

**AUGUST 4, 2016**

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

The President entertained a motion for approval of the July 28, 2016 minutes. David K. Smith made and Brent Saunders seconded the motion. Roll call: Mr. Montgomery, yea; Mr. Smith, yea; Mr. Saunders, yea.

TRAVEL REQUESTS				
DEPARTMENT	NAME	DATE	TO	RE:
EMS	Larry Boyer	8/26	Columbus/Worthington, Ohio	CORSA Annual Mtg.

The President entertained a motion to approve travel requests as submitted. Brent Saunders made and David K. Smith seconded the motion. Roll call: Mr. Montgomery, yea; Mr. Smith, yea; Mr. Saunders, yea.

2016 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 in Foster
7/31	26	3	2	0	24	0	0	0	29	15	0	0	0	0

**JULY 2016 FINANCIAL REPORT REVIEW**

County Administrator Karen Sprague presented the Commission with:

- The July 2016 Financial Reports for comparison with the July 2015 Financial Reports. The following was noted during the review:
  - 1/1/2015 beginning cash balance was \$956,487.70
  - 1/1/2016 beginning cash balance was \$1,397,241.36
  - Difference of \$440,753.66
  - 7/31/2015 ending cash balance was \$1,155,136.30
  - 7/31/2016 ending cash balance was \$1,489,787.05
  - Difference of \$334,650.75
  - Finance & Insurance Category Spreadsheet 2006 – 2015
  - 10<sup>th</sup> Amended Certificate of Estimated Resources

**BID AWARD****CDBG CLAY TOWNSHIP BEAR RUN ROAD BRIDGE APPROACHES PROJECT**

County Administrator Karen Sprague advised the Commission the bids for the CDBG Clay Township Bear Run Road Bridge Approaches Project have been reviewed, 2 bids received were below the engineer's estimate. A letter from Asst. County Engineer Jenny Barnes notes the contractor with the lowest bid meets all specifications and is qualified to perform the work and therefore recommends award to Grace Myers Excavating, LLC. Therefore, Ms. Sprague recommends the project be awarded to Grace Myers Excavating, LLC in the amount of \$23,900. Ms. Sprague noted the bid was complete containing an irrevocable letter of credit from OVB and all affidavits as required, therefore the bid could be awarded to the lowest and best bid. Ms. Sprague further noted both the Excluded Parties search on [www.sam.gov](http://www.sam.gov) and the Ohio Auditor of State website Certified Search for Unresolved Findings for Recovery reflect nothing for Grace Myers Excavating, LLC and therefore made a recommendation to award. Harold Montgomery entertained a motion to award the contract as recommended. Brent Saunders made and David K. Smith seconded this motion to award the bid to Grace Myers Excavating, LLC in the amount of \$23,900 as recommended. Roll call votes: Mr. Montgomery, yea; Mr. Smith, yea; Mr. Saunders, yea.

**CHIP PROGRAM - SUBORDINATION AGREEMENT**

President Harold Montgomery entertained a motion to approve a Subordination Agreement presented to the Commission for signing by Freedom Mortgage Corporation, on behalf of Donna McFarland, of Gallia County, Ohio, for the County's mortgage recorded for the CHIP Program, B-C-11-1AY-2. David K. Smith made and Brent Saunders seconded this motion. Upon roll call votes were as follows: Harold G. Montgomery, yea; David Smith, yea; Brent Saunders, yea. Agreement is on file in the county's FY 2011 CDBG CHIP Program grant files, B-C-11-1AY-2.

**USDA - GREEN SEWER PHASE 1 PAYMENT RESOLUTION # 10**

County Administrator Karen Sprague presented the Commission with Payment Resolution # 10 for the Green Sewer Phase 1 Project for the following items:

- CJ Hughes Construction Co., Inc. Pay Application # 7 – \$430,974.68
- Fields Excavating, Inc. Pay Application # 8 - \$10,879.17
- Stantec Invoice # 1077195 - \$43,573.69
- Buckeye Rural Electric Acct # 40033590 & 40033591 - \$47.60
- Total = \$485,474.14

Stantec Project Engineer Gary Silcott recommends approval of the above invoice & pay applications. Harold Montgomery entertained a motion to approve and pay invoices from pay resolution # 10. Brent Saunders moved and David K. Smith seconded a motion to approve payment resolution # 9 as submitted. Upon roll call votes were as follows: Harold Montgomery, yea; David Smith, yea; Brent Saunders, yea.

Brent Saunders moved and David K. Smith seconded a motion to approve the USDA Engineering invoice form as submitted for the billing period of 6/18/16 – 7/15/2016. Upon roll call votes were as follows: Harold Montgomery, yea; David Smith, yea; Brent Saunders, yea.

#### **OPWC - GREEN SEWER PHASE 1 DISBURSEMENT REQUEST # 8**

County Administrator Karen Sprague presented the Commission with OPWC Disbursement Request # 8 for the Green Sewer Phase 1 Project for the following items:

- Stantec invoice 1077195 - \$43,573.69 (will be paid directly to Stantec from OPWC)

David K. Smith moved and Brent Saunders seconded a motion to approve OPWC disbursement request # 8 and the following memo entry as submitted. Upon roll call votes were as follows: Harold Montgomery, yea; David Smith, yea; Brent Saunders, yea.

#### **MEMO ENTRY – REVENUE/EXPENSE OPWC GREEN SEWER PHASE 1 GRANT/LOAN**

County Administrator Karen Sprague advised the Commission that OPWC will make direct payments to vendors for the Green Sewer Phase 1 Project grant & loan funding. In order to reflect the receipt and expenditure of these grant/loan funds within the county fund established as OPWC Green Sewer Phase 1 Grant/Loan Fund the County Auditor must make the following memo entries:

- Memo payin in the amount of \$43,573.69 into 322.3000.400101 from OPWC Loan # CO17L
- Memo expense in the amount of \$43,573.69 from 322.0322.531101 to Stantec Consulting Inc. vendor # 6899 for invoice # 1063417
- Credit Back \$43,573.69 from PO # BL160177

#### **LEASE AGREEMENT – HUMANE SOCIETY**

The Commission received a lease agreement from the Gallia County Board of Developmental Disabilities. This lease is between Gallia County Board of Developmental Disabilities, the Gallia County Commissioners and Humane Society of the United States for the property located at 8323 State Route 7, Cheshire, Ohio, more particularly described as being the southernmost building commonly known as Galco - Cheshire. The Humane Society of United States shall pay the amount of five hundred (500) dollars per month as and for rent on said premises. Said rent shall be due on the 1<sup>st</sup> day of each month that this lease is in force. Harold G. Montgomery entertained the motion to approve and sign the lease as presented. David K. Smith made and Brent Saunders seconded the motion. Roll call: Mr. Montgomery, yea; Mr. Smith, yea; Mr. Saunders, yea.

#### **HOTEL LODGING TAX DISTRIBUTION**

Commissioners received the distribution of the 2<sup>nd</sup> quarter 2016 hotel lodging tax from the County Auditor reporting \$37,663.84 being made to the Ohio Valley Visitor's Center. The report is on file in the Commissioners office.

#### **RECORDER – 2017 GENERAL FUND MONEY REQUEST**

The Commission is in receipt of the Gallia County Recorders request for 2017 General Fund Money-Recorder Fund # 017 appropriations. Pursuant to ORC Section 317.321 the County Recorder shall submit a proposal for acquisition and/or maintenance of scanning or other equipment and for contract services. The request estimates 2017 revenues for this Fund # 017 to be \$19,600. No action taken.

#### **CHILDREN SERVICES - BOND CONTINUATION CERTIFICATE**

Children Services Executive Director Russ V. Moore submitted his bond continuation certificate # 0514148 in the amount of \$10,000 through the Cincinnati Insurance Company. This bond is extended to 08/1/2017. David K. Smith made and Brent Saunders seconded the motion to approve bond as submitted and forward to Probate Court as per ORC 5153.13. Roll call: Mr. Montgomery, yea; Mr. Smith, yea; Mr. Saunders, yea.

#### **EXECUTIVE SESSION - CONTRACTS**

At 9:53 a.m. the President entertained a motion to enter into executive session with Gary Silcott to discuss a contract. David K. Smith made and Brent Saunders seconded the motion. Roll call: Mr. Montgomery, yea; Mr. Smith, yea; Mr. Saunders, yea. Returned to regular session at 10:08 a.m.; no action taken.

#### **GREEN SEWER PHASE 1 MONTHLY CONSTRUCTION MEETING**

Commissioners: Harold G. Montgomery, David K. Smith and Brent Saunders along with County Administrator Karen Sprague attended the meeting on second floor at 10:09 am and returned at 11:05 am.

#### **GALLIA-JACKSON-VINTON JOINT VOCATIONAL SCHOOL DISTRICT BOARD OF EDUCATION- SHERIFF**

##### **CONSULTANT AGREEMENT**

This Agreement is entered into on August 1, 2016, by and between the Gallia-Jackson-Vinton Joint Vocational 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.

##### **1. SERVICES TO BE PROVIDED BY THE CONSULTANT**

The Consultant shall provide the service of a Resource Officer for the 2016-2017 contractual year. Chosen by mutual agreement between Buckeye Hills and the Sheriff's Office. This Agreement is for one Resource Officer at Buckeye Hills Career Center for 40 hours per week for a total of 200 days. The Contracted Deputy for the detail will remain available to the school for use as much as possible. The Sheriff can call upon the deputy for

emergency use as required. During the 2016-17 school year, the deputy working this contract will be required to attend CIT Training as provided by the Sheriff and must be a member of the School Resource Association and attend Student Resource Training within the year.

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.

## 2. FEES

The Board shall pay the Consultant \$22.30 per hour for Deputy A and \$29.87 per hour for Deputy B for the 2015-2016 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. These rates are subject to change due to modifications of the union contract. The Board shall pay \$100 per month per cruiser to the Gallia County Sheriff's Office.

## 3. FREQUENCY OF SERVICES

The Consultant shall provide the quantity of services during the term of this Agreement:  
Services described in item No. 1 above

## 4. TERM

This Agreement shall be in effect from August 2016 – July 2017 unless earlier terminated by either party.

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.

## 5. 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/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. If required by law, the Board shall make contributions to the Public School Employees Retirement System on behalf of the Consultant. 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.

## 6. 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

BOARD OF EDUCATION  
G-J-V Joint Vocational School District  
  
s/ David Kent Lewis 7/18/2016  
Superintendent

s/ Joe Browning 7/21/2016  
Gallia County Sheriff

s/ Jeff Atkins 7/26/2016  
Gallia County Prosecuting Attorney

s/ Harold G. Montgomery 8/4/2016  
President, Gallia County Commissioner

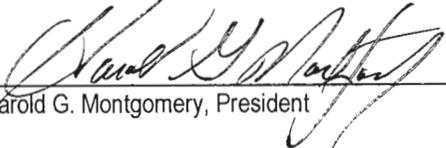
s/ David K. Smith 8/4/2016  
Vice President, Gallia County Commissioner

s/ Brent Saunders 8/4/2016  
Gallia County Commissioner

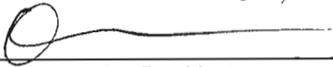
Harold G. Montgomery entertained a motion to approve the Consultant Agreement as presented. David K. Smith made and Brent Saunders seconded a motion to approve and sign the documents as presented. Roll call votes: Mr. Montgomery, yea; Mr. Saunders, yea; Mr. Smith, yea.

## ADJOURN

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

  
Harold G. Montgomery, President

  
Anette L. Brown, Clerk

  
David K. Smith, Vice President

Absent  
Brent Saunders, Commissioner