

**JANUARY 12, 2023**

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 David K. Smith. Roll Call: President David K. Smith, present; Vice President Q. Jay Stapleton, present; Commissioner Leslie Henry, present.

The President entertained a motion for approval of the January 5, 2023 minutes. Leslie Henry moved and Q. Jay Stapleton seconded the motion. Roll call: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea.

**2023 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
1/8	3	0	0	0	2	0	0	0	2	26	0	0	0	8

**2023 LANDBANK APPOINTED MEMBERS**

The President entertained a motion to appoint two commissioners to the Landbank Board. Leslie Henry made and Q. Jay Stapleton seconded the following designations to be represented for the Board of Commissioners. Roll call: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea.

Board	2023 Member
Landbank	David K. Smith Q. Jay Stapleton

**RESOLUTION COUNTY ENGINEER PERMITTING**

WHEREAS, the Ohio Revised Code Sections 153.64, 4931 and 4933, provides to the Board of County Commissioners, the authority to control the installation and placement of any public utilities within the dedicated public right-of-ways of all County maintained highways; and,

WHEREAS, the Ohio Revised Code Sections 5589 and 5543 provides to the Board of County Commissioners, the authority to control any digging and excavating on or along a County maintained highway and for the placement of a private driveway approach to a County maintained highway; and,

WHEREAS, the Ohio Revised Code Section 4513.34 provides to the Board of County Commissioners, the authority to permit oversize and overweight vehicles using County maintained highways; and,

WHEREAS, Ohio Revised Code Sections 5547.03 and 5547.04 authorize the Board of Commissioners to approve requests by private parties to construct improvements or place utilities within the bounds of a county highway.

THEREFORE, be it resolved for FY 2023 that the Board of County Commissioners does hereby authorize the Gallia County Engineer to develop and administer a permitting process for the above described activities for private and public entities other than the County itself to construct improvements and emplace utilities within the right-of-ways of the County road system and to permit oversize and overweight vehicles within County road right-of-ways per the requirements in effect at the time of the Ohio Revised Code and to keep said permits with the permanent road records of Gallia County; and,

THEREFORE, be it resolved that the Gallia County Commissioners reserve unto themselves the right and authority over permitting for Gallia County owned projects pursuant to applicable sections of the Ohio Revised Code, including Sections 153.64, 4931, 4933, 5589, 5543, 4513.34, 5547.03 and 5547.04.

BE IT FURTHER RESOLVED that the Gallia County Engineer reserves the right to recuse and then defer any permit application deemed a conflict of interest by the Gallia County Engineer Brett Boothe, to the Gallia County Board of Commissioners for their review as approved or denied.

Commissioner Stapleton moved and Commissioner Henry seconded the motion. Roll call: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea.

Adopted this 12th day of January, 2023

GALLIA COUNTY BOARD OF COMMISSIONERS

*s/ David K. Smith, President*

*s/ Q. Jay Stapleton, Vice-President*

*s/ Leslie Henry, Commissioner*

**JAIL PROJECT – PAYMENT RESOLUTION #20**

County Administrator Kevin Nicholas presented the Commission with Payment Resolution#20 for the Gallia County Jail Project to Granger Construction Company in the amount of \$921,594.59. DLZ Principle Architect, Greg Galieti recommends approval of the above invoice and pay application. The President entertained a motion to approve and pay invoices from pay resolution #20. Mr. Stapleton moved and Ms. Henry seconded the motion to approve payment resolution #20 as submitted. Upon Roll call: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea.

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**FINAL YEAR END APPROPRIATION RESOLUTION  
FOR FISCAL YEAR 2022**

County Administrator Kevin Nicholas presented the Commission with the Final 2022 Year End Appropriation Resolution for all the county's funds that was provided by the Gallia County Auditor's Office after all final year end business was concluded. The Commission must adopt this report as the County's Final 2022 Year End Appropriation Resolution. Adopting this document will reduce the cost of the County's audit and the audit will be able to be completed faster since the State Auditors can start with this final year-end report versus taking the beginning of year appropriation resolution and then having to research all the transfers and supplemental appropriations from the Commissioners Journal. The appropriations totaled as follows:

**General Fund:**

- Appropriations = \$13,723,319.64

**Special Revenue Funds:**

- Appropriations = \$105,834,297.59

**Grand Total All Funds**

- Appropriations = \$119,557,617.23

President Smith entertained a motion that the Final Year End Appropriation Resolution for the fiscal year 2022 be approved and signed by the Commission as presented. Leslie Henry made and Q. Jay Stapleton seconded that motion. Upon roll call votes were as follows: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea. Document is on file with County Administrator's 2022 Budgetary Files.

*s/ David K. Smith, President*

*s/ Q. Jay Stapleton, Vice-President*

*s/ Leslie Henry, Commissioner*

**ROAD PETITION DISCUSSION**

County Administrator Kevin Nicholas presented a road petition for Oak Ridge Road in Woods subdivision from the residents requesting the road be established as a public, Green township road. President Smith discussed various steps that needed coordinated prior to moving forward with the process. No action taken.

**2022 OHPO EXEMPT PROJECTS REPORT  
FOR CDBG FUNDED PROJECTS**

Grants Administrator Karen Sprague presented the Commission with the 2022 OHPO Exempt Projects Report for the CDBG Funded Projects with environmental reviews completed during 2022 as follows:

- Gallia County Commissioners did not exempt any undertakings from review under the terms of our OHPO agreement during calendar year 2022, therefore we have zero (0) exemptions to report.
- Our only CDBG funded project for 2022 was for Tara Estates Sewer Replacement sent to OHPO for comment with letter received from OHPO dated 1/13/2022 with a determination of no effect to historic properties.
- Gallia County is in partnership with Vinton County for CDBG CHIP housing program and Vinton County has already submitted their report to you for 2022 that included housing projects located in Gallia County.

David Smith entertained a motion that the annual report be approved as presented. Leslie Stapleton moved and Q. Jay Stapleton seconded that motion. Upon roll call votes were as follows: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea. The report is on file in the County's CDBG grant files.

**RESOLUTION – AMENDMENT TO 2022 CHIP GRANT PARTNERSHIP AGREEMENT**

President Smith entertained a motion to approve the following amendment to the 2022 CHIP Grant Partnership Agreement between Vinton County and Gallia County. Mr. Stapleton moved and Ms. Henry seconded the motion. Roll call votes: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea.

**WHEREAS**, the County of Vinton, State of Ohio, has applied for and been conditionally awarded Community Housing Impact and Preservation Program (CHIP) grant for the entire Counties of Vinton and Gallia, and;

**WHEREAS**, the County of Vinton & County of Gallia must amend the original partnership agreement signed by both parties (the Vinton County Commissioners and the Gallia County Commissioners) on June 16th, 2022 in order to comply with Ohio Department of Development guidelines for Environmental Review Requirements

**NOW THEREFORE**, the County of Vinton, hereinafter called the "Grantee" and the County of Gallia, hereinafter called the "Partner", agree to the following Partnership Amendment:

As Gallia County intends to commit its Program Income to CHIP-funded activities, it agrees to collaborate in order to produce a joint environmental review record (ERR) with the grantee that meets HUD's requirements and promotes a unified approach to the environmental compliance. In doing so, the counties of Vinton and Gallia will adopt the same ERR conclusions and publish a joint Notice of Intent to Request Release of Funds. However, the partner, Gallia County, understands it must submit its own Request for Release of Funds for the Program Income it has committed to the grant activities.

JANUARY 12, 2023

IN WITNESS WHEREOF, Gallia County has hereunto set their hands this 12<sup>th</sup> day of January, 2023.

WITNESSES:

COUNTY OF GALLIA

s/ David K. Smith, President

GALLIA COUNTY COMMISSIONERS

The foregoing Agreement is hereby approved as to legal form and content.

s/ Jason Holdren

COUNTY OF GALLIA PROSECUTING ATTORNEY

IN WITNESS WHEREOF, Vinton County has hereunto set their hands this \_\_\_\_ day of January, 2023.

WITNESSES:

COUNTY OF VINTON

TIM EBERTS. PRESIDENT

VINTON COUNTY COMMISSIONERS

The foregoing Agreement is hereby approved as to legal form and content.

JAMES PAYNE

COUNTY OF VINTON PROSECUTING ATTORNEY

#### ERR LETTERS FOR LOCAL PROJECT

GMCAA Grants Administrator Karen Sprague presented the Commission with a second tribal letter to Osage Nation for Environmental Review process being completed by OVRDC for projects located in Gallia County for Buckeye Hills Career Center, noting Osage Nation requested a Phase 1 Cultural Survey which is now complete and ready to send for a second review. The project is as follows:

- Buckeye Hills Career Center – construction of two new education and training centers for CDL and Heavy Machine Mechanics. Both are being constructed on the current campus.

OVRDC needs a local government entity to send the ERR letter to the tribe effected by the project. Mr. Stapleton moved and Ms. Henry seconded a motion to approve sending the letter and for the President to sign. Upon roll call votes were as follows: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea.

#### AMENDMENT #4 ENGINEERING AGREEMENT FOR SERVICES GREEN TOWNSHIP SEWER PHASE 2 PROJECT

Grants Administrator Karen Sprague presented the Commission with Amendment #4 for the Engineering Agreement with DLZ Ohio, Inc. to provide sewer testing services for the Green Township Sewer Phase 2 Project (47 days):

- Original Agreement amount: \$656,000.00
- Net change for prior amendments: \$300,000.00
- This amendment amount: \$150,000.00
- Adjusted agreement amount: \$1,106,000.00
- Change in time for service: 47 days
- Reason noted in amendment request: The County is in need of sanitary sewer testing for the project, DLZ solicited quotes from contractors to do the necessary work so that we can get an expected scope of work for a take over contractor. DV Weber Construction, Inc. has provided an hourly rate of \$264.50 to complete the testing with an anticipated time frame of 47 days to complete. DLZ will not be responsible to the client for that contractor's mistakes and the client will have the right to hold the contractor directly responsible for its mistakes, without DLZ having to be in the middle. DLZ will mark up the costs of DV Weber by 10% and final costs will be determined based on actual hours worked to complete the testing and determine any issues.

The President entertained a motion to approve the Amendment #4 to the Engineering Agreement as presented. Leslie Henry made and Mr. Stapleton seconded that motion. Upon roll call votes were as follows: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea.

All forms were signed by David K. Smith, as President of the Commission, and they are on file in the County's Green Township Sewer Phase 2 files.

#### GMCAA PROJECT – REMAINING FUNDS

Grants Administrator Karen Sprague presented the commission with an option for Community Action to keep a remaining \$500 balance from an original project that the commissioners funded for building upgrades. Community Action has requested to use the remainder for additional paint and supplies for the building. The President entertained a motion to approve, Mr. Stapleton moved and Ms. Henry seconded the motion. Roll call: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea.

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**SEWER DEPARTMENT – CREDIT CARD PAYMENT SYSTEM**

Candace Harmon, Sewer department billing specialist presented her plan to purchase a credit card machine and electronic billing software from the company Smartbill. Ms. Harmon stated that the cost of the credit card device is \$100 and she can fund it out of their operating budget. There would be a fee associated with each credit card transaction and E-billing process added to a customer's payment that would cover the cost of this overall system. The President entertained a motion for the County Administrator, Kevin Nicholas, to sign the agreement with Smartbill to purchase the credit card machine and establish the electronic billing and payment system for the Sewer Department. Mr. Stapleton moved and Ms. Henry seconded the motion. Roll call: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea.

**COURTHOUSE MAINTENANCE – WINDOWS ESTIMATE**

Josh Skidmore, Maintenance supervisor presented the commission with an estimate from Christian Morris Construction Inc. The estimate was for replacing the original, 1960's windows in the annex portion of the courthouse with new windows in the amount of \$37,000.00 for 40 total windows including labor. No action taken.

**FAA – GAS AIRPORT FY 2023 PLANNING MEETING**

\*At 10:30 a.m. all three commissioners, along with Grant Administrator Karen Sprague participated in a virtual Gallia-Meigs Regional Airport FY 2023 Planning Meeting hosted by the Federal Aviation Administration (FAA) representatives and Steven Potoczak, Delta Airport Consultants. No action taken.

**AUDITOR – BUDGET DISCUSSION**

Auditor Robbie Jacks, Heidi Easley, Lydia Blankenship, and Anette Brown, Auditor staff, presented to the commission a request for additional funding from the county general fund in the amount of \$27,090.00. Attorney Rick Hoffman also attended the meeting and provided clarification on the allowable expenditures from the Real Estate Assessment (REA) fund per the Ohio Revised Code (ORC). Auditor Jacks stated the funding was needed for employee salaries that cannot be paid from his REA fund. The ORC specifies allowable salary expenditures for REA specific tasks that an Auditor employee would be responsible for performing. Auditor Jacks stated that his current employee's assigned duties, which is different from prior years, will require the additional funding for employees not paid from his REA fund. Mr. Smith asked about the different duties that employees are required to perform each day that may be split between Auditor specific tasks and REA specific tasks. Auditor Jacks stated that his employees that must be paid from his County Auditor fund do not work on any REA specific tasks. Mr. Smith stated that the commission needed more time to review this request. No action taken.

**AUDITOR / SOIL & WATER – CAUV INSPECTION PROGRAM**

Auditor Robbie Jacks, along with Nick Mills and Garrett Fulk, Soil & Water presented to the commission a plan for Soil & Water to conduct inspections of real estate parcels that are in the Current Agricultural Use Value (CAUV) program which is managed by the County Auditor's office. The CAUV program provides real estate tax savings to agricultural land owners who apply and meet the requirements for the program. Mr. Mills discussed that additional funding of \$25,000.00 will be needed to conduct the inspection program and the Soil & Water department could receive matching funds dollar for dollar. Auditor Jacks stated that the focus of the inspection program would be toward the Timber Management Program that is one of the qualifying methods for the CAUV program. The Soil & Water department would serve a dual roll in conducting the Timber Management Plans at no cost for owners to qualify them for the program and also conduct inspections to ensure compliance with the program. Mr. Smith discussed options for Auditor Jacks to fund a portion of the annual cost from his REA fund. Mr. Smith also noted that Soil & Water would require the funding directly from county general to qualify for the matching funds. Mr. Smith stated that the commission requires more time to review this funding request. No action taken.

**RANDY BREECH – REVIEW AND INSPECTION OF COMMERCIAL BUILDINGS**

Randy Breech presented the commission with an opportunity to pass a resolution for the county to use Southeast Ohio Building Department as Gallia County's commercial building inspection resource instead of the State of Ohio. Mr. Breech stated that the State Inspection office had reduced staffing of commercial building inspectors and it has caused very lengthy delays in getting new building plans and permits approved. The commissioners agreed to meet with Rick Dostal, the Building Official for Southeast Ohio Building Department in the next couple of weeks to inquire more information on this opportunity. No action taken.

**911 – 911 EQUIPMENT UPGRADES**

Sherry Daines and Keith Wilson presented to the commission a request for funding to pay for a new 911 Radio dispatching system and CAD upgrade in the total amount of \$687,347.00. Mr. Smith discussed that the county could provide up to \$300,000.00 to help with the purchase and recommended that that the 911 center research other funding/financing options for the remaining amount. No action taken.

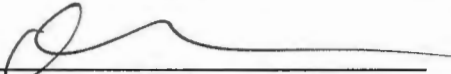
**EXECUTIVE SESSION – COMMISSIONERS – PERSONNEL**

2:59 p.m., the President entertained a motion to enter into executive session with Commissioners to discuss personnel matters. Q. Jay Stapleton moved and Leslie Henry seconded the motion. Roll call: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea. Returned to regular session at 3:34 p.m. No action taken.

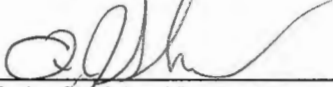
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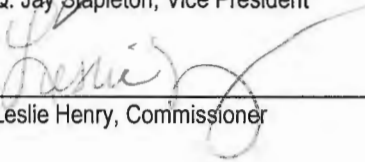
ADJOURN

At 4:00 p.m. the President entertained a motion for adjournment. Q. Jay Stapleton made and Leslie Henry seconded the motion. Roll call: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea.

  
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David K. Smith, President

  
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Amanda Phillips, Clerk to the Board

  
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Q. Jay Stapleton, Vice President

  
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Leslie Henry, Commissioner