

MARCH 16, 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 March 9, 2023 minutes. Leslie Henry made 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
3/12	8	1	0	0	15	0	0	0	16	23	0	0	0	8

EXECUTIVE SESSION – COMMISSIONERS – PERSONNEL

9:19 a.m., the President entertained a motion to enter into executive session with Brian Rutherford to discuss possible employment as County Administrator. Ms. Henry moved and Mr. Stapleton seconded the motion. Roll call: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea. Returned to regular session at 9:57 a.m. No action taken.

EXECUTIVE SESSION – DJFS – PERSONNEL

At 10:01 a.m. the president entertained a motion to enter into executive session with DJFS Director Dana Glassburn and DJFS Business Administrator Kathy Campbell to consider the possible employment of a public employee. 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 10:20 a.m., no action taken.

FINANCIAL REPORT REVIEW

County Administrator Kevin Nicholas presented the Commission with the following financial report:

- The January 2023 Financial Reports for comparison with the January 2022 Financial Reports. The following was noted during the review:
 - 1/1/2022 beginning cash balance was \$2,708,800.25
 - 1/1/2023 beginning cash balance was \$2,732,778.98
 - Difference of \$23,978.73
 - 1/31/2022 ending cash balance was \$1,044,816.79
 - 1/31/2023 ending cash balance was \$2,019,768.22
 - Difference of \$974,951.43
- The February 2023 Financial Reports for comparison with the February 2022 Financial Reports. The following was noted during the review:
 - 2/1/2022 beginning cash balance was \$1,044,816.79
 - 2/1/2023 beginning cash balance was \$2,019,768.22
 - Difference of \$974,951.43
 - 2/28/2022 ending cash balance was \$1,051,076.02
 - 2/28/2023 ending cash balance was \$2,070,454.26
 - Difference of \$1,019,378.24

ECONOMIC DEVELOPMENT SERVICE AGREEMENT FUNDING

County Administrator Kevin Nicholas requested the funding for the approved 2023 Contracted Services Agreement for Economic Development with the University of Rio Grande and Rio Grande Community College in the amount of \$25,000.00 be approved for payment. The President entertained a motion to approve the \$25,000.00 for the 2023 Contracted Services Agreement for Economic Development with the University of Rio Grande and Rio Grande Community College. Leslie Henry moved and Q. Jay Stapleton seconded the motion. Roll call: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea.

CCAO GROUP RETROSPECTIVE RATING PROGRAM ENROLLMENT

County Administrator, Kevin Nicholas presented the 2024 CCAO Group Retrospective Rating Program Enrollment as part of the county’s worker compensation program in conjunction with our Managed Care Ohio company, Sedgwick. This program will provide up to a 23 percent targeted refund from the county’s annual worker compensation premium

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payment. President David Smith entertained a motion to approve and sign the 2024 CCAO Group Retrospective Rating Program Enrollment as presented. Leslie Henry moved and Q. Jay Stapleton seconded this motion. Upon roll call votes were as follows: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea.

FAA GRANT 2022 DRAW #6 APPROVAL
GALLIA-MEIGS REGIONAL AIRPORT PROJECT

Commission received from Delta Airport Consultants the FAA grant 2022 draw #6 forms requesting \$10,237.50 from the County's FAA grant for the FAA share of the following invoices:

- Delta Airport Consultants Inv #8 - \$17,500.00
- Total = \$17,500.00

Draw #6 breakdown as follows:

- FAA Allowable Delta invoice #8 = $\$17,500 \times 65\% \times 90\% = \$10,237.50$
- ODOT Aviation grant allowable Delta invoice #8 = $\$17,500 \times 65\% \times 5\% = \568.75
- Local match – ODOT share Delta invoice #8 = $\$17,500 - \$10,237.50 - \$568.75 = \$6,693.75$

David Smith entertained a motion to approve and sign the FAA grant draw #6 forms for payment of engineering invoices as presented.

Leslie Henry moved and Q. Jay Stapleton seconded this motion. Upon roll call votes were as follows: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea.

CDBG COMMUNITY DEVELOPMENT GRANT (B-F-21-1AY-1) 3rd STATUS REPORT

GMCAA Grants Administrator Karen Sprague presented the Commission with the 3rd Status Report for the period September 1, 2022 thru February 28, 2023 for the County's FY 2021 CDBG Community Development Grant (B-F-21-1AY-1) which has been submitted to the Ohio Department of Development. The following project/activity were noted:

- Sewer Facility Improvements – Tara Estates Sewer Replacement Project – Grant award \$130,000; Drawn/Expended \$72,731.87
 - Project Local Match – B-X-21-1AY-1 Grant \$470,000; Expended \$255,440.80
 - Project Local Match – 2021 WWIP Grant \$1,373,594; Expended \$731,658.44
- Fair Housing – Grant award \$8,000; Drawn/Expended \$3,140.07
- Administration – Grant award \$24,000; Drawn/Expended \$15,920.51
 - Administration Local Match – B-X-21-1AY-1 Grant \$30,000; Expended \$12,976.61
- Total Grant Award \$162,000; Grant Expended \$91,792.45; Local Match expended \$1,000,075.85

David Smith entertained a motion that the 3rd Status Report be approved as submitted to ODO. Q. Jay Stapleton made and Leslie Henry seconded that motion. Upon roll call votes were as follows: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea. The form is on file in the County's CDBG grant files.

CDBG CRITICAL INFRASTRUCTURE GRANT (B-X-21-1AY-1) 3rd STATUS REPORT

GMCAA Grants Administrator Karen Sprague presented the Commission with the 3rd Status Report for the period September 1, 2022 thru February 28, 2023 for the County's FY 2021 CDBG Critical Infrastructure Grant (B-X-21-1AY-1) which has been submitted to the Ohio Department of Development. The following project/activity were noted:

- Sewer Facility Improvements – Tara Estates Sewer Replacement Project – Grant award \$398,100; Drawn/Expended \$224,173.53
 - Project Local Match – B-F-21-1AY-1 Grant \$130,000; Expended \$72,731.87
 - Project Local Match – 2021 WWIP Grant \$1,243,163; Expended \$699,421.44
- Professional Fees – Tara Estates Sewer Replacement Project – Grant award \$71,900; Drawn/Expended \$31,267.27
 - Project Local Match – 2021 WWIP Grant \$130,431; Expended \$32,237.00
- Administration – Grant award \$30,000; Drawn/Expended \$12,976.61
- Total Grant Award \$500,000; Grant Expended \$268,417.41; Local Match expended \$804,390.31

David Smith entertained a motion that the 3rd Status Report be approved as submitted to ODO. 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. The form is on file in the County's CDBG grant files.

ENGINEER – BID AWARD

Adam Edwards from the Engineers office provided the commissioners with a recommendation from the Gallia County Engineer Bret Boothe, awarding the 2022 Gallia County Road Surface Improvements Project to the Shelly Company in the amount of \$1,646,371.20. The President entertained approving the recommendation as presented by Mr. Edwards. Q. Jay Stapleton made and Leslie Henry seconded the motion. Roll call: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea.

EXECUTIVE SESSION – COMMISSIONERS – PERSONNEL

At 10:58 a.m., the President entertained a motion to enter into executive session with Beverly Wilson to discuss possible employment as County Administrator. Ms. Henry moved and Mr. Stapleton seconded the motion. Roll call: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea. Returned to regular session at 11:30 a.m. No action taken.

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GUYAN TOWNSHIP – TOWNSHIP GRANT TIMELINE

Jeff Fowler, Guyan township fiscal officer requested an extension to the 2022 County Match Funding for Township project timeline. President Smith stressed the importance of getting each township as close to meeting the established August target date. No action taken.

TOM WHITE – UPDATE

Tom White presented the commissioners with an updated Landfill Explosive Gas Monitoring Plan agreement that needed signed. President David K. Smith entertained signing the plan. Leslie Henry moved and Q. Jay Stapleton seconded the motion. Roll call: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea.

EXECUTIVE SESSION – DJFS – CONTRACTS

At 2:29 p.m. the President entertained a motion to enter into executive session with DJFS Director Dana Glassburn to discuss contracts for the new JFS Workforce Center. Leslie Henry made and Q. Jay Stapleton seconded the motion. Roll call: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea. Returned to regular session at 2:35 p.m., no action taken.

EXECUTIVE SESSION – COMMISSIONERS – PERSONNEL

2:37 p.m., the President entertained a motion to enter into executive session with Denise Toler to discuss possible employment as County Administrator. Ms. Henry moved and Mr. Stapleton seconded the motion. Roll call: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea. Returned to regular session at 2:58 p.m. No action taken.

EXECUTIVE SESSION – COMMISSIONERS – PERSONNEL

3:02 p.m., the President entertained a motion to enter into executive session with Anette Brown to discuss possible employment as County Administrator. Ms. Henry moved and Mr. Stapleton seconded the motion. Roll call: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea. Returned to regular session at 3:43 p.m. No action taken.

GALLIA COUNTY BOARD OF DD – BOARD APPOINTMENT

A letter was received from Melinda Kingery, Superintendent of the Gallia County Board of Developmental Disabilities stating board member Phillip Skidmore had announced his resignation in January and would not be able to complete his term. Ms. Kingery indicated that Lisa Marcum is willing to serve the remainder of Mr. Skidmore's term on the board. Ms. Kingery recommends Lisa for the appointment to the Board of DD and her term would be March 28, 2023-January 21, 2025. The President entertained a motion to approve the appointment of Lisa Marcum, effective March 28, 2023. Q. Jay Stapleton made and Leslie Henry seconded the motion. Roll call: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea.

DJFS – NEW HIRE – AMENDED FROM MARCH 2, 2023

Kathy Campbell, GCDJFS Business Administrator, recommended the following new hire with an effective hire date to be determined by the Director upon successful completion of preliminary employment screening processes and in accordance with ORC 5101:2-33-55 (B) (1).

Elisha Meadows-Biland, Classification Number 17223 Position control #21005.0. Pay rate per the bargaining unit agreement. The President entertained approving the amended entry for DJFS's new hire. Q. Jay Stapleton made and Leslie Henry seconded the motion. Roll call: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea.

2023 MATERIAL AND SERVICES CONTRACT – O.O. MCINTYRE PARK DISTRICT

Clerk to the Board, Amanda Phillips submitted a 2023 general road work and dust control contract. The President entertained a motion to approve the submitted contract, Leslie Henry made and Q. Jay Stapleton seconded the motion. Roll calls: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea.

The contract is as follows:

THIS CONTRACT AND AGREEMENT, MADE AND CONCLUDED IN GALLIPOLIS, OHIO, THIS 10th DAY OF March, 2023 BY AND BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF GALLIA COUNTY, OHIO, HEREINTO AFTER CALLED THE FIRST PARTY, AND O.O. McIntyre Park District HEREINTO AFTER CALLED THE SECOND PARTY.

WITNESSTH:

WHEREAS, THE SECOND PARTY IS DESIROUS OF HAVING CERTAIN STREETS AND ROADS WITHIN ITS TERRITORY CONSTRUCTED, RELOCATED, REPAIRED, OR IMPROVED, AND ANY OTHER WORK REQUIRED OF THE FIRST PARTY, AS FOLLOWS:

GENERAL ROAD WORK AND DUST CONTROL.

WHEREAS, THE SECOND PARTY DOES NOT HAVE THE NECESSARY EQUIPMENT AND/OR PERSONNEL TO PERFORM THE WORK AFORESAID AND DOES DESIRE TO HAVE SAID WORK PERFORMED BY THE FIRST PARTY, THROUGH THE GALLIA COUNTY ENGINEER BRETT BOOTHE AND HIGHWAY DEPARTMENT OF SAID COUNTY; AND O.O. McIntyre Park District.

WHEREAS, THE ENGINEER'S OFFICE AND THE EMPLOYEES OF SAID GALLIA COUNTY HIGHWAY DEPARTMENT MAY BE AVAILABLE ON SATURDAYS AND OTHER DAYS OF EACH WEEK (PROVIDING IT DOES

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NOT INTERFERE WITH OVERALL MAINTENANCE OF COUNTY HIGHWAY SYSTEM AND EMPLOYEES ARE AVAILABLE) TO PERFORM WORK AND LABOR FOR, AND ON BEHALF OF, OTHER POLITICAL SUB-DIVISIONS WITHIN THE COUNTY.

WHEREAS, THE SECOND PARTY AGREES TO THE GALLIA COUNTY ENGINEER'S "PAYMENT OF MATERIAL AND SERVICES POLICY".

NOW THEREFORE, THE FIRST PARTY IS WILLING TO FURNISH THE NECESSARY EQUIPMENT AND LABOR, AND TO PERFORM THE WORK AFORESAID, AS A CHARGE TO THE SECOND PARTY FOR THE USE OF SAID EQUIPMENT, MATERIALS, AND LABOR. ALL LABOR, MATERIALS USED, AND FRINGE BENEFIT RATES WILL BE CHARGED AT THE CURRENT COUNTY RATES. EQUIPMENT WILL BE CHARGED AT THE "GALLIA COUNTY ENGINEER'S 2023 EQUIPMENT RATES".

WHEREAS, THE SECOND PARTY IS DESIROUS OF HAVING ACCESS/UTILITY PERMITS (WHICH INCLUDE DRIVEWAY PERMITS, ADDRESSING PERMITS, AND PERMITTING OF UTILITIES) ON TOWNSHIP ROADS BY THE FIRST PARTY, AS FOLLOWS: **DRIVEWAY PERMITTING, ADDRESSING PERMITTING, AND UTILITY PERMITTING.**

WHEREAS, THE SECOND PARTY DOES NOT HAVE THE NECESSARY EQUIPMENT AND/OR PERSONNEL TO PERFORM THE WORK AFORESAID AND DOES DESIRE TO HAVE SAID WORK PERFORMED BY THE FIRST PARTY, THROUGH THE GALLIA COUNTY ENGINEER BRETT BOOTHE AND ENGINEER'S OFFICE OF SAID COUNTY; SAID SECOND PARTY.

WHEREAS, THE SECOND PARTY AGREES TO THE GALLIA COUNTY ENGINEER'S "DRIVEWAY CULVERT, ADDRESSING, AND UTILITY PERMITTING POLICY".

NOW THEREFORE, THE FIRST PARTY IS WILLING TO FURNISH THE NECESSARY EQUIPMENT AND LABOR, AND TO PERFORM THE WORK AFORESAID, CHARGED AS A PERMIT FEE TO THE PERMIT APPLICANT AT THE SAME FEE RATE AS THE CURRENT COUNTY ENGINEER FEE SCHEDULE FOR PERMITS. NO PERMIT FEE SHALL BE BILLED TO THE TOWNSHIP FOR THESE SERVICES.

WHEREAS, THE SECOND PARTY IS DESIROUS OF MATERIAL PURCHASES FROM THE ENGINEER'S OFFICE AND HIGHWAY DEPARTMENT FOR THEIR USE.

WHEREAS, MATERIAL PRICES ARE SUBJECT TO CHANGE WITHOUT NOTICE BY THE ENGINEER'S OFFICE AND HIGHWAY DEPARTMENT.

WHERE, THE SECOND PARTY AGREES TO THE GALLIA COUNTY ENGINEER "PAYMENT OF MATERIAL AND SERVICES POLICY".

THEREFORE, BE IT RESOLVED, THE FIRST PARTY IF WILLING TO FURNISH MATERIAL WITH LOADING AT COUNTY COST AS A CHARGE TO THE SECOND PARTY.

THE SECOND PARTY AGREES, DOES COVENANT, TO SAVE HARMLESS THE FIRST PARTY FROM ANY AND ALL LOSS AND RESPONSIBILITY FOR ANY DAMAGES AND/OR FOR INJURY TO PERSONS, PROPERTY, OR OTHERWISE, ARISING FROM THE USE OF THIS EQUIPMENT PERFORMANT OF THE WORK AND LABOR UNDER THIS AGREEMENT.

THE FIRST PARTY AGREES THAT THE WORK SHALL BE DONE UNDER THE SUPERVISION OF THE GALLIA COUNTY ENGINEER OR PERSONS DESIGNATED BY HIM.

IN WITNESS WHEREOF, THE PARTIES HERETO HAVE SET THEIR HANDS TO DUPLICATES HEREOF THE 16TH DAY OF MARCH, 2023 (original contract on file in the engineer's office and copies at the Gallia County Commissioners office)

SIGNED IN THE PRESENCE OF:
(AS TO FIRST PARTY
s/ Amanda Phillips, Clerk

THE BOARD OF COUNTY COMMISSIONERS
OF GALLIA COUNTY, OHIO 3/16/2023
s/ David K. Smith, President
s/ Q. Jay Stapleton, Vice President
s/ Leslie Henry, Commissioner

NATIONAL OPIOID LITIGATION – 2ND ROUND OF NATIONAL SETTLEMENTS

The Gallia County Board of Commissioners were notified from Attorney Robert R. (Rusty) Miller of a 2nd round of national settlements in the National Opioid Litigation. President David Smith entertained a motion to approve the resolution to enter into the settlements. Leslie Henry moved and Q. Jay Stapleton seconded the motion. Roll calls: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea.

COMMISSIONERS – COMP TIME PAY OUT

Clerk, Amanda Phillips discussed the 135 hours of comp time the County Administrator Kevin Nicholas has accumulated in 2022 and that he would not be able to take the time off due to the hardship the Commissioner's office would endure if Mr. Nicholas attempted to use all these comp hours. Ms. Phillips requested Mr. Nicholas's comp hours be paid out by the Commissioners. The President entertained a motion to pay out Mr. Nicholas 135 comp hours. Q. Jay Stapleton moved and Leslie Henry seconded the motion. Roll call: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea.

RECESS

At 4:00 p.m. the President entertained a motion to recess today's meeting and reconvene on March 22, 2023 at 1 p.m. to continue unfinished business. Leslie Henry moved and Q. Jay Stapleton seconded the motion. Roll call: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea.

CASTO & HARRIS, INC. — RE-ORDER NO. 21488-20

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MARCH 23, 2023

The Gallia County Board of Commissioners reconvened on this date for the purpose of completing unfinished business from the March 16, 2023 Commissioner meeting. 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.

ADJOURN

At 9:01 a.m. the President entertained a motion for adjournment. ~~22 motion~~. Roll call: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea.

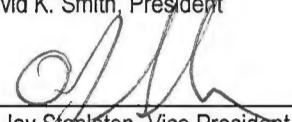
*Leslie Henry made &
Q. Jay Stapleton seconded -AP*



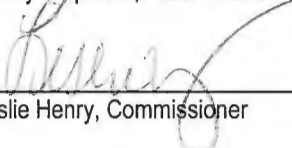
David K. Smith, President

Amanda Phillips

Amanda Phillips, Clerk to the Board



Q. Jay Stapleton, Vice President



Leslie Henry, Commissioner