AUGUST 16, 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 August 9, 2012 minutes. Joe Foster made and Lois Snyder seconded the motion; Roll call: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, yea.

TRAVEL REQUESTS				
DEPARTMENT	NAME	DATE	TO	RE:
Commissioners	Lois Snyder Karen Sprague	8/22	Pomeroy	CAA Meeting
D&K	Paul Simmers	8/21-8/22	Lexington, KY	Euthanasia Certification

President Montgomery entertained a motion to approve travel requests as submitted. Joe Foster made and Lois Snyder 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
8/13	36	2	4	0	29	0	0	0	28	29	29	35	26

RESIGNATION ACCEPTED

Commissioners were in receipt of the following:

I hereby submit my irrevocable letter of resignation as Assistant Dog Warden effective 8/16/2012 and turn in the following items to the County Commissioners Office:

1 LG Cell Phone
1 AC Cell phone charger
1 Badge
2 Key rings of keys
1 Key Fob to Courthouse
1 Yellow gas card

s/ *Jean Daniels* 8/13/2012

The President entertained a motion to accept the resignation as submitted; Joe Foster made and Lois Snyder seconded the motion; Roll call: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, yea.

PROPOSAL FOR ACQUISITION AND/OR MAINTENANCE OF SCANNING OR OTHER EQUIPMENT AND FOR CONTRACT SERVICES

Commissioners received the following proposal for acquisition and/or maintenance of scanning or other equipment and for Contract Services from Gallia County Recorder Roger Walker:

Pursuant to Section 317.321 Ohio Revised Code (as amended 6/10/2010 in HB393), I hereby submit on behalf of the Gallia County Recorder's Office the following proposal:

1. I request beginning January 1, 2013 and ending December 31, 2013 an amount equal to $7.00 of the fee collected for or recording a document for which a fee is charged as required by sections 317.32(A), 1306.03 , 3109.40, 1309.42, 1309.43, and 5301.15 of the Ohio Revised Code be placed in the county treasury and designated: "General Fund Moneys to supplement the needs of the County Recorder".

2. I request that the moneys so designated shall bear such designation for a period of one (1) year.

3. Based on information available to me, I estimate the amount of fees that will be generated for filing and recording documents under the above sections for 2013 exclusive of the Housing Trust Fund Moneys will be $100,000.00. This represents approximately 2,600 filings.

4. With 2600 filings @ $7.00 per filing, I estimate the total amount of fees that could be designated as "General Fund Moneys to Supplement the Equipment Needs of the County Recorder" for the period of this request would be $18,200.00. This is an estimate based on the number of filings for all of 2012 being consistent with the filings for the first half of 2012. This is an estimate.

5. Funds generated would be used to partially pay the costs of a leased computer system & software package. Lease was entered into in 2012 and costs $1,765.00 per month or$21,180.00 yearly. This does not vary with the number if instruments processed through this office. Any shortfall in this estimate and remainder of costs must be met through Appropriation from the General fund.

Given the needs of my office, I look forward to the continuance of this requested funding under Section 5705.12 of the Ohio Revised Code. $ 7.00 per document on which a fee is charged with no limit unless fees are not used within the time period specified.

I appreciate your continued cooperation.
s/ *Roger Walker*, Gallia County Recorder

The President entertained a motion to approve as recommended by the Recorder. Lois Snyder made and Joe Foster seconded the motion; Roll call: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, yea.

GRANT APPLICATION

Economic Development Director Melissa Clark submitted a grant application to Southern Ohio Agricultural & Community Development Foundation (SOACDF) in the amount of $12,700 to assist in the continuation of the Economic Development program in Gallia County. 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 Resource Officer 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. This Agreement is for one Resource Officer at the Gallipolis Alternative School for 40 hours per week for a total of 182 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
s/ Joe Browning, GC Sheriff

Gallia County Commissioners:
Harold G. Montgomery, President
Howard J. Foster, Vice President
Lois M. Snyder, Commissioner

BOARD OF EDUCATION:
G-J-V Joint Vocational School District

s/ Superintendent

As approved to form:
s/ Jeff Adkins, Gallia County Prosecutor

The President entertained a motion to approve as recommended by Sheriff Browning. Lois Snyder made and Joe Foster seconded the motion; Roll call: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, yea.

RESOLUTIONS FOR INTER-COUNTY TRANSFER

DJFS Fiscal Specialist Kathy Campbell presented three resolutions for Inter-County Transfer for approving an inter-county agreement and certification for the release and acceptance of funds between DJFS and Greene, Highland & Noble Counties. Ms. Campbell also submitted the following justification of need:

JUSTIFICATION OF NEED FOR ADDITIONAL FUNDS FOR
GALLIA COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES
AUGUST 16, 2012

Gallia County Dept. of Job and Family Service (GCDJFS) had experienced a significant amount of response for assistance to help recover the cost of losses that occurred after the June 29th High Winds. Gallia County had received a Non TANF Disaster Allocation to help those citizens in Gallia County that are not TANF eligible. The agency has obligated that amount and still has 40 application pending. Therefore a request was made to other counties requesting additional funds to help with the demands.

Recognizing the fluidity of demands upon social services provided to Gallia County citizens through the GCDJFS, and the restrictions against transfer of federal and state funds between program areas; participation in an inter-county adjustment of allocated funds with Greene, Highland and Noble Counties has allowed us to maximize service delivery to the non-TANF citizens of our county while attempting to "live within our means".

Fortunately for Gallia County, Greene, Highland and Noble Counties have agreed to give us part of their Non TANF Disaster funds to Gallia County. This agreement will allow Gallia County to increase the amount of non-TANF citizens we will be able to service. This inter-county transfer will help our county citizens to recover their losses after the June 29th High Winds.

The President entertained a motion to approve the resolutions as submitted and recommended; Joe Foster made and Lois Snyder seconded the motion. Roll call: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, yea. Resolutions are on file in the DJFS and Commissioners Offices.

FINANCIAL REPORT REVIEW

County Administrator Karen Sprague presented the Commission with:

- Reviewed August 2012 Sales Tax report
- Reviewed August Real Estate Settlement report
- Reviewed Special Assessment collection reports
- Reviewed Veterans Services 2013 budget request
- Sprague informed the commission of some upcoming changes by State Auditor for annual audits as follows:
  - AUP – Agreed Upon Procedures – is a new option for small governments with less than $1 million in annual budgets. The State Auditors can do a smaller audit with less sampling and less compliance procedures and thus the AUP costs less. This option will be expanding to small governments with up to $5 million budget in 2013. It is only available to small governments that have no prior issues in their prior audits and have a good track record of monthly reconcile of accounts, with key personnel that demonstrate fiscal responsibility.
  - Also for 2013 the Ohio Audit Compliance Supplement will be reduced and this should cut audit costs for all government entities.

ELEVATOR CAPITAL PLANNER

Otis Elevator Representative Curt Stanley discussed the traction elevator which they currently maintain. He advised that some components are obsolete and there are things on the market that are better. He discussed upgrades relating to safety and ADA requirements as well as aesthetics and reliability. Codes change however, this elevator is currently grandfathered. He presented a Capital Planner for future consideration which was reviewed and discussed. Commissioners will take this information into consideration; no action taken.

REFUSE HAULER PROPOSALS

At 11:00 a.m. the following refuse disposal proposals were opened:

Company (Weekly pick up rates)	8-YD	6-YD	4-YD	2-YD	MONTHLY TOTAL
AB&R Trash Service Inc., Bidwell	$75.00	$65.00	$50.00	$40.00	$280.00
Rumpke, Wellston	$77.94	$58.46	$38.97	$19.49	$247.86
Republic Services-Allied Waste	$95.96	$80.79	$63.01	$46.86	$349.63

The proposals were given to the County Administrator for review and recommendation. The following were in attendance: Tom Burke, Allied Waste; Tomm Wallace, Rumpke of Ohio; Michelle Miller, Gallia Hometown Herald and Amber Gillenwater Gallipolis Daily Tribune.

FENCING INQUIRY

Buhl Morton Rd Resident Cecil Vinson discussed an issue with a neighbor and he would like to build a fence between the two of them. He wanted to know about fencing laws. He checked with the Sheriff and he sent him to the City Solicitor with information for him to review. Commissioners agreed that he was in contact with the right people and he should seek legal advice from an attorney regarding the placement of his proposed fence.

ANIMAL SHELTER UPDATE

Dog Warden Paul Simmers updated the Commissioners on the operation of the Shelter. He is trying to keep the numbers in the 30's or below. He would like to update the fee schedules to include quarantined dogs and a reduced puppy fee and submitted his suggestion.

LANDFILL COMPLAINT

Sheridan Clagg with Clagg's Waste Disposal advised the Commissioners of a fuel charge on environmental fees now being charged at the Gallia Landfill; also fuel surcharges are going up to 10% and now they are not putting a percentage on the ticket and she felt like something needed to be renegotiated. Commissioners advised we lease the landfill to that company and they are responsible for everything beyond this. Should we not re lease with them, we would be responsible for closure and post closure expenses which is in excess of 5 million dollars. No action taken.

EXECUTIVE SESSION - LEGAL

At 1:49 p.m., Attorney David Riepenhoff requested an executive session with the Commissioners regarding legal issues. The President entertained a motion to enter executive session as requested. 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 1:54 p.m.; no action taken.

LEAVE DONATION APPLICATION

Commissioners received the following leave donation application:

Department	Donating Employee	Receiving Employee	Hours Donated	Pay Period
Sheriff	Joshua Perry	Kimberly Blackburn	40	8/24
Clerk of Cts	Barbara Swain		30.8	8/24

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.

EXECUTIVE SESSION - LEGAL

At 2:06 p.m. the President entertained a motion to enter into executive session on a conference call with Attorney Doug Shevelow regarding 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 2:40 p.m.; no action taken.

3:00 pm – Commissioner Snyder left the meeting.

ADJOURN

At 4:00 p.m. President Montgomery entertained a motion for adjournment. Joe Foster made and Harold Montgomery seconded the motion; Roll call: Mr. Montgomery, yea; Mr. Foster, yea; Ms. Snyder, absent.

Harold G. Montgomery, President

Terry Hemby, Clerk

Howard J. Foster, Vice President

Lois M. Snyder, Commissioner