

FEBRUARY 25, 2016

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: President Harold G. Montgomery, present; Vice President David K. Smith, present; Commissioner Brent Saunders, present.

The President entertained a motion for approval of the February 18, 2016 minutes. Brent Saunders made and David K. Smith seconded the motion. Roll call: Mr. Montgomery, yea; Mr. Smith, yea; Mr. Saunders, yea.

TRAVEL REQUESTS				
DEPARTMENT	NAME	DATE	TO	RE:
EMA	Sherry Daines & Tim Miller	3/2	Logan, Ohio	EMA SECTOR Mtg.
Commissioners	Harold G. Montgomery	2/25	Waverley, Ohio	
Commissioners	Karen Sprague	4/8	Columbus, Ohio	Community Development Program Training

The President entertained a motion to approve travel requests as submitted. Brent Saunders made and David K. Smith seconded the motion. Roll call: Mr. Montgomery, yea; Mr. Smith, yea; Mr. Saunders, yea. David K. Smith made and Brent Saunders seconded the motion to add County Administrator Karen Sprague travel for approval. Roll call: Mr. Montgomery, yea; Mr. Smith, yea; Mr. Saunders, yea.

2016 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
2/21	11	0	2	0	5	0	0	0	7	15	0	0	0	2

EXECUTIVE SESSION - PERSONNEL

At 9:37 a.m. the President entertained a motion to enter into executive session with County Administrator Karen Sprague to discuss a personnel. David K. Smith made and Brent Saunders seconded the motion. Roll call: Mr. Montgomery, yea; Mr. Smith, yea; Mr. Saunders, yea. Returned to regular session at 9:47 a.m.; no action taken.

SHERIFF – PRISONER HOUSING CONTRACT WITH WASHINGTON COUNTY

CONTRACT FOR HOUSING PRISONERS
In the WASHINGTON COUNTY JAIL

WHEREAS, this contract is made this 25th day of February, 2016, by and between the Board of County Commissioners of Washington County, Ohio, hereafter referred to as "County", the Sheriff of Washington County, hereafter referred to as "Sheriff", and Gallia County, hereafter referred to as "Contractor".

WHEREAS, Contractor wants to use the Washington County Jail to house as prisoners those persons who have been lawfully committed to custody by arrest or court order for any reason, and/or who have been charged with any misdemeanor or felony offense and are awaiting a bond hearing, and/or who are awaiting a trial and have not otherwise posted bail or been released by court order, and/or who serving a jail sentence after conviction.

WHEREAS, This agreement is intended to set forth the rights, duties, responsibilities, and obligations of the County and contractor for the term hereinafter set forth.

WITNESSETH:

In consideration of the mutual covenants herein made, each of the parties agree as follows:

- The County shall receive, keep, board and safely maintain in the Washington County Jail on the following persons:
 - All persons arrested by Contractor for violations of state criminal statutes until such persons have had an initial appearance before a judge, after which such persons shall be deemed to be in the custody of Washington County for purposes of compensation under this contract.
 - All persons arrested for violation of municipal ordinances from arrest through termination of any jail sentences imposed for that violation except as provided in paragraphs 4 through 9 below.
 - Persons incarcerated pursuant to subparagraphs a. and b. above shall be designated as prisoners in this contract.
- The cost to be paid to the County by the Contractor shall be the amount of sixty dollars (\$60.00) per day for each person incarcerated in the Washington County Jail under paragraphs 1.
- Prisoners confined in the Washington County Jail shall be subject to the rules and regulations of the jail, which apply to all the prisoners therein.
- The County may reject and refuse to receive and prisoners who may be afflicted with a prior medical problem, afflicted with any contagious, infectious, venereal disease, mental illness, illness or injury that has not been treated prior to entry into the Washington County Jail, or having received any prisoner thereafter.
- Sheriff may refuse to receive any prisoner based upon current jail population, internal security conditions of the jail, or any other reason that the Sheriff deems pertinent at the time.
- Contractor agrees to pay for any and all medical, surgical, dental, or ophthalmology expenses incurred on behalf of a prisoner including doctor's fees, hospital charges, and prescription costs.
- Contractor shall transport and provide security anytime a prisoner must leave the Washington County Jail for any reason, unless a court orders that no transportation or security is needed.
- Contractor shall bear the expense of the burial of a prisoner who dies in the Washington county Jail, if the body is not claimed for interment at the expense of friends or relatives.

9. No person under eighteen (18) years of age shall be received except on the approval of the Washington County Juvenile Court.
10. The Washington County Sheriff's Office shall provide an itemized statement of the amount due each month for housing prisoners. Payment shall be made by the Contractor to the Washington County Sheriff, 205 Putnam Street, Marietta, Ohio 45750 within (30) days of the date of the statement. The Washington County Sheriff may refuse to accept prisoners if timely payment is not made.
11. Contractor agrees that during the period of time this contract covers, it shall and will abide and be governed by any and all rules and regulations which now are, or at anytime in the future may be in force at the Washington County Commissioners, Common Pleas and Probate- Juvenile Judges, and the department of Rehabilitation and Corrections.
12. The parties to this contract agree that notice be given to certain persons when particular inmates are to be released from custody, namely victims of domestic violence offenses, named/protected persons in temporary protection orders, named/protected persons in civil protection order and victims of menacing by stalking crimes. To that end, Contractor specifically agrees to furnish to the Sheriff, through the Washington County Jail staff, a current telephone number or numbers and/or contract information for all such protected persons, at the time the inmate is brought to the Washington County Jail and Contractor shall update the information as any change becomes known. The County agrees that the Washington County Jail shall contact those victims and/or protected persons of any inmate pending release provided that a working telephone number has been furnished to the County. In situations where no working telephone number is provided, Contractor shall be responsible for making the required notification to said victims and/or protected persons of an inmate's pending release upon being notified thereof by the Jail when such notification has been given to the victim and/or protected persons, and shall furnish the date and time of day said notification has been made. Contractor acknowledges that failure to comply with these notifications terms will result in the refusal by the County to accept as inmates those persons who have victims or other persons who are subject to release notification information, without voiding the entire contract altogether.
13. This agreement may be terminated by either party during its term, by giving the other party ninety (90) days written notice.
14. This agreement shall be effective as of April 1, 2016, and terminate March 31, 2017.
15. All former contracts and/or agreements between the parties hereto relative to the subject matter of this contract are hereby canceled and terminated.

This agreement entered into in behalf of the GCSO pursuant to Resolution/Ordinance Number 3 passed February 25, 2016. Any alteration of contract shall result in the contract being null and void.

IN WITNESS WHEREOF, the parties hereto, by their respective duly authorized officers; none hereto caused their names to be transcribed on the day first written above.

s/ *Harold G. Montgomery*, President
s/ *David K. Smith*, Vice President
s/ *Brent Saunders*, Commissioner
s/ *Joseph R. Browning*, Sheriff

Washington County Commissioners

David A. White, President

Rick G. Walters

Ronald L. Feathers

Larry R. Mincks, Sr., Sheriff

s/ *Anette L. Brown*, Clerk

s/ *Jeffrey Adkins*
Gallia County Prosecuting Attorney

Witness

Rick Peoples, Fiscal Clerk

Approved as to form

James E. Schneider, Prosecuting Attorney

The President entertained a motion to approve the contract. Brent Saunders and David K. Smith seconded the motion. Roll call: Mr. Montgomery, yea; Mr. Smith, yea; Mr. Saunders, yea.

OSU – AGENCY UPDATE

Director Tracy Winters and ANR Educator Jeff Moore presented the Commission with an agency update of various activities and presented a copy of their newsletter.

- December 8-9 – Tracy, Tiffany Sanders and Jeff participated in the 2015 Extension Annual Conference
- January 22 – Met with Bob Evans Officials about the farm
- February 3 – Tracy and Tiffany attended the 2016 State STEM In-service
- February 8 – Gallia County Cattlemen's Board Meeting
- February 25 – Advisory Committee Meeting at South Gallia High School
- March 16 – Legislative Luncheon with Ryan Smith
- March 17 – Gallia County Fair Board Meeting
- April 2 – Canvas for Clovers

EXECUTIVE SESSION – SHERIFF - CONTRACTS

At 10:12 a.m. the President entertained a motion to enter into executive session with Sheriff Joe Browning and Richard Grau to discuss contracts. Roll call: Mr. Montgomery, yea; Mr. Smith, yea; Mr. Saunders, yea. Returned to regular session at 10:18 a.m.; no action taken.

EXECUTIVE SESSION – DJFS - PERSONNEL

At 10:19 a.m. the President entertained a motion to enter into executive session with JFS Director Dana Glassburn to discuss personnel issues. Roll call: Mr. Montgomery, yea; Mr. Smith, yea; Mr. Saunders, yea. Returned to regular session at 10:30 a.m.; no action taken.

LANDFILL CONTRACT RENEWAL

Waste Management, Frank J. Dockery and Peter Lucas met with commissioners to discuss renewal of a five (5) year contract expiring in July 2016. Harold G. Montgomery stated they will take it in consideration and have the prosecutor, Jeff Adkins review the new contract. No action taken.

COMMISSARY AGREEMENT

The Sheriff submitted the Keefe Commissary Network Agreement with all appropriate signatures to be effect for a period of five (5) years from this date hereof for approval. David K. Smith made and Brent Saunders seconded the motion to approve the agreement as recommended by Sheriff Joseph Browning. Roll call: Mr. Montgomery, yea; Mr. Smith, yea; Mr. Saunders, yea.

CONTRACT FOR COMMUNITY RESIDENTIAL SERVICES

Juvenile Court submitted an agreement from the Lawrence County Commissioners for community residential services at a per diem rate of \$85.00 per bed. The term of the agreement is January 1, 2016 through December 31, 2016. David K. Smith made and Brent Saunders seconded the motion to approve the agreement as recommended by Judge Moulton. Roll call: Mr. Montgomery, yea; Mr. Smith, yea; Mr. Saunders, yea.

AFFORDABLE CARE ACT RESOLUTION

A RESOLUTION OF THE BOARD OF GALLIA COUNTY COMMISSIONERS AUTHORIZING THE COUNTY TO PROVIDE AND AFFORDABLE HEALTH CARE PLAN AND ESTABLISHING A LOOK-BACK MEASUREMENT SAFE HARBOR UNDER THE AFFORDABLE CARE ACT

David K. Smith moved the adoption of the following:

WHEREAS, The Patient Protection and Affordable Care Act ("ACA") was enacted on March 23, 2010 requiring that effective January 1, 2014, applicable large employers must offer affordable health care coverage that provides minimum essential coverage to "substantially all" of its full-time employees or be subject to "assessable payments"; and

WHEREAS, Gallia County is considered an applicable large employer because it employed an average of at least 50 full-time employees (including full-time equivalents) on business days during the preceding calendar year; and

WHEREAS, Under the ACA, proposed regulations permit the County to adopt a look-back measurement method safe harbor in order to determine the status of a part-time, seasonal or intermittent employee as full-time for purposes of determining eligibility for affordable healthcare; and

WHEREAS, the County intends to adopt the provisions of the look-back measurement method safe harbor for purposes of avoiding the assessable payment; and

WHEREAS, providers that currently provide health care coverage to the County offer a plan which provides minimum essential coverage; and

WHEREAS, the ACA sets standards for affordable coverage for employee share of premiums by several methods.

NOW, THEREFORE, BE IT RESOLVED by the Gallia County Commissioners that the County establishes the look-back measurement method with regard to all temporary employees as follows:

The County establishes an ongoing twelve (12) month standard measurement period for temporary and part-time employees hours worked which will start each year on December 1 and end the following year on November 30.

The County establishes a 60 day administrative period associated with the standard measurement period which will start each year on December 1 and end on January 31.

The County establishes a twelve (12) month standard stability period associated with the measurement period which will start each year on February 1 and end on January 31.

BE IT FURTHER RESOLVED by the Gallia County Commission that the County be authorized to set standards for determining when employees are eligible for affordable health care coverage in accordance with ACA guidelines and safe harbors now and as they may be changed from time to time.

Brent Saunders seconded the foregoing Resolution contingent upon the approval of Downey Fishel Hass Kim LLP, Attorney Marc Fishel. Roll call: Mr. Saunders, yea; Mr. Montgomery, yea; Mr. Smith, yea

The first 12 month standard measurement period begins December 1, 2014

s/ Harold G. Montgomery, President

s/ David K. Smith, Vice President

s/ Brent Saunders, Commissioner

RESOLUTION – OVRDC - ROBERT L. PROUD

**The Gallia County Board of Commissioners
Recognizing the Service of Robert L. Proud
as Ohio Valley Regional Development Commission Chairman**

WHEREAS, The members of the Gallia County Commissioners are pleased to recognize the service of Mr. Robert (Bob) L. Proud as Chairman of the Ohio Valley Regional Development Commission; and

WHEREAS, the Ohio Valley Regional Development Commission promotes a cooperative planning process involving local governments, public and private agencies, and individual citizens, toward improving their region within a democratic process; and

WHEREAS, Robert L. Proud faithfully served as a fair and impartial Chairman of the Ohio Valley Regional Development Commission for a period of twenty five (25) years, beginning March 27, 1991 and ending March 18, 2016; and

WHEREAS, Robert L. Proud has favorably influence the economic and social development of the region's twelve counties: Adams, Brown, Clermont, Fayette, Gallia, Highland, Jackson, Lawrence, Pike, Ross, Scioto, and Vinton Counties in this state of Ohio, and

THEREFORE, BE IT RESOLVED, that we, the Gallia County Board of Commissioners, in adopting this Resolution, do hereby compliment Robert L. Proud for his service and congratulate him upon his retirement as the Clermont County Commissioner the end January 2017, a position he has held since 1989 ; and

IN WITNESS WHEREOF, we have here unto set our hand on the 25th day of February 2016 and caused this seal to be affixed.

/ Harold G. Montgomery, President
/ David K. Smith, Vice President
/ Brent Saunders, Commissioner

DEBBIE DRIVE RESIDENT – GREEN SEWER PHASE 1

Residents of Debbie drive; Steve Wilcoxon, Ronald and Kathryn Keenan, Norm and Anne Tarr, Beth and Jerry Frazer, Jim Williams and Paul Voss met with the commissioners to discuss their concerns with the Green Sewer Phase 1 project and had discussion of easements with other residents of Debbie Drive. No action taken

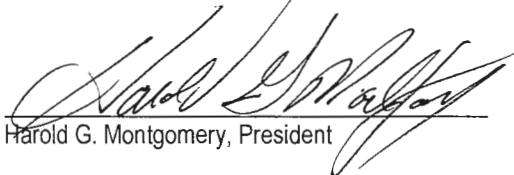
***12:00 pm – Commissioner Harold G. Montgomery traveled to Waverley, OH for the OVRDC Executive Commission meeting.**

ROAD VIEWING – KANAUGA ALLEYS

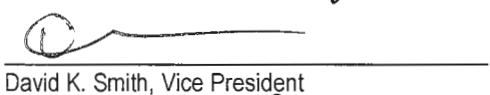
1:30 p.m. the Commissioners left the office to perform the required road viewing of Kanauga Alleys as required by the Ohio Revised Code when petitioned to vacate; returning at 2:00 p.m.

ADJOURN

At 4:00 p.m. the President entertained a motion for adjournment. David K. Smith made and Brent Saunders seconded the motion. Roll call: Mr. Montgomery, yea; Mr. Smith, yea; Mr. Saunders, yea.


Harold G. Montgomery, President


Anette L. Brown, Clerk


David K. Smith, Vice President


Brent Saunders, Commissioner