of May 2015, with the following members present: Brent Saunders, Harold Montgomery, David K. Smith (absent).

Mr. Montgomery moved for passage of the following Resolution:

WHEREAS on July 22, 2014 the Workforce Innovation and Opportunity Act (WIOA) was signed into law, superseding the Workforce Investment Act of 1998 (WIA) and taking effect on July 1, 2015, and;

WHEREAS designation of local workforce development areas is requested by local chief elected officials and designated by the Governor for the purpose of implementing WIOA locally, establishing an OhioMeansJobs delivery system, and administering the workforce development programs, and;

WHEREAS under federal law, the Governor shall approve a request for initial automatic designation from the chief elected official of a local area which was designated under WIA, assuming the composition of that area has not changed and that the area performed successfully while maintaining fiscal integrity, and;

WHEREAS under WIA, Gallia County, Ohio is a member of the 43-county workforce development area known as Area 7, consisting of the following counties:

Allen	Erie	Holmes	Miami	Seneca
Ashland	Fayette	Huron	Montgomery	Shelby
Champaign	Fulton	Jackson	Morrow	Union
Clark	Gallia	Knox	Muskingum	Wayne
Clinton	Greene	Lawrence	Ottawa	Williams
Coshocton	Guernsey	Licking	Paulding	Wood
Darke	Hancock	Logan	Preble	Wyandot

Defiance	Henry	Madison	Putnam
Delaware	Highland	Marion	Sandusky

and; WHEREAS under WIOA, Area 7 qualifies for initial automatic designation;

NOW THEREFORE BE IT RESOLVED that the Gallia County, Ohio Board of County Commissioners, upon recommendation of the Gallia County Department of Job and Family Services Director, Dana Glassburn, does hereby requests automatic designation as part of Area 7 under WIOA.

Mr. Saunders seconded the Resolution and upon roll call, the vote resulted as follows:

Roll Call: Brent Saunders, yea, Harold Montgomery, yea, David K. Smith, absent.

Gallia County Commissioner Signatures:

s/ Brent Saunders, President

s/ Harold G. Montgomery, Vice President

absent, Commissioner

The President entertained a motion to approve the resolution, as recommended by Mr. Glassburn. Harold G. Montgomery made and Brent Saunders seconded the motion. Roll call: Mr. Montgomery, yea; Mr. Smith, absent; Mr. Saunders, yea.

EXECUTIVE SESSION - PERSONNEL

At 10:02 a.m. the President entertained a motion to enter into executive session with JFS Director Dana Glassburn to discuss personnel issues, resignation, disciplinary action and negotiations. Harold G. Montgomery made and Brent Saunders seconded the motion. Roll call: Mr. Montgomery, yea; Mr. Smith, absent; Mr. Saunders, yea. Returned to regular session at 10:18 a.m.; no action taken.

WORK RELEASE CENTER

Sheriff Joe Browning and DD Director Rosalie Durbin discussed the renewal of the NPDES permit with OEPA for the WWTP that serves the Work Release Center. No action taken.

RESOURCE OFFICER AGREEMENT

The President entertained a motion to approve the Sheriff's Resource Officer Agreement with Gallia County Local School District. Harold G. Montgomery made and Brent Saunders seconded the motion. Roll call: Mr. Montgomery, yea; Mr. Smith, absent; Mr. Saunders, yea.

CONSULTANT AGREEMENT

This Agreement is entered into on the 27th day of April, 2015 by and between the Gallia County Local 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 up to three (3) part time School Resource Deputies for up to six (6) hour per day each for the 2014-2015 school year. The Student Resource Deputies will be assigned by the Gallia County Local School Board.

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 \$17.50 per hour for the 2014-2015 school year. 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, up to three (3) part time School Resource Deputies for up to Six (6) hours per day each.

IV. TERM

This Agreement shall be in effect from the assignment through June 30, 2015 unless earlier terminated by the Board. The Board or consultant may terminate this Agreement at any time by giving notice to the other party at the address contained herein if the Board or consultant determines, in its sole discretion exercised in good faith, that the other party 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.

The Gallia County Sheriff's Office will be the exclusive provider of this service during this agreement.

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 5/15/15 s/ Prosecutor C. Jeffrey Adkins 5/20/15
s/ Brent Saunders, President 5/21/15 s/ Harold G. Montgomery, Vice-President 5/21/15 Absent, Commissioner

BOARD OF EDUCATION
Gallia County Local School District
4836 SR 325
Patriot, OH 45658

s/ Julia Stone, Treasurer 4/27/15 s/ Jude Meyers, Superintendent 5/15/15

ROAD VIEWING – GREEN ACRES SUBDIVISION

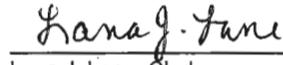
10:50 a.m. the Commissioners left the office to perform the required road viewing of the Green Acres Subdivision vacation as required by the Ohio Revised Code when petitioned to vacate. Returned at 11:20 am.

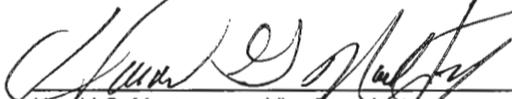
***11:25 pm – Commissioner Montgomery traveled to Waverly, OH for the OVRDC Executive Committee Meeting.**

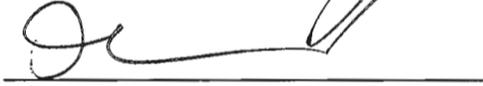
ADJOURN

At 4:00 p.m. the President entertained a motion for adjournment. Harold G. Montgomery made and Brent Saunders seconded the motion. Roll call: Mr. Montgomery, yea; Mr. Smith, absent; Mr. Saunders, yea.


Brent Saunders, President


Lana J. Lane, Clerk


Harold G. Montgomery, Vice President


David K. Smith, Commissioner

CASTO & HARRIS, INC. -- RE-ORDER NO. 11596-13