

JULY 19, 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 12, 2012 minutes. Lois Snyder made and Joe Foster 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
6/25	55	1	0	2	12	0	1	0	26	1	33	16	68
7/2	4	0	2	4	29	0	3	0	1	0	34	38	33

BID AWARD – SHAFFER BRIDGE BOX CULVERT

Commissioners were in receipt of the following recommendation:

July 17, 2012

Commissioners,

After reviewing the bid received on March 29, 2012, I hereby recommend the Issue I Shaffer Bridge box culvert bid be awarded to Scioto Valley Precast in the amount of \$26,974.00.

If you have any further questions, please advise.

Respectfully,

s/ Brett A. Butke, P.E., P.S.

Gallia County Engineer

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

BID AWARD – ISSUE ONE PAVING

Commissioners were in receipt of the following recommendation:

July 17, 2012

Commissioners,

After reviewing the bid received on March 29, 2012, I hereby recommend the Issue I paving bid be awarded to The Shelly Company in the amount of \$974,740.25. The contract is attached for signatures.

If you have any further questions, please advise.

Respectfully,

s/ Brett A. Butke, P.E., P.S.

Gallia County Engineer

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

SHERIFF GRANT REPORT

Sheriff Browning submitted a quarterly subgrant report for the GCSO Overtime grant through the Ohio Office of Criminal Justice services for signature. The President entertained a motion to sign the report. Lois Snyder made and Joe Foster seconded the motion; Roll call: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, yea.

RESOURCE OFFICER AGREEMENT

Sheriff Joe Browning submitted the following agreement for approval:

CONSULTANT AGREEMENT

This agreement is entered into on August 1, 2012, by and between the Gallia-Jackson-Vinton Joint Vocational School District Board of Education ("Board") and the 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 2012-2013 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 2012-13 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 times 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 \$24.16 per hour thru 12/31/12 and \$24.63 from 1/01/13 thru the end of the 2012-2013 school year if the Resource Officer opts for the single plan.

The Board shall pay the Consultant \$29.28 per hour thru 12/31/12 and \$ 30.77 from 1/01/13 thru the end of the 2012-2013 school year if the Resource Officer opts for the family plan.

The Board shall pay Consultant \$100 per month per cruiser.

The Consultant shall provide necessary uniforms and equipment.

The Consultant shall provide documentation of services as required by the Board, and payment shall be made within 30 days of receipt of documentation.

Rates are subject to change per FOP contract effective 01/01/2013.

3. FREQUENCY OF SERVICES

The Consultant shall provide the quality 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 2012 - July 2013 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 omission 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/ Joe Browning, GC Sheriff

Date

Superintendent

Date

As approved to form:

s/ Jeff Adkins

Gallia County Prosecutor

7/11/12

Gallia County Commissioners:

7/19/12

Harold G. Montgomery, President

Howard J. Foster, Vice President

Lois M. Snyder, Commissioner

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

LEAVE DONATION APPLICATION

Commissioners received the following leave donation application:

Department	Donating Employee	Receiving Employee	Hours Donated	Pay Period
Sheriff	Sue E. McKittrick	Kimberly S. Blackburn	53.6	7/27/12

The President entertained a motion to approve the leave donation application as requested. Joe Foster made and Lois Snyder seconded the motion; roll call: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, yea.

HEALTH DEPARTMENT QUARTERLY REPORT

Commissioners noted the receipt of the Health Department's activities for February, March and April 2012. There was also an accumulation of the Board of Health's minutes from April, May and June 2012. The information was reviewed and is on file in the Commissioners office.

2013 GROUP RETROSPECTIVE AGREEMENT

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

QUOTES FOR CDBG FAIR HOUSING PROGRAM
B-F-11-1AY-1

The Commission requested and received quotes for the following items for the 2010/2011 Gallia County Fair Housing Program:

1. Bottled Water
 - Hometown Water Depot – 2,880 bottles of 20oz. water - \$1,600.00
 - 4Imprint – 2,400 bottles of 16.9oz. water - \$2,482.00

2. Folding Chair with Carrying Bag
 - 4Imprint – 24 chairs - \$378.45
 - Atlas Pen & Pencil – 24 chairs - \$519.76 (does not include shipping)
 - Taylor Corp – 24 chairs - \$519.71
3. Plastic Hand Fan
 - 4Imprint – 500 hand fans - \$314.05
 - Atlas Pen & Pencil – 500 paper hand fans - \$429.95 (does not include shipping)
 - Taylor Corp – 500 hand fans - \$410.00 (does not include shipping)
4. Coasters Pulp board
 - 4Imprint – 1000 pulp board coasters - \$221.68
 - Atlas Pen & Pencil – 1000 polyurethane coasters - \$1,639.00 (does not include shipping)
 - Taylor Corp – 1000 cork coasters - \$634.86

Karen Sprague advised that the low quotes on all the items listed above total \$2,514.18. The County's FY 2011 Formula grant has \$4,404.40 left in the fair housing/administration activity. Ms. Sprague recommended that the County award to the low quoting companies stated above with an award amount of \$2,514.18. Lois Snyder moved and Joe Foster seconded that the fair housing items be awarded as recommended by Ms. Sprague to the lowest bidders as follows:

- Hometown Water Depot – 2,880 – 20 oz. bottled water - \$1,600.00
- 4Imprint – 24 – Chairs - \$378.45
- 4Imprint – 500 Fans - \$314.05
- 4Imprint – 1,000 Coasters - \$221.68
- Total cost = \$2,514.18 to be paid for from the FY 2011 CDBG Formula Grant

Roll call votes: Harold Montgomery, yea; Joe Foster, yea; Lois Snyder, yea.

JUNE FINANCIAL REPORT REVIEW

The County Administrator presented the Commission with:

- The June 2012 Financial Reports for comparison with the June 2011 Financial Reports. The following was noted during the review:
 - 1/1/2011 beginning cash balance was \$589,342.87
 - 1/1/2012 beginning cash balance was \$259,796.89 (It was noted that \$160,000 of this balance is for Davis Hall Lot Purchase Bond, which means the true cash balance was \$99,769.98)
 - Difference of \$329,545.98
 - 6/30/2011 ending cash balance was \$440,787.61
 - 6/30/2012 ending cash balance was \$461,738.75
 - Difference of \$20,951.14
 - General Fund change in cash balance in comparison with the 1/1/2011 review is \$301,594.84
- Reviewed 17th Amended Certificate of Estimated Resources
- July 2012 Sales Tax Report
- County General Fund Report thru 6/30/12

FAA 3rd QUARTER REPORT GALLIA-MEIGS REGIONAL AIRPORT PROJECTS

Commission President Harold Montgomery entertained a motion to approve and allow County Administrator Karen Sprague to sign the FAA 3rd Quarter Report for 2012 for the FAA 2011 Airport Grant. Lois Snyder moved and Joe Foster seconded this motion. Upon roll call votes were as follows: Harold Montgomery, yea; Joe Foster, yea; Lois Snyder, yea.

MERCERVILLE SEWER – OEPA LOAN FINAL EXHIBIT 1

The President entertained a motion to approve and sign the Mercerville Sewer – OEPA Loan #5916 Final Exhibit 1. The report reflects Gallia County expended \$109,999.39 of the \$110,000.00 loan. Lois Snyder moved and Joe Foster seconded this motion. Upon roll call votes were as follows: Harold Montgomery, yea; Joe Foster, yea; Lois Snyder, yea.

HELP ME GROW HOME VISITING PROGRAM – LETTER OF SUPPORT

The County Administrator presented the Commission with a request from Gallia-Meigs Community Action Agency for a letter of support for their agency to contract with the Ohio Department of Health for Home Visiting Program Services in conjunction with the Help Me Grow Program. Joe Foster moved and Lois Snyder seconded a motion to approve the following letter of support. Upon roll call votes were as follows: Harold Montgomery, yea; Joe Foster, yea; Lois Snyder, yea.

July 19, 2012

Ohio Department of Health
Attn: Help Me Grow
246 N. high St., 5th Floor
Columbus, Ohio 43215

To Whom It May Concern:

Please accept this letter as support for the Home Visiting Program Services to be provided by the Gallia-Meigs Community Action Agency for families prenatally through two years of age in Gallia County. The Gallia County Department of Job and Family Services have collaborated with Gallia-Meigs Community Action Agency on numerous projects over the past several years providing successful outcomes for the families of Gallia County.

The Help Me Grow Home Visiting component is an integral part of the Help Me Grow system in Gallia County and we believe that Gallia-Meigs Community Action Agency will provide those services with consistency

and reliability. The efforts of the Help Me Grow Program staff on behalf of the children and families that they serve are much appreciated.

Thank you in advance for your consideration of this application.

Respectfully submitted,
Gallia County Commissioners
s/ Harold G. Montgomery, President
s/ Howard Joe Foster, Vice-President
s/ Lois M. Snyder, Commissioner

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

The 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 \$11,539.60. The balance of 15%, which amount equals \$2,036.40, must remain in effect until paid in full. The Prosecuting Attorney prepared the Partial Release of Real Estate Mortgage forms. President Montgomery entertained a motion that the Partial Release of Real Estate Mortgage for the following persons be approved and signed as presented: Nancy Taylor, James I. Taylor, Kenneth W. Taylor & Lisa Weethee

Joe Foster made and Lois Snyder seconded the motion. Upon roll call votes were as follows: Harold Montgomery, yea; Joe Foster, yea; Lois Snyder, 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 **NANCY TAYLOR, JAMES I. TAYLOR, KENNETH W. TAYLOR AND LISA WEETHEE** to the above named County of Gallia, Office of Gallia County Commissioners, dated July 17, 2007 and recorded in Volume 460, Page 188, of the Mortgage Records of Gallia County, Ohio. (This document releases 85% of said mortgage, which equals \$11,539.60. The balance of said mortgage will remain in effect until paid in full, balance remaining equals \$2,036.40.)

IN WITNESS WHEREOF, the above named County of Gallia, Office of Gallia County Commissioners, has hereunto subscribed its name and seal this 19th day of July, 2012.

WITNESSES:

COUNTY OF GALLIA, OFFICE
GALLIA COUNTY COMMISSIONERS
s/ Harold G. Montgomery, PRESIDENT

s/ Karen Sprague
s/ Terry Hemby

STATE OF OHIO, GALLIA COUNTY, SS:

Before me, a Notary Public in and for said County and State, personally appeared Justin L. Fallon, 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.

OEPA COMPLIANCE EVALUATION RESPONSE – MEADOWLOOK WWTP

County Administrator Karen Sprague presented the Commission with a response letter regarding OEPA's compliance evaluation of Meadowlook WWTP. Commission President Harold Montgomery entertained a motion to approve the response letter as presented. Lois Snyder moved and Joe Foster seconded this motion. Upon roll call votes were as follows: Harold Montgomery, yea; Joe Foster, yea; Lois Snyder, yea.

July 19, 2012

Mr. Dan Messerly
OEPA SEDO
2195 front Street
Logan, Ohio 43138

RE: Meadow Look Subdivision Wastewater Treatment Facility

Dear Dan:

In response to your June 21, 2012 correspondence regarding your compliance evaluation of the above referenced treatment facility, we would like to offer the following.

The flooding of the treatment facility has been an issue and we have tried to address this issue in the past by installing a new culvert that would allow flow to move unrestricted. The major issue with this site is the proximity to the creek and the low lying areas around the treatment facility. Unfortunately we do not believe there is a viable solution to prevent this issue at all times. The culvert replacement that was completed has addressed the issue during minor rain events but during heavy rain events like the one you witnessed there is nothing that can be done to prevent what happened. Once the water comes over the banks of the creek the culvert is no longer the issue.

In regard to the I&I in the collection system, we have addressed a few minor issues and do have plans to replace the system as a part of our Green Township Phase I project. We are currently seeking funding for the project, but it will be at least another year or two before funds become available to construct the project.

As history has shown the treatment facility experiences periodic violations as a direct result of the flooding and I&I in the system. We try to handle this as best we can and have begun to make the necessary adjustments to our operations when we anticipate a rain event that will impact the facility. Once the facility is washed out it takes a while to regain the biology to make the treatment process work as needed. The replacement of the sanitary sewer lines and the abandonment of the facility will address both these issues when we complete the Green Township Phase I project. As far as the blower we will install another blower to address this concern.

If you have any questions or need additional information, please feel free to contact me.

Respectfully submitted,
s/ *Harold G. Montgomery*, President
Gallia County Commissioners

EXECUTIVE SESSION - LEGAL

At 10:26 a.m. the President entertained a motion to enter into executive session with the Prosecutor to discuss a legal issue. 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 10:39 a.m.; no action taken.

EXECUTIVE SESSIONS (JFS & EMS)

At 10:40 a.m. the President entertained a motion to enter into executive session with JFS Director Dana Glassburn to discuss contracts. Lois Snyder made and Joe Foster seconded the motion; Roll call: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, yea. Prosecutor Jeff Adkins joined the session at 11:20 a.m. Commissioners ended this session at 11:37 a.m. and continued with a scheduled Executive Session with EMS Director Larry Boyer, Labor Consultant Matt Baker and County Administrator Karen Sprague to discuss a contract issue. Returned to regular session at 12:50 p.m.; no action taken.

EXECUTIVE SESSION

At 2:58 p.m. the President entertained a motion to enter into executive session with Sheriff Joe Browning and Administrative Assistant Heather Casto 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 3:22 p.m.; no action taken.

VEHICLE PURCHASE

The President entertained a motion to order through Ohio State Cooperative Purchasing a replacement truck for the courthouse maintenance department to replace the truck destroyed in the June 29, 2012 storm:

- Purchase through Germain Ford, Columbus, Ohio
- Ford F250 8,500 lbs, 4WD, regular cab, 8' bed – gasoline engine - \$20,769.00
- Options added: Additional set of keys - \$49.00; All-Terrain Tires - \$149.00, Manufacturer Snow Plow Prep Package - \$71.00
- Total \$21,038.00

Lois Snyder moved and Harold Montgomery seconded the motion. Roll call votes: Mr. Montgomery, yea; Mr. Foster, absent for vote; Ms. Snyder, yea.

ADJOURN

At 4:15 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

Howard J. Foster
Howard J. Foster, Vice President

Lois M. Snyder
Lois M. Snyder, Commissioner

Terry Hemby
Terry Hemby, Clerk