

**SEPTEMBER 22, 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 September 15, 2016 minutes. David K. Smith made and Brent Saunders 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
9/18	6	1	0	0	6	0	0	0	7	16	1	0	0	1

**911 – EMPLOYEE**

911 Director Sherry Daines presented the commission with a recommendation of Alyssa Beaver be promoted from part time to full time status. Miss Beaver has been a part time employee of the Gallia County 911 Center for the past two (2) years. She has completed the APCO Public Safety Telecommunicator 40 hour dispatch training, CPR certification and is a Level 2 Fire fighter with the Gallipolis Fire Department. President Montgomery entertained a motion based upon the recommendation of 911 Director Sherry Daines to approve her full time employment. David K. Smith made and Brent Saunders seconded the motion. Roll call: Mr. Montgomery, yea; Mr. Smith, yea; Mr. Saunders, yea.

**PARTIAL RELEASE OF REAL ESTATE MORTGAGE**  
**GALLIA COUNTY CHIP PROGRAM (B-C-05-025-1)**

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 \$21,047.57. The balance of 15%, which amount equals \$3,714.28, must remain in effect until paid in full. The Prosecuting Attorney prepared the Partial Release of Real Estate Mortgage forms. Harold G. Montgomery entertained a motion that the Partial Release of Real Estate Mortgage for the following persons be approved and signed as presented:

- Sheila Joyce

David K. Smith made and Brent Saunders seconded the motion. Upon roll call votes were as follows: Harold Montgomery, yea; David Smith, yea; Brent Saunders, yea. Release of real estate mortgage forms will be signed by Harold Montgomery, as President of the Commission, and is 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 **SHEILA JOYCE** to the above named County of Gallia, Office of Gallia County Commissioners, dated September 8, 2006 and recorded in Volume 447, Page 945, of the Mortgage Records of Gallia County, Ohio. (This document releases 85% of said mortgage, which equals \$21,047.57. The balance of said mortgage will remain in effect until paid in full, balance remaining equals \$3,714.28.)

**IN WITNESS WHEREOF**, the above named County of Gallia, Office of Gallia County Commissioners, has hereunto subscribed its name and seal this 22<sup>nd</sup> day of September, 2016.

WITNESSES:

COUNTY OF GALLIA, OFFICE

GALLIA COUNTY COMMISSIONERS

*/s/ Karen Sprague**/s/ Harold G. Montgomery*

HAROLD G. MONTGOMERY, PRESIDENT

*/s/ Anette Brown***STATE OF OHIO, GALLIA COUNTY, SS:**

Before me, a Notary Public in and for said County and State, personally appeared Harold G. Montgomery, 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.

**OPWC – COUNTY ENGINEER COUNTY TOWNSHIP ROAD IMPROVEMENTS GRANT**

Assistant County Engineer Jenny Barnes provided the Commission with OPWC Disbursement Request # 4 (Final) for the County Township Road Improvements Project for the following items:

- Scioto Valley Precast invoice for Bear Run Road Box Culvert - \$27,444.81 (will be paid directly to Scioto Valley Precast from OPWC)
- Grace Myers Excavating, Inc. invoice for Bear Run Road Approaches - \$16,013.00 (will be paid directly to Grace Myers Excavating, Inc. from OPWC)

Brent Saunders moved and David K. Smith seconded a motion to approve OPWC disbursement request # 4 and the following memo entry as submitted. Upon roll call votes were as follows: Harold Montgomery, yea; David Smith, yea; Brent Saunders, yea.

**STATE COOPERATIVE PURCHASING APPROVAL**

Commission President Harold Montgomery entertained a motion to approve purchase of a vehicle for use by county officials through the State of Ohio Cooperative Purchasing Program as follows: 2016 Ford Expedition, \$32,999 through Lebanon Ford Inc. It was noted by using State Cooperative Purchasing the item has been bid by the state. Brent Saunders moved and David K. Smith seconded the motion. Upon roll call votes were as follows: Harold Montgomery, yea; David Smith, yea; Brent Saunders, yea.

**PERSONNEL**

County Administrator Karen Sprague advised the Commission that Maintenance Department employee John Phoenix has met the 180 day probationary period ending 9/14/16 and recommended he be granted a \$.50 raise effective the beginning of pay period beginning 9/17/16. Commissioner Montgomery entertained a motion to approve the probationary period raise as recommended by Ms. Sprague. Brent Saunders moved and David K. Smith seconded the motion. Roll call votes: Mr. Montgomery, yea; Mr. Smith, yea; Mr. Saunders, yea.

**SHERIFF & VILLAGE OF CHESHIRE POLICE PROTECTION AGREEMENT**

Harold G. Montgomery entertained a motion to approve the following agreement between the Gallia County Sheriff and Village of Cheshire for police protection. David K. Smith made and Brent Saunders seconded the motion. Roll call: Mr. Montgomery, yea; Mr. Smith, yea; Mr. Saunders, yea.

**AGREEMENT**

This Agreement made and concluded this 4<sup>th</sup> day of August 2016, by and between the Village of Cheshire, Joseph R. Browning, Gallia County Sheriff and the Gallia County Commissioners.

WHEREAS, there exists a need for police protection for residents of the Village of Cheshire, Gallia County, Ohio and

WHEREAS, Section 311.29 of the Ohio Revised Code provides for authority of a taxing district to enter into an agreement with the Sheriff of the County whereby the Sheriff undertakes and is authorized to contract to perform any police function, in behalf of the contracting subdivision.

NOW THEREFORE, it is hereby agreed by and between the parties hereto upon the considerations as follows:

1. The parties do hereby agree and understand that the employees of the Gallia County Sheriff's Office have voted and approved representation by the FOP. Therefore, upon organization and representation of the employees by the FOP each party herein (Village, Sheriff and Commissioners) reserves the right to cancel or modify this Agreement if the organization of the FOP causes a change in the terms set forth herein. If the organization of the FOP does not change the terms of the Agreement, the parties are bound by the terms listed below.
2. The Village of Cheshire, in consideration for this police protection, agrees to pay direct to the Sheriff of Gallia County, Ohio, the amount of \$3.75 per contract hour to be used for expense and maintenance of Gallia County Sheriff's Office cruiser, training of officers, uniforms, equipment, etc. for use by the Village. Said sum shall be made payable to the TREASURER OF GALLIA COUNTY, to be credited to a special fund known as the "Sheriff's Policing Rotary Fund".
3. The patrol duties of the designated deputy will be directed by the Gallia County Sheriff's Office. The chain of command described in the Gallia County Sheriff's Office Policies & Procedures manual will be in effect during the term of this Agreement.
4. The Village in consideration for this police protection agrees to pay direct to the designated deputy the sum of Seventeen Dollars Fifty Cents (\$17.50) per hour from August 1, 2016 through December 31, 2016, plus employer's portion of Unemployment, Medicare, Workers compensation and OPERS. The Sheriff requires that Deputies assigned to this detail submit activity logs, preferably by electronic system, to the Village Council for review.
5. The Village of Cheshire will make available to the Gallia County Sheriff's Office the use of the Village owned equipment pertaining to law enforcement for the Village listed as follows: Any equipment that may be in use at this time.
6. The Sheriff of Gallia County, Ohio will be entitled to use said equipment so long as he has an agreement with the Village of Cheshire for police protection.
7. Both parties are of the understanding that the agreed protection for the Village of Cheshire includes the cost of jail confinement be waived and covered by the Gallia County Sheriff's Office.
8. It is expressly understood by the parties that upon the termination of this agreement, the equipment if still in the possession of the Gallia County Sheriff's Office will be immediately returned to the Village of Cheshire, Ohio for its use.
9. The parties agree that the Gallia County Commissioners shall provide liability insurance for the officers providing services pursuant to this Agreement. The Village of Cheshire understands and agrees that it shall be liable for any damages that may exceed the applicable coverage, limited to the policy provided by Gallia County. In the event, for any reason, that any act or omission by the Officer were to result in damages assessed against the Village, the Village would be responsible for any damages, that may not be covered by the Liability Policy provided by Gallia County. This provision is not and shall not be construed as an indemnification agreement by the County in favor of the Village. The County's sole obligation is to provide liability coverage in an amount determined to the sole discretion of the Gallia County Commissioners.
10. This Agreement can be cancelled by either party with thirty (30) days written notice.
11. This Agreement shall be effective from August 1, 2016 through December 31, 2016.
12. The parties agree that the Gallia County Sheriff's Office will be the exclusive provider of law enforcement services during the time of this contract.

IN WITNESS WHEREOF, the parties hereto have, by their duly authorized officers, executed this Agreement on the 22<sup>nd</sup> day of September, 2016.

SIGNED AND ACKNOWLEDGED  
IN THE PRESENCE OF:  
*/ Karen Sprague, County Administrator*  
*/ Anette L. Brown, Clerk of the Board County Commissioners*

GALLIA COUNTY SHERIFF'S OFFICE  
*/ Joseph Browning, Sheriff*

VILLAGE OF CHESHIRE  
*/ Mark A. Coleman, Mayor*  
*/ Susan Baker, Clerk*

APPROVED AS TO FORM:  
*/ Jeffrey Atkins*  
Gallia County Prosecuting Attorney

GALLIA COUNTY COMMISSIONERS  
*/ Harold G. Montgomery, President*  
*/ David K. Smith, Vice President*  
*/ Brent Saunders, Commissioner*

CASTO & HARRIS, INC. --- RE-ORDER NO. 14260-15

LEAVE DONATION APPLICATION

Anette L. Brown submitted a leave donation form of 61 hours of sick time from County Administrator Karen Sprague to Robert Hudson of the service center maintenance department. Harold Montgomery entertained a motion to approve the leave donation as submitted. David K. Smith made and Brent Saunders seconded the motion. Upon roll call votes were as follows: Harold Montgomery, yea; David Smith, yea; Brent Saunders, yea.

**\*Note: Commissioner David K. Smith left at 9:49 am. for a site meeting at Green Sewer Phase 1 project construction site.**

EXECUTIVE SESSION – LEGAL

At 9:50 a.m. the President entertained a motion to enter into executive session with County Administrator Karen Sprague to discuss legal. Brent Saunders made and Harold G. Montgomery seconded the motion. Roll call: Mr. Montgomery, yea; Mr. Smith, absent; Mr. Saunders, yea. Returned to regular session at 10:08 a.m.; no action taken.

EXECUTIVE SESSION – DJFS - PERSONNEL

At 10:09 a.m. the President entertained a motion to enter into executive session with JFS Director Dana Glassburn to discuss personnel issues, resignation. Brent Saunders made and Harold G. Montgomery seconded the motion. Roll call: Mr. Montgomery, yea; Mr. Smith, absent; Mr. Saunders, yea. Returned to regular session at 10:32 a.m.; no action taken.

TODD TOWNSEND - GREEN SEWER PHASE II PROJECT

Todd Townsend met with the commission to discuss the development of his three lots in the Green Sewer Phase II Project area and his availability to connect. Harold G. Montgomery stated they will discuss his concerns the Santec.

**\*Note: Commissioner Smith rejoined the meeting at 10:45 am.**

EXECUTIVE SESSION – DJFS – PERSONNEL

At 11:06 a.m. the President entertained a motion to enter into executive session with JFS Director Dana Glassburn to discuss personnel. 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 11:07 a.m.; no action taken.

DJFS – RESIGNATION

The President entertained a motion to accept the resignation of Regina Brown upon the recommendation of JFS Director Dana Glassburn. Brent Saunders made and David K. Smith seconded the motion. Roll call: Mr. Saunders, yea; Mr. Montgomery, yea; Mr. Smith, yea

EXECUTIVE SESSION – CONTRACTS

At 11:14 a.m. the President entertained a motion to enter into executive session 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 11:56 a.m.; no action taken.

CANINE SHELTER – DOG RECLAIM ISSUE

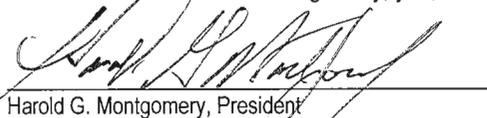
Dog Owner Vicki Martin (also in attendance with Ms. Martin was Dan Ward) met with commission to discuss the reclaiming of a dog. The commissioners noted the ORC 955.16: Dogs that have been seized by the county dog warden and impounded shall be kept, house and fed for three days for the purpose of redemption. The Gallia County Dog Warden reported the dog in question was picked up on September 8, 2016 with a collar and no tags, held for three (3) days and on the fourth day was committed to a rescue group. The last known owner (2015 dog tag # 1653 Vicki Martin) came to the shelter on September 15, 2016. Gallia County Auditor records show no 2016 dog tags were purchased by Ms. Martin. The commission noted they would look into this matter. No action taken.

SHERIFF – WORKERS COMPENSATION

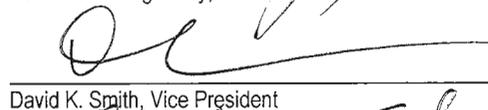
I, David K. Smith move that the Board of County Commissioners authorize Commissioner Montgomery to enter into a stipulation on behalf of the Board with the Village of Gallipolis, subject to terms to be recommended by counsel and agreed upon, to extend an applicable statute of limitations to expire January 31, 2017 regarding claim number 12-848820" and Brent Saunders seconded the motion. Roll call: Mr. Montgomery, yea; Mr. Smith, yea; Mr. Saunders, yea.

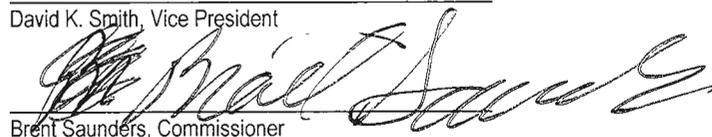
ADJOURN

At 4:00 p.m. the President entertained a motion for adjournment. Brent Saunders made and David K. Smith 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

  
Brent Saunders, Commissioner