

August 17, 2017

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 August 10, 2017 minutes. Brent Saunders made and David K. Smith seconded the motion. Roll call: Mr. Montgomery, yea; Mr. Smith, yea; Mr. Saunders, yea.

2017 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
8/13	13	6	0	0	12	0	0	0	18	9	1	0	0	2

CHILDREN SERVICES ALLOCATION

Executive Director Russ Moore requested the Commission allocate \$3,500 to the Children Services to assist in its operation and in fulfilling its mandates as required by ORC. The President entertained a motion for the allocation. David K. Smith made and Brent Saunders seconded the motion. Roll call: Mr. Montgomery, yea; Mr. Smith, absent; Mr. Saunders, yea.

GREEN SEWER 1 O&M FUND

County Administrator Karen Sprague requested the Commission create a new fund for the operation and maintenance of the Green Sewer Phase 1 System. Harold Montgomery entertained a motion to approve and establish the new fund, and to request the County Auditor's Office to create a new fund titled "Green Sewer 1 O&M Fund", give that fund number 104, and to appropriate \$10,000 (for 2017). Create expenditure line items as follows (appropriations for 2017 unknown at this time):

- 104.0104.510200 Salaries
- 104.0104.530300 Supplies
- 104.0104.530400 Equipment
- 104.0104.530600 Contract Repairs
- 104.0104.530700 Contract Services \$10,000
- 104.0104.530800 Travel
- 104.0104.531100 Other Expenses
- 104.0104.536400 PERS
- 104.0104.536500 Workers Comp
- 104.0104.536600 Medicare
- 104.0104.536800 Hospitalization

Also, create one revenue line item for fund pay-ins as follows:

Create 104.4000.400100 titled "Fees" (Revenues for 2017 est. \$10,000)

David K. Smith moved and Brent Saunders seconded the motion to approve. Roll call votes: Harold Montgomery, yea; David Smith, yea; Brent Saunders, yea.

GREEN SEWER 1 DEBT RETIREMENT FUND

County Administrator Karen Sprague requested the Commission create a new fund for the debt retirement of the Green Sewer Phase 1 System. Harold Montgomery entertained a motion to approve and establish the new fund, and to request the County Auditor's Office to create a new fund titled "Green Sewer 1 Debt Retirement Fund", give that fund number 105, and to appropriate \$0 (for 2017). Create expenditure line items as follows:

- 105.0105.540100 Principal \$0.00
- 105.0105.540200 Interest \$0.00

Also, create one revenue line item for fund pay-ins as follows:

Create 105.9001.400200 titled "Other Receipts" (\$0.00 for 2017)

David K. Smith moved and Brent Saunders seconded the motion to approve. Roll call votes: Harold Montgomery, yea; David Smith, yea; Brent Saunders, yea.

GREEN SEWER 1 RESERVE ACCOUNT FUND

County Administrator Karen Sprague requested the Commission create a new fund for the reserve account for the Green Sewer Phase 1 System. Harold Montgomery entertained a motion to approve and establish the new fund, and to request the County Auditor's Office to create a new fund titled "Green Sewer 1 Reserve Account Fund", give that fund number 106, and to appropriate \$0.00 (for 2017). Create expenditure line items as follows (appropriations for 2017 unknown at this time):

- 106.0106.531100 Other Expenses

Also, create one revenue line item for fund pay-ins as follows:

Create 106.9001.400200 titled "Reserve Account" (Revenues for 2017 unknown at this time)

Brent Saunders moved and David K. Smith seconded the motion to approve. Roll call votes: Harold Montgomery, yea; David Smith, yea; Brent Saunders, yea.

**COMMISSIONERS PERMANENT APPOINTMENT**

County Administrator Karen Sprague recommended the permanent appointment of Megan Saunders as Assistant Clerk to the Board Commissioners, an unclassified position, at a pay rate of \$11.50 per hour and 80 hours biweekly with full benefits effective 8/19/2017; noting the probationary period expires 8/15/2017. Harold G. Montgomery entertained a motion to approve the action as recommended by the County Administrator. David K. Smith moved and Harold G. Montgomery seconded a motion. Roll call votes: Mr. Smith, yea; Mr. Saunders, abstain; Mr. Montgomery, yea.

**RECORDER – 2018 GENERAL FUND MONEY REQUEST**

The Commission is in receipt of the Gallia County Recorders request for 2018 General Fund Money-Recorder Fund # 017 appropriations. Pursuant to ORC Section 317.321 the County Recorder shall submit a proposal for acquisition and/or maintenance of scanning or other equipment and for contract services. The request estimates 2018 revenues for this Fund # 017 to be \$19,600. No action taken.

**EXECUTIVE SESSION – DJFS - PERSONNEL**

At 9:32 a.m. the President entertained a motion to enter into executive session with JFS Director Dana Glassburn to discuss 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 9:41 a.m.; no action taken.

**EXECUTIVE SESSION – LEGAL**

At 9:42 a.m. the President entertained a motion to enter into executive session with Prosecutor Jason D. Holdren and Rusty Miller to discuss legal. 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 9:52 a.m.; no action taken.

**HOLZER - RESOLUTION**

Attorney Brent Saunders the commission with the following:

The Board of County Commissioners of the County of Gallia, Ohio met in regular session on August 17, 2017, with the following members present: Harold G. Montgomery, David K. Smith and Brent Saunders.

Brent Saunders introduced the following resolution and moved its adoption:

RESOLUTION

RESOLUTION AUTHORIZING THE SUPPLEMENT OF A BOND INDENTURE ENTERED INTO CONNECTION WITH CERTAIN HOSPITAL FACILITIES REVENUE BONDS ISSUED BY THE COUNTY OF GALLIA, OHIO FOR THE BENEFIT OF HOLZER HEALTH SYSTEM AND ITS AFFILIATES.

WEHREAS, Holzer Health System is a nonprofit Ohio corporation (the "Corporation") that, together with its nonprofit affiliates (the "Affiliates"), owns and operates healthcare facilities at various locations in Ohio, constituting Hospital Facilities, as defined in Section 140.01 of the Ohio Revised Code ("Hospital Facilities"; and

WHEREAS, the County of Gallia, Ohio (the "County") previously issued its \$155,315,000 County of Gallia, Ohio Hospital Facilities Revenue Refunding and Improvement Bond, Series 201 (Holzer Health System Obligated Group Project) (collectively, the "Series2012 Bond") consisting of \$122,000,000 County of Gallia, Ohio Hospital Facilities Revenue Refunding and Improvement Bonds, Series 201A (Holzer Health System Obligated Group Project) and \$33,315,000 County of Gallia, Ohio Subordinate Hospital Facilities Revenue Bonds, Series 2012B (Holzer Health System Obligated Group Project) the "Series 201B Bonds"), for the benefit of the Corporation and the Affiliates to finance or refinance the costs of Hospital Facilities, which such series 2012 Bonds do not represent or constitute a debt or pledge of the faith and credit or the taxing power of this County or and county or other political subdivision of the State of Ohio and

WHEREAS, the Corporation and UMB Bank, N.A., as trustee, have requested the amendment of that certain Indenture of Trust (Bond Indenture) dated as March 1, 2012, as amended by the First Supplement to Indenture of Trust (Bond indenture), dated as of October, 1, 2015 (the "Bond Indenture"), between the County and UMB Bank, N.A., as successor trustee to the Bank of New York Mellon Trust Company, N.A., with respect to the requirement for the payment of debt service on the Series 2012B Bonds; and

WEREAS, Section 902 of the Bond Indenture provides that the Bond Indenture may be amended for the purpose enumerated therein with the consent and approval of the owners as set forth therein, which consent and approval shall be evidenced by a written direction of such owners, delivered to the Trustee and Issuer; and

WHEREAS, it is necessary and this Board of County Commissioners is authorized by the authority contained in Chapter 140 of the Ohio Revised Code and in the documents to so amend the Bond Indenture, such amendment will promote the public purpose set forth in Ohio Revised Code Section 140.01, and the County will be duly benefitted thereby:

NOW, THEREFORE, BE IT RESOLVED by the Board of the County Commissioners of the County of Gallia, Ohio:

SECTIONS 1. That this Board of County Commissioners hereby approves the amendment of the Bond Indenture by the "Second Supplemental Indenture of Trust (Bond Indenture)" between the County and the Trustee, and that any two members of this Board of County Commissioners be they are hereby authorized to execute and deliver on behalf of the County such Second Supplements Indenture of Trust (Bond Indenture) substantially in the form submitted to eh Board, which approval shall be conclusively evidenced by the execution thereof by such members of this Board:

SECTIONS 2. That the Clerk of this Board and any member of this Board be and they hereby are separately authorized to execute and deliver such certificates, documents and instruments in connection with such amendments as may be required, necessary or appropriate, including, without limitation, general and transcript certificates and documents relating to or regarding tax compliance. Such documents, including the ones specifically authorized hereby, shall be subject to change, insertions and omissions as may be approved by the Board, which approval shall be conclusively evidenced by the execution thereof by the Clerk of a member of this Board.

SECTION 3. That provisions of this Resolution are hereby declared to be severable, and if any section, phrase or provision shall, for any reason, be declared invalid, such declaration of invalidity shall not affect the validity of the remainder of this Resolution.

CASTO & HARRIS, INC. — RE-ORDER NO. 14260-15

SECTION 4. All resolutions, orders or parts thereof in conflict with the provisions of the Resolution are, to the extent of such conflict, hereby repealed.

SECTION 5. It is found and determined that all formal actions of this Board concerning and relating to the adoption of this Resolution were adopted in a meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law, including Section 121.22 of the Ohio Revised Code and the rules of this Board in accordance therewith.

David K. Smith seconded the motion and the roll being called for the adoption of the foregoing resolution, the vote thereon resulted as follows:

Ayes: Mr. Montgomery  
Mr. Smith  
Mr. Saunders

Nays:

ADOPTED this 17<sup>th</sup> day of August, 2017.

Anette L. Brown  
Clerk, Board of County Commissioner,  
Gallia County, Ohio

#### CERTIFICATE

The undersigned, duly appointed and acting Clerk of the Board of County Commissioners of Gallia County, Ohio does hereby certify that the foregoing is a true and correct copy of a resolution adopted by such Board on August 17, 2017, together with an extract from the minutes of the meeting at which that resolution was adopted to the extent pertinent thereto.

Anette L. Brown  
Clerk, Board of County Commissioners,  
Gallia County, Ohio

August 17, 2017

#### **WASTE REMOVAL CONTRACT EXTENSION – RUMPKE**

Anette L. Brown, Clerk presented the Commission with the waste removal contract extension from Rumpke for the following county sites: Gallia County Courthouse, Gallia Service Center, Gallia County EMS and Gallia County Canine Shelter. The contract extension covers the period of September 1, 2017 through August 31, 2018 with the provision for 1 additional option year upon mutual agreement of both parties. The new contract monthly rate quote reflects an increase of three percent (3%) and as in the previous contract is subject to a fixed fuel surcharge rate of six percent (6%) per month. The President entertained a motion to approve and sign the contract extension as presented. David K. Smith made and Brent Saunders seconded the motion. Upon roll call votes were as follows: Mr. Smith, yea; Mr. Saunders, yea; Mr. Montgomery, yea.

Facility	Container Size	Service Frequency	Monthly Rate
Gallia County Courthouse 18 Locust Street	8YD	2x/Week	\$175.45
Gallia Service Center 499 Jackson Pike	6YD	1x/Week	\$65.80
Gallia County EMS 1255 State Route 160	4YD	1x/Week	\$43.86
Gallia County Canine Shelter 186 Shawnee Lane	2YD	1x/Week	\$21.93

#### **OHIO VALLEY REGIONAL DEVELOPMENT COMMISSION**

Commissioners were in receipt of the following OVRDC 2017 Local Participating Funds Resolution for adoption consideration:

#### RESOLUTION

*WHEREAS, The Gallia County Board of Commissioners actively supports and currently participates in the economic development district activities of the Ohio Valley Regional Development Commission (OVRDC). OVRDC is a public regional planning commission within the State of Ohio, whose purpose is to influence favorably the future economic, physical, and social development of the twelve-county region through its regional development planning programs and technical assistance; 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, the Gallia County Board of Commissioners hereby endorses the 2017 Comprehensive Economic Development Strategy (CEDS), prepared by the Ohio Valley Regional Development Commission.*

*THEREFORE, BE IT RESOLVED, that the Gallia County Board of Commissioners hereby authorizes an appropriation of funds in the amount of \$5,403.00 as participating local funds for the Ohio Valley Regional Development Commission to be used as part of the agency budget for the fiscal year beginning January 1, 2018. The appropriated funds to be paid on or after January 1, 2018, and*

*NOW, THEREFORE, BE IT FURTHER RESOLVED, the Gallia County Board of Commissioners continues to support the Ohio Valley Regional Development Commission's Economic Development District planning partnership investment grant program with the USDOC Economic Development Administration for the annual performance period January 1, 2018 through December 31, 2018.*

*David K. Smith moved the adoption of the Resolution and the motion was seconded by Brent Saunders. Roll call: Mr. Montgomery, yea; Mr. Smith, yea; Mr. Saunders, yea.*

The Gallia County Board of Commissioners hereby adopts this resolution on the 17<sup>th</sup> day of August, 2017.

By Harold G. Montgomery, President, Gallia County Board of Commissioners

Signed: *s/ Harold G. Montgomery* August 17, 2017

Certified by: *s/ Anette L. Brown*, Gallia County Board of Commissioners Clerk, August 17, 2017

**LETTER OF SUPPORT – TARGETED COMMUNITY ALTERNATIVES TO PRISON (T-CAP) GRANT**

Gallia County Common Pleas judge Margaret Evans and Sheriff Matthew D. Champlin requested a letter of support for the T-CAP Grant. David K. Smith made and Brent Saunders seconded the motion for the President to sign the letter of support. Roll call: Mr. Montgomery, yea; Mr. Smith, yea; Mr. Saunders, yea.

To: Ohio Department of Rehabilitation and Correction  
From: Matthew D. Champlin, Gallia County Sheriff  
M. Margaret Evans, Gallia County Commons Pleas Court Judge  
Harold Montgomery, President of the Gallia Count Commissioners  
Re: Targeted Community Alternatives to Prison (T-CAP) grant

To Whom It May Concern:

We (the above listed Gallia County representatives) have read, understand, and agree to all requirements listed in the "Grant Requirements" section of the announcement released on July 17, 2017, by the Ohio Department of Rehabilitation and Correction. It is our intent to apply for the grant funding which is outlined in this announcement as a Voluntary county, as defined on the definitions page.

Please accept this written statement, signed by all parties, to fulfill the requirement set forth in the body of the announcement. If there are any further questions, please feel free to contact us by way of our contact person for this grant, Michael Smith (Chief of Probation for Gallia County Common Pleas Court.)

Respectfully submitted,

*s/ Harold G. Montgomery*  
President of the Gallia County Commissioners

*s/ M. Margaret Evans*  
Gallia County Common Pleas Court Judge

*s/ Matthew D. Champlin*  
Gallia County Sheriff

**ROAD PETITION RECEIVED - PART OF DENNEY ROAD**

County Commission received a public road petition for the following:

The undersigned petitioners, freeholders of said county residing in the vicinity of the proposed improvement hereinafter described, respectfully represent that the public convenience and welfare require the VACATION of Part of Denney Road. Public Roads on the line hereinafter described, and make application to you to institute and order proper proceedings in the premises for vacating such road, the same not being a road on the State Highway System.

The following is a general route and termini of said road:

Being part of Denney Road (C.R. 41) located in Section 33, Township 6N, Range 15W, Springfield Township and Section 24, Township 6N, Range 16W, Raccoon Township, Gallia County, Ohio, more particularly described as Follows:

Beginning at the property line of Robbie Farley (OR573P100) being approximately 399.35 feet (0.076 miles) from the intersection with Harrisburg Road (CR39), thence leaving said property line west with the centerline of said road 4,902.88 feet (0.93 miles) to the property line of Michael & Ricky Shriver being the terminus of the road vacation herein described, being 488 feet (0.09 miles) from Kerr Road (CR45) being the end of Denney Road.

As a result of said vacation, Denney Road (CR41) from Harrisburg Road (CR39) 399.35 feet (0.076 miles) shall be re-designated as Denney Road (TR 4018) and be included in Springfield Township road mileage.

As a result of said vacation, Denney Road (CR41) from Kerr Road (CR45) 488 feet (0.09 miles) shall be re-designated as Denney Road (TR408) and be included in Raccoon Township road mileage.

Note: All of the vacated above becomes the taxable property of the adjacent property owners at the time of the granted vacation.

Commissioners will advertise a public hearing for two consecutive weeks in local newspaper, hold a road viewing on the 3<sup>rd</sup> week with local officials and interested parties and then hold a public hearing on the 4<sup>th</sup> week to give testimony upon the necessity of vacating part said road and whether the prayer of the petitioners should be granted. To be published on these dates: August 23 and 30, 2017. Road Viewing will be held at 1:30 p.m. on September 7, 2017 and Public Hearing will be held on September 14, 2017 at 11:45 a.m.

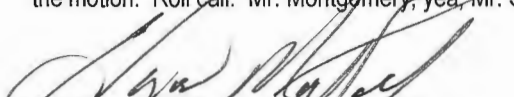
**EXECUTIVE SESSION - LEGAL**


At 10:26 a.m. the President entertained a motion to enter into executive session with Assistant Prosecutor Randy Dupree and county engineer Brett Boothe to discuss legal. David K. Smith made and Brent Saunders seconded the motion. Roll call: Mr. Montgomery, yea; Mr. Smith, yea; Mr. Saunders, yea. Brett Boothe exited the meeting at 11:13 a.m. Returned to regular session at 11:37 a.m.; no action taken.


CASTO & HARRIS, INC. — RE-ORDER NO. 14260-15

ADJOURN

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

  
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Harold G. Montgomery, President

  
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Anette L. Brown, Clerk

  
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David K. Smith, Vice President

  
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Brent Saunders, Commissioner