

MARCH 29, 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 Vice President Howard J. Foster. Roll Call: Harold G. Montgomery, absent; Vice President Mr. Howard J. "Joe" Foster, present; Commissioner Lois M. Snyder, present.

Vice President Foster entertained a motion for approval of the March 22, 2012 minutes. Lois Snyder made and Joe Foster seconded the motion; Roll call: Mr. Montgomery, absent; Mr. Foster, yea; Ms. Snyder, yea.

TRAVEL REQUESTS				
DEPARTMENT	NAME	DATE	TO	RE:
Commissioners	Karen Sprague	4/4	Dublin, OH	Strategic Planning Retreat

Vice President Foster entertained a motion to approve travel requests as submitted. Lois Snyder made and Joe Foster seconded the motion; Roll call: Mr. Montgomery, absent; Mr. Foster, yea; Ms. Snyder, yea.

Animal Shelter Canine Weekly Report										
Week Ending	IN	Adopted	Reclaimed	Euthanized	Died (Natural Causes)	Rescued	Destroyed (in field)	Out	In Foster Care	Remaining at Shelter
3/26	40	2	1	1	2	31	0	37	57	61

OSU EXTENSION – AGENCY UPDATE

- Extension Agent Richard Stephens met to update the Commissioners on the following:
- Tobacco Meeting – letters out and numbers are conservative.
 - Produce Auction – April 17th
 - Pesticide training being offered – April 19th
 - Counselor training held last week – 23 counselors trained
 - 4-H enrollment begins next Tuesday
 - Farmers Market held a fundraiser on Saturday, was very successful with about 50 present.
 - New 4-H computer system being implemented.
 - A recent meeting was held with Ohio Signature Beef and some possible opportunities may be on the way.
 - Lori Miller was rehired; she started Monday and will work on part-time basis through August, 3 days a week.

The Commission commended Stephens on the 140,000 lbs of Tobacco through Burley Stabilization; we believe the produce auction will have its place and tie in nicely together.

EXECUTIVE SESSION - DJFS

At 9:48 a.m. the President entertained a motion to enter into executive session with JFS Director Dana Glassburn to discuss participant matters required to be kept confidential by federal law, federal rules, or state statutes. Lois Snyder made and Joe Foster seconded the motion; Roll call: Mr. Montgomery, absent; Mr. Foster, yea; Ms. Snyder, yea. Returned to regular session at 10:02 a.m.; no action taken.

COUNTY ENGINEER – 2011 ANNUAL REPORT

County Engineer Brett Boothe submitted the required annual report as per Ohio Revised Code, Section 5543.02 - Annual report:

The county engineer shall report to the board of county commissioners, on or before the first day of June in each year, the condition of the county roads, bridges, and culverts, and estimate the probable amount of funds required to maintain and repair or to construct any new roads, bridges, or culverts required within the county.

The engineer, on or before the first day of June in each year, shall make an annual estimate for the board of township trustees of each township, setting forth the amount required by the township for the construction, reconstruction, resurfacing, or improvement of the public roads within their jurisdiction. Such estimates shall relate to the year beginning on the first day of March next ensuing, and shall be for the information of the board of county commissioners and board of township trustees, in the making of their annual levies.

This report is on file in the Commissioners office.

2011 ANNUAL OPERATING REPORT FOR GALLIA COUNTY LANDFILL

The Commissioners received the 2011 Annual Operating Report for the Gallia County Landfill. This report is on file in the Commissioners Office.

DATA PROCESSING BOARD 2011 ANNUAL REPORT

County Auditor Larry Betz submitted the following report:

TO: Data Processing Board & Board of County Commissioners

RE: Annual Report to Data Processing Board for Calendar Year 2011

On 1st Monday of April (per ORC 307.845) County Auditor shall file with the County Automatic Data Processing Board and Board of County Commissioners a report of the operations of the center and a statement of the receipts and expenditures of the center during the year.

Prior year encumbrances (2010)	\$0.00
Current Year Appropriations for 2011	\$94,871.75
Combined Appropriation Subtotal amount	\$94,871.75
Prior Year Excess Encumbrances Unspent:	0.00
Subtotal Amount	\$94,871.75

Actual Expenditures for 2011	\$94,871.75
Unspent Appropriations	\$94,871.75
2011 Year-End Encumbrances for 2012	\$0.00

s/ Larry M. Betz, Auditor

The report is on file in the Commissioners Office.

MERCERVILLE SEWER – DRAINAGE REPAIRS

Guyan Township Trustees Roger Watson & Paul Rossiter met with Commission and County Administrator Karen Sprague to discuss a project to repair drainage issues in the hamlet of Mercerville that have surfaced as a result of the Mercerville Sewer Project.

Commissioner Foster presented a proposal from LJ Excavating, LLC to remedy the problems that include the installation of 2 catch basins on Cox Road and 2 catch basins along with culvert and 120 LF of piping at the Burlington/Mercerville Road intersection. LJ Excavating quote totaled \$7,950. Guyan Township Trustee Roger Watson advised the Township is willing to perform the work for the same amount as LJ Excavating, however suggested it would be better to use 24" culvert under Burlington road instead of 15".

Ms. Sprague noted the following:

- Instruction from ODOD that the County pay for the purchase of the materials and any equipment rental that is necessary for this project and then reimburses Guyan Township for their employee's salary and fringes as working on the project at their regular rate of pay, if they are already Township employees. If new employees are hired specifically for this project the Township will be required to pay them the federal prevailing wage rate plus fringes.
- Bid opening for paving of Burlington/Mercerville Roads is scheduled for 4/12/2012 so the Township will need to finish the work on Burlington/Mercerville Roads no later than 4/13/2012 so that the paving project can begin the next week.
- All construction work, both drainage and paving, must be completed by 4/30/2012 in order to meet the B-R-09-1AY-1 grant deadline.
- All the funds must be spent by that deadline as well and requested the township bring her the material and equipment rental invoices as soon as they get them.
- The Township keep track of the employees time and file payroll reports timely so the Township can be reimbursed for those costs as well by the 4/30/2012 grant deadline.

Guyan Trustees Watson and Rossiter assured they could complete the project by the grant deadline for not more than the amount of \$7,950. Mr. Foster entertained a motion to award the drainage repair project to Guyan Township Trustees pursuant to the stipulations discussed. Ms. Snyder moved and Mr. Foster seconded the motion. Roll call votes: Mr. Foster, yea; Ms. Snyder, yea; Mr. Montgomery, absent for vote.

PARTIAL RELEASE OF REAL ESTATE MORTGAGE GALLIA COUNTY CHIP PROGRAM (B-C-00-025-1)

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 \$10,593.55. The balance of 15%, which amount equals \$1,869.45, must remain in effect until paid in full. The Prosecuting Attorney prepared the Partial Release of Real Estate Mortgage forms. Mr. Foster entertained a motion that the Partial Release of Real Estate Mortgage for the following persons be approved and signed as presented:

- Tammy Sigman

Lois Snyder made and Joe Foster seconded the motion to grant President Harold Montgomery permission to sign the release. Upon roll call votes were as follows: Harold Montgomery, absent for vote; 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 **TAMMY SIGMAN** to the above named County of Gallia, Office of Gallia County Commissioners, dated March 28, 2002 and recorded in Volume 364, Page 587, of the Mortgage Records of Gallia County, Ohio. (This document releases 85% of said mortgage, which equals \$10,593.55. The balance of said mortgage will remain in effect until paid in full, balance remaining equals \$1,869.45.)

IN WITNESS WHEREOF, the above named County of Gallia, Office of Gallia County Commissioners, has hereunto subscribed its name and seal this 29th day of March, 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 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.

**AMENDMENT TO RESOLUTION – KANAUGA/ADDISON SERVICE AREA
USER CHARGE AND SEWER USE REGULATIONS**

County Administrator Karen Sprague presented the Commission with the following amendment to the prior adopted (6/19/2008) Kanauga/Addison Service Area User Charge and Sewer Use Regulations:

- Appendix A revisions:
 - Capacity Charge/Tap Fee revision
 - Per Gallia County's agreement for sewage treatment with the City of Gallipolis, any users connecting to the County System after the initial connections are completed ("Subsequent Users"), will pay prior to making the connection, in addition to any County fees, a charge equal to the then applicable City of Gallipolis capacity charge as set forth in Ordinance 925.16 of the Codified Ordinances of the City of Gallipolis, Ohio, as it may be amended from time to time by the City. This capacity charge for Subsequent Users in the Service Area will be collected by the County and fifty percent (50%) thereof will be immediately remitted to the City.
 - User Charge revision
 - Total monthly rate per EDU = \$53.00
 - O&M monthly base rate per EDU = \$32.75
 - Debt Retirement monthly base rate per EDU = \$20.25

Ms. Sprague noted at the present time Gallipolis City's outside the city capacity rate is \$3,000 for a standard tap and this amount split 50:50 would provide the County with \$1,500 per tap. Ms. Sprague further noted the current tap fee for the county's general sewer district and Mercerville sewer district is \$2,000, so if the Commission would wish to keep the KA Sewer tap fee the same as those the Commission would need to include in this amendment a supplemental tap fee rate of \$500. Mr. Foster requested copies of the proposal so that it can be discussed and acted on at a later date. No action taken.

SEWER VOLUNTARY DISCONNECT POLICY

The County Administrator presented the Commission with the revisions to the Sewer Voluntary Disconnect Policy to review and approval. The Commission tabled action in this regard pending review.

OEPA OPERATOR OF RECORD NOTIFICATION FORM – LIFT STATIONS

The County Administrator presented the Commission with an OEPA Operator of Record Notification form to notify OEPA that Glenn K. Soles, Jr. will serve as the operator of record for all lift stations for Gallia County. Joe Foster entertained a motion to approve and grant the Commission President permission to sign the form as presented. Lois Snyder made and Joe Foster seconded that motion. Roll call votes: Mr. Foster, yea; Ms. Snyder, yea. Mr. Montgomery, absent for vote.

NATIONAL PUBLIC HEALTH WEEK

The Commissioners proclaimed the following:

***National Public Health Week
Proclamation***

Whereas the week of April 2-8, is National Public Health Week, and the theme is "***A Healthier America Begins TODAY. Join the Movement!***";

Whereas since 1995, the American Public Health Association, through its sponsorship of National Public Health Week, has educated the public, policy-makers, and public health professionals about issues important to improving the public's health;

Whereas, each year, nearly 150,000 people die from injuries, and almost 30 million people are injured seriously enough to go to the emergency room;

Whereas, unintentional injuries, such as motor vehicle crashes, poisonings and burns, rank among the top 10 causes of death for people ages 1-44;

Whereas, the financial costs of injuries are staggering, accounting for 12 percent of annual medical care spending and totaling as much as \$69 billion per year;

Whereas, injuries, unexpected events and violence affect people at home, at work, in their communities, on the move and even at play;

Whereas, many injuries and associated costs can be proactively prevented by taking actions such as wearing a seatbelt, properly installing smoke alarms, correctly installing and using child safety seats, wearing a helmet, storing cleaning supplies in locked cabinets and educating the community about violence and maltreatment towards children, seniors and other vulnerable populations:

NOW, THEREFORE, We, the Gallia County Commissioners, do hereby proclaim the week of April 2-8, 2012, as ***National Public Health Week 2012 in Ohio*** and call upon the people of ***Gallia County*** to observe this month by helping our families, friends, neighbors, co-workers and leaders better understand the importance of public health to a successful health system in light of this year's theme, "***A Healthier America Begins TODAY. Join the Movement!***"

IN WITNESS WHEREOF, We have hereunto set our hand this 29th day of March, 2012.

s/ *Howard J. Foster*, Vice President

s/ *Lois M. Snyder*, Commissioner

Lois Snyder made and Joe Foster seconded the motion; roll call: Mr. Montgomery, absent; Mr. Foster, yea; Ms. Snyder, yea. In attendance: Melissa Conkle, RN, local reporters Amber Gillenwater and Michelle Miller.

LOCAL GOVERNMENT COLLECTIONS SERVICES PROGRAM

Jill P. Reardon, Director of Internal Collections with the Office of Ohio Attorney General Mike DeWine met with the Commissioners to discuss the Local Government Collections Services Program within the Ohio Attorney General's office and the opportunity the program offers.

HB 153, the current state budget bill, included a provision sought by and supported by the CCAO that allows the attorney general to collect debt on behalf of local governments. It will allow counties and other local governments to enter into a MOU with the AG's Office to collect debt they are owed. The debt must be final and greater than \$100. Examples of debt that can be collected under the program include fees, statutory fines and court costs. Utilizing the program can allow local governments to offset a debtor's state tax refund or lottery winnings to recover the debt owed. The program is similar to the Ohio AG's Collection Enforcement Section, which has served for decades as the chief collection agent for all state agencies, boards, commissions and universities. The new program for counties and local governments is funded by a collection cost of about 10 percent from the debtor so it will not cost the counties or local governments any money to participate.

Commissioners commended Ms. Reardon and the AG's office for their effort in assisting local governments with collections. In attendance for the presentation: Annette Landers and Ronnie Lynch, Village of Gallipolis; Michael Smith, Gallipolis Municipal Court; Judge Tom Moulton and Greg Shrader, Probate/Juvenile Court; Reporters Amber Gillenwater and Michelle Miller.

EXECUTIVE SESSION - LEGAL

At 11:17 a.m. the President entertained a motion to enter into executive session with Prosecutor Jeff Adkins to discuss a legal issue. Lois Snyder made and Joe Foster seconded the motion; Roll call: Mr. Montgomery, absent; Mr. Foster, yea; Ms. Snyder, yea. Returned to regular session at 11:29 a.m.; no action taken.

BID OPENING – ISSUE 1 PAVING

At 11:30 a.m. The President opened the following sole bid for the County Engineer Issue 1 Paving Project:

Company	Total Bid
The Shelly Company, Thornville, OH	\$ 65.00 per ton – base \$ 73.75 top \$ 2.00 gallon tack

The bids were turned over to the County Engineer for review and recommendation. The following were in attendance: Trevor Small, Shelly Company; and Lana Lane, Engineer's Office.

BID OPENING – BRIDGE REPLACEMENT

At 11:45 a.m. The President opened the following bids for the County Engineer Bridge Replacement Project:

Company	Total Bid
United Precast Industries, LLC, Lexington KY	\$ 36,900.00
Scioto Valley Precast, Co., Chillicothe, OH	\$ 26,974.00

The bids were turned over to the County Engineer for review and recommendation. The following were in attendance:

FUEL BID AWARD

The County Engineer submitted the following recommendation:

Gallia County Commissioners
Gallia County Courthouse
Gallipolis, OH 45631

Commissioners,

After reviewing the lone bid received on March 22, 2012, from Burlile Petroleum, I hereby recommend the bid be awarded to Burlile Petroleum for the following price.

Gasoline Bid	average rack price at Marietta, Ohio	plus \$.15 cents per gallon
On Road Diesel	average rack price at Marietta, Ohio	plus \$.15 cents per gallon
Off Road Diesel	average rack price at Marietta, Ohio	plus \$.15 cents per gallon

Respectfully,
s/ Brett A. Boudha, P.E., P.S.
Gallia County Engineer

The Vice President entertained a motion to award based upon the Engineer's recommendation and signed the contract below. Lois Snyder made and Joe Foster seconded the motion; Roll call: Mr. Montgomery, absent; Mr. Foster, yea; Ms. Snyder, yea.

UNIT PRICE CONTRACT

This contract, made this 29th day of March, 2012, between the Gallia County Commissioners, hereinafter called the party of the first part, and assigns, hereinafter called the party of the second part.

WITNESSETH: That for and in consideration of payments hereinafter mentioned to be made the party of the first part, the party of the second part agrees to furnish gasoline and on and off road diesel fuel according to the plans and specifications and estimates and to the satisfaction and acceptance of the party of the first part.

The party of the second part further covenants and agrees that the following papers shall be bound with, or accompany, and be an essential part of this contract: Specifications, Bid Form, Contract, Affidavit of Non-Delinquency Personal Property Taxes, Affidavit in Compliance, Non-Collusion Affidavit, and Appendix A (Terrorist Exclusion List).

The party of the first part shall pay to the party of the second part, under this contract monthly.

The party of the first part shall receive the weekly average rack price at Marietta, OH plus .15 cents per gallon.

Both parties agree that the provisions of Chapter 4115, Ohio Revised Code, and Related Sections, shall be complied with, in all respects under this contract.

IN WITNESS WHEREOF: The parties hereto have caused their names to be affixed by their duly authorized officers and caused their corporate seals to be affixed hereto.

GALLIA COUNTY COMMISSIONERS

s/ *Howard J. Foster*, Vice President

s/ *Lois M. Snyder*, Commissioner

CONTRACTOR

s/ *Robert H. Burkle*, Vice President

Address: 683 State Rte 7 N, Gallipolis OH 45631

1:45 p.m. Commissioners Foster and Snyder left the office to travel to Georgetown, OH for an OVRDC Meeting/Banquet.

ADJOURN

At 9:30 p.m. Vice President Foster entertained a motion for adjournment. Lois Snyder made and Joe Foster seconded the motion; Roll call: Mr. Montgomery, absent; Mr. Foster, yea; Ms. Snyder, yea.

Absent for meeting
Harold G. Montgomery
Harold G. Montgomery, President

Terry Hemby
Terry Hemby, Clerk

Howard J. Foster
Howard J. Foster, Vice President

Lois M. Snyder
Lois M. Snyder, Commissioner