

**JANUARY 10, 2019**

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

The President entertained a motion for approval of the January 3, 2019 minutes. David K. Smith made and Harold G. Montgomery seconded the motion. Roll call: Mr. Saunders, yea; Mr. Montgomery, yea; Mr. Smith, yea.

TRAVEL REQUESTS				
DEPARTMENT	NAME	DATE	TO	RE:
Auditor	Larry M. Betz	1/11	Hocking County, Ohio	SE Dist. CAAO Mtg
DJFS	Kelli Dewitt	1/17	Columbus, Ohio	Title XX Training
DJFS	Kelli Dewitt	1/23	Jackson, Ohio	Area 7 Mtg
DJFS	Kristina Smith	1/28 – 1/30	Columbus, Ohio	ODAPS Training
DJFS	Kelli Dewitt	1/29	Columbus, Ohio	RMS Training
DJFS	Belinda Jones	1/29	Chillicothe, Ohio	CSEA Training
DJFS	Beverly Wray, Sherri Shaw & Amy Theiss	1/31	Chillicothe, Ohio	CSEA Training

The President entertained a motion to approve travel requests as submitted. Harold G. Montgomery made and David K. Smith seconded the motion. Roll call: Mr. Saunders, yea; Mr. Montgomery, yea; Mr. Smith, yea.

**2019 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
1/6	3	1	0	0	4	0	0	0	5	14	0	0	0	0

**RESOLUTION AUTHORIZING THE COUNTY ENGINEER**

**TO PROCEED BY FORCE ACCOUNT WITH NORMAL MAINTENANCE, REPAIR, CONSTRUCTION AND RECONSTRUCTION OF COUNTY ROADS PURSUANT TO THE OHIO REVISED CODE**

WHEREAS, it being determined by the Gallia County Board of County Commissioners that the health, welfare and safety of the people of the Gallia County area can best and most efficiently be served by force account, as outlined in Section 5543.19 of the Ohio Revised Code, in the matter pertaining to the maintenance, repair, construction and reconstruction of Gallia County roads, bridges, and culverts, in Gallia County during the year 2019; and

THEREFORE, BE IT RESOLVED, that Mr. Brett A. Boothe, Gallia County Engineer, is hereby authorized to employ labor and proceed by force account in the maintenance, repair, construction and reconstruction of roads, bridges, and culverts in Gallia County during the Year 2019 as the Gallia County Engineer may determine necessary.

Commissioner David K. Smith moved and Commissioner Harold G. Montgomery seconded the motion. Roll call votes: Mr. Saunders, yea; Mr. Montgomery, yea; Mr. Smith, yea.

Adopted this 10th day of January, 2019

GALLIA COUNTY BOARD OF COMMISSIONERS

*/s/ Brent Saunders*

Brent Saunders, President

*/s/ Harold G. Montgomery*

Harold G. Montgomery, Vice-President

*/s/ David K. Smith*

David K. Smith, Commissioner

**RESOLUTION – COUNTY ENGINEER PERMITTING**

Commissioner President Saunders entertained a motion to approve the following resolution.

WHEREAS, the Ohio Revised Code Sections 153.64, 4931 and 4933, provides to the Board of County Commissioners, the authority to control the installation and placement of any public utilities within the dedicated public right-of-ways of all County maintained highways; and,

WHEREAS, the Ohio Revised Code Sections 5589 and 5543 provides to the Board of County Commissioners, the authority to control any digging and excavating on or along a County maintained highway and for the placement of a private driveway approach to a County maintained highway; and,

WHEREAS, the Ohio Revised Code Section 4513.34 provides to the Board of County Commissioners, the authority to permit oversize and overweight vehicles using County maintained highways; and,

WHEREAS, Ohio Revised Code Sections 5547.03 and 5547.04 authorize the Board of Commissioners to approve requests by private parties to construct improvements or place utilities within the bounds of a county highway.

THEREFORE, be it resolved for FY 2019 that the Board of County Commissioners does hereby authorize the Gallia County Engineer to develop and administer a permitting process for the above described activities for private and public entities other than the County itself to construct improvements and emplace utilities within the right-of-ways of the

County road system and to permit oversize and overweight vehicles within County road right-of-ways per the requirements in effect at the time of the Ohio Revised Code and to keep said permits with the permanent road records of Gallia County; and,

BE IT FURTHER RESOLVED that the Gallia County Commissioners reserve unto themselves the right and authority over permitting for Gallia County owned projects pursuant to applicable sections of the Ohio Revised Code, including Sections 153.64, 4931, 4933, 5589, 5543, 4513.34, 5547.03 and 5547.04.

Commissioner David K. Smith moved and Commissioner Harold G. Montgomery seconded the motion. Roll call votes: Mr. Saunders, yea; Mr. Montgomery, yea; Mr. Smith, yea.

Adopted this 10th day of January, 2019.

GALLIA COUNTY BOARD OF COMMISSIONERS

*s/ Brent Saunders*

Brent Saunders, President

*s/ Harold G. Montgomery*

Harold G. Montgomery, Vice-President

*s/ David K. Smith*

David K. Smith, Commissioner

**RESOLUTION TO DESIGNATE THE OFFICIAL REPRESENTATIVE AND ALTERNATE FOR THE PURPOSE OF VOTING AT THE ANNUAL MEETING OF THE COUNTY COMMISSIONERS ASSOCIATION OF OHIO IN 2019**

Commissioner David K. Smith moved the adoption of the following resolution:

**WHEREAS**, Article IV, Section 6, of the Code of Regulations of the County Commissioners' Association of Ohio requires each member county to, for the purpose of voting at any annual or special meeting of the Association, designate an Official Representative and Alternate; and

**WHEREAS**, the designation of the Official Representative and Alternate for a county organized under the statutory form of county government shall be by resolution of the board of county commissioners; and

**WHEREAS**, in designating the Official Representative and Alternate only a member of the board of county commissioners is eligible to be designated as the Official Representative and Alternate;

**NOW THEREFORE BE IT RESOLVED** that Brent Saunders is designated as the Official Voting Representative of Gallia County.

**BE IT FURTHER RESOLVED** that Harold G. Montgomery is designated as the Alternate Voting Representative of Gallia County.

The motion was seconded by Harold G. Montgomery.

Roll Call Vote:

Commissioner Brent Saunders, yea

Commissioner Harold G. Montgomery, yea

Commissioner David K. Smith, yea

PASSED AND ADOPTED by the Board of County Commissioners of Gallia County at Gallipolis City, on the 10<sup>th</sup> Day of January, 2019.

STATE OF OHIO

COUNTY OF GALLIA

I, Anette Brown, Clerk of the Board of County of Gallia County, Ohio, do hereby certify that the foregoing is a full, true and correct copy of a resolution adopted by said board at the regularly scheduled and conducted meeting held on the stated date, which resolution is on file and of record in the office of said board.

s/ Anette L. Brown, Clerk of the Board

**DECEMBER 2018 FINANCIAL REPORT REVIEW**

County Administrator Karen Sprague presented the Commission with:

- The December 2018 Financial Reports for comparison with the December 2017 Financial Reports. The following was noted during the review:
  - 1/1/2017 beginning cash balance was \$1,469,989.52
  - 1/1/2018 beginning cash balance was \$2,386,549.22
  - Difference of \$916,559.70
  - 12/31/2017 ending cash balance was \$2,386,549.22
  - 12/31/2018 ending cash balance was \$1,579,015.62
  - Difference of (\$807,533.60)
- Presented the 2018 County General Fund Year to Date report noting the following:
  - 2017 YTD Receipts \$10,405,300.82
  - 2018 YTD Receipts \$9,414,660.87 (Decrease of \$990,639.95)
  - 2017 YTD Expenditures \$9,488,741.12
  - 2018 YTD Expenditures \$10,222,194.47 (Increase of \$733,453.35)
  - 2016 Courts & Law Enforcement = 46.9% of total expenditures
  - 2018 Courts & Law Enforcement = 51.9% of total expenditures (Increase of 5%)
  - 2015 Sheriff, Jail, Courthouse Security & Work Release Center Expenditures \$2,509,825.62
  - 2018 Sheriff, Jail, Courthouse Security & Work Release Center Expenditures \$3,385,085.53 (Increase of \$875,259.91)

**2019 NURSE PRACTITIONER AGREEMENTS**

County Administrator Karen Sprague presented the Commission with the following nurse practitioner agreements for approval with an office visit rate of \$35.00 that is paid by the county from the 105 Plan Fund, further noting these services are free to the county employees, spouses and dependents who are enrolled in healthcare coverage with the County:

- Smith Family Healthcare, LLP @ 995 Jackson Pike, Suite 102, Gallipolis, Ohio
- Rio Family Healthcare @ 100 SR 325 South, Rio Grande, Ohio
- Jeanne Ingles FNP-BC Family Practice @ 21 Central Avenue, Suite D, Gallipolis, Ohio
- Gallia County Health Department @ 499 Jackson Pike, Suite D, Gallipolis, Ohio
- Holzer Retail Clinics:
  - Fruth's Pharmacy Retail Clinic @ 204 Second Avenue, Gallipolis, Ohio
  - Fruth's Pharmacy Retail Clinic @ 120 West Second Street, Wellston, Ohio
  - Walmart Clinic @ 929 East State Street, Athens, Ohio
- Canaday Care LLC @ 10 Airport Road, Gallipolis, Ohio

President entertained a motion to approve the above stated nurse practitioner agreements for 2019 with an office visit at current rate of \$35.00. David K. Smith moved and Harold G. Montgomery seconded the motion. Roll call votes: Mr. Saunders, yea; Mr. Montgomery, yea; Mr. Smith, yea.

**COUNTY SHARE OF GALLIPOLIS CITY VOCA GRANT**

County Administrator Karen Sprague presented the Commission with an email from the City of Gallipolis requesting payment of the County share of the 2019 VOCA Grant noting Gallipolis City did not apply for a waiver of the local match. County share is \$16,883.54. President entertained a motion to approve the county's local match payment from the general fund in the amount of \$16,883.54. Harold G. Montgomery moved and David K. Smith seconded the motion. Roll call votes: Mr. Saunders, yea; Mr. Montgomery, yea; Mr. Smith, yea.

**TOWNSHIP ALLOCATION FOR 2019**

County Administrator Karen Sprague presented the Commission with a legal opinion from the Assistant Gallia County Prosecuting Attorney Randy Dupree noting the Gallia County Board of Commissioners may issue checks directly to the Townships for the FY 2019 \$4,000 allocation from the County General Fund instead of paying invoices to vendors submitted for payment by the Townships. Therefore, Ms. Sprague recommended the Commission approve vouchering the FY 2019 allocation of \$4,000 directly to each of the 15 Townships in Gallia County, totaling \$60,000. David K. Smith made and Harold G. Montgomery seconded the motion. Roll call: Mr. Saunders, yea; Mr. Montgomery, yea; Mr. Smith, yea.

**OPWC ROUND 33 GRANT/LOAN FUNDS APPLICATION - REVISED  
GREEN SEWER PHASE 2**

County Administrator Karen Sprague presented the Commission with an email from OVRDC notifying the County they were not selected for funding for the Green Sewer Phase 2 Project, further advising this is due to the low rating given the project by the county local subcommittee which is headed by the County Engineer. The email states the county may revise the application to request \$650,000 in loan funds instead of \$400,000 grant/\$250,000 loan. Ms. Sprague advised the Commission she had Stantec run the numbers and a \$650,000 loan from OPWC would increase the proposed monthly sewer rate for Green Phase 2 customers by \$3.00 from \$52.50 to \$55.50. Ms. Sprague noted she has emailed OEPA asking for principal forgiveness loan (which means grant) to make up for the loss of grant from OPWC and has not heard from them yet. Ms. Sprague noted revising the OPWC application will allow the ARC \$250,000 grant application to move forward as well as allow the County to submit the CDBG RPIG grant application (neither of which can move forward without the OPWC funding or some other source of funding being obtained).

Ms. Sprague recommended the Commission revise the OPWC application to \$650,000 loan, which would not have to be spent if the County is able to secure other grant funds. This revised OPWC application requests funding for this project from OPWC totaling \$650,000 as follows:

- OPWC 30-year Loan - \$650,000
- Total project cost estimate is \$5,560,310 with the project to be funded as follows:
- USDA Rural Development Grant - \$2,148,000
  - USDA Rural Development Loan - \$1,613,000
  - OWDA Loan - \$249,310
  - CDBG RPIG Grant - \$650,000
  - ARC Grant - \$250,000
  - OPWC Loan - \$650,000

The project will serve 357 households and will consist of the following:

- 8" SS Gravity Lines, 34,455 LF
- 2 and 6" Force Main Line, 18,731 LF
- 8"x6" WYE's, 258 Each
- 6" service line, 6,751 LF
- Manholes, 132 Each
- Pump Stations, 4 Each
- WWTP Abandonment, 1 Each

Brent Saunders entertained a motion that the revised OPWC grant/loan application be approved and signed by the Commission as presented. David K. Smith made and Harold G. Montgomery seconded the motion. Upon roll call votes were as follows: Brent Saunders, yea; Harold Montgomery, yea; David Smith, yea.

**CDBG GRANTS - SIGNATURE CARD / ORGANIZATIONAL CONTACTS & USER ROLE FORMS RESOLUTION**

County Administrator Karen Sprague presented the Commission with the Signature Card Form, Organizational Contacts Form and Ocean User & Role Assignment Form to update those allowed to sign for CDBG grants draws for 2019 and those allowed to perform actions in Ocean the states online grant management system, which must be submitted to the Ohio Development Services Agency. Brent Saunders entertained a motion that the forms be approved and signed as presented. Harold G. Montgomery made and David K. Smith seconded that motion. Upon roll call votes were as follows: Brent Saunders, yea; Harold Montgomery, yea; David Smith, yea. The form is on file in the County's CDBG grant files.

**SHERIFF - CONTRACT*****Contract - For Enhanced Law Enforcement Service***

This AGREEMENT made and concluded this 10<sup>th</sup> day of January 2019 by and between the Gallia County Sheriff, Matt Champlin, and the Gallia Metropolitan Housing Authority, Gallipolis, Ohio.

WHEREAS, there exists a need for law enforcement protection from a policing unit for the residents of the G.M.H.A., 381 Buckridge Road Complex, Green Township, Gallia County, Ohio and

WHEREAS, Section 311.29 of the O.R.C. provides for authority of a taxing district to enter into agreement with the Sheriff of the County, whereby the Sheriff undertakes and is authorized to contract to perform any policing function, in behalf of the contracting subdivision.

NOW THEREFORE, it is hereby agreed and understood that the employees of the Gallia County Sheriff's Office have voted, approved and accepted the Ohio Labor Council/Fraternal Order of Police (FOP/OLC), as the exclusive bargaining unit for patrol, corrections, investigative divisions and Sergeant divisions of the Gallia County Sheriff's Office. THEREFORE, upon recognition of the FOP/OLC, each party of the agreement reserves the right to modify this agreement if the FOP/OLC causes a change in terms set forth herein. If there is no change caused by the FOP/OLC, the parties are bound by the terms below. The Housing Authority agrees to pay directly to the deputies, in consideration for police protection, the amount of \$20.00 per hour plus fringe benefits applicable under the Ohio Revised Code, including Workers Compensation.

The Gallia Metropolitan Housing Authority, in consideration for this police protection, agrees to pay direct to the Sheriff of Gallia County, Ohio, the amount of \$3.75 per contract hour, to be used for the expense and maintenance of Gallia County Sheriff's Office cruiser, for the use by the Gallia Metropolitan Housing Authority. Said sum shall be made payable to the TREASURER OF GALLIA COUNTY, to be credited to a special fund known as the "Sheriff's Policing Rotary Fund".

The Housing Authority prefers the shifts to be between 4:00 p.m. and 4:00 a.m., unless other problems or developments occur to change time of patrol hours. Housing Authority will set a meeting date and have regular meetings with deputies to assess crime related topics and management issues. Every attempt will be made to fill vacancies by the Gallia County Sheriff's Office with manpower as per contract. Housing Authority prefers two (2) deputies, each working 10 hours per week in an organized and cooperative manner, patrolling within the Housing Authority properties.

The contracted deputies will present a detailed activity log and serve at the pleasure of the Housing Authority.

The Gallia County Sheriff's Office will provide personnel acceptable to the Housing Authority Administrator. Housing Authority prefers patrol division deputies with fully equipped functioning marked patrol cruisers and be prepared for foot patrol as the weather permits. The Housing Authority prefers the concept of "Community Policing" and interaction with residents for crime prevention measures.

This Contract can be canceled by either party, with thirty (30) days written notice. This Contract shall be in effect from January 1 through December 31, 2019.

IN WITNESS WHEREOF, the parties hereto have, by their duly authorized officers, executed this Agreement on this 10<sup>th</sup> day of January 2019.

The President entertained a motion to approve the contract as submitted. Harold G. Montgomery made and David K. Smith seconded the motion. Roll call: Mr. Saunders, yes; Mr. Montgomery, yea; Mr. Smith, yea.

SIGNED AND ACKNOWLEDGED

GALLIA COUNTY SHERIFF'S OFFICE

IN THE PRESENCE OF:

By *s/ Sheriff Matthew D. Champlin*, Sheriff

*s/ Karen Sprague, County Administrator*

*s/ Anette L. Brown, Clerk*

GALLIA METROPOLITAN HOUSING  
AUTHORITY

Approved as to form:

By *s/ Leslie B. Young*, Director

*s/ Jason D. Holdren*

Gallia County Prosecuting Attorney

GALLIA COUNTY COMMISSIONERS

*s/ Brent Saunders*, President

*s/ Harold G. Montgomery*, Vice President

*s/ David K. Smith*, Commissioner

**INTERNET SPEED INCREASE PROPOSAL**

I.T. Director John Grubb met with the commission to propose an increase in internet speed from current 300/30 (MB) to 1000/50 (MB) and a monthly cost increase from \$250.00 to \$399.95. This would increase the yearly cost per computers for the departments of \$7.10 per computer. The President entertained the motion to approve the increase as recommended by Mr. Grubb. David K. Smith made and Harold G. Montgomery seconded the motion. Roll call: Mr. Saunders, yes; Mr. Montgomery, yea; Mr. Smith, yea.

RECORDER

The Board received correspondence from the County Recorder requesting any new Zoning Resolutions or Zoning Amendments be filed with his office. No action taken.

2018 Gallia County Canine Shelter Report

During 2018, the Gallia County Canine Shelter served the following number of dogs:

- Started the year with 12 dogs in the shelter
- 645 dogs entered the shelter
- 463 dogs went to rescue
- 82 dogs were adopted
- 83 dogs were reclaimed by owners
- 8 dogs were euthanized
- 1 dogs were MIA (owner release left in outside kennel after hours and escaped before staff returned to shelter the next day)
- 4 dogs died of natural or unknown causes
- 0 dog was destroyed in the field (None by County Dog Warden)
- 11 dogs out to foster
- 10 dogs returned from foster (Note: 0 dog in foster at end of 4<sup>th</sup> Quarter 2018)
- 16 dogs remained at the shelter at the end of the 4<sup>th</sup> Quarter 2018

Prepared by Gallia County Dog Warden Laurie Cardillo, 1/7/2019

2018 4<sup>th</sup> Quarter Gallia County Canine Shelter Euthanization Report

During 2018, there were 8 dogs euthanized as follows:

- Week ending 3/11/2018, 1 dog euthanized; Dog Warden Laurie Cardillo; euthanization recommended because dog was aggressive towards shelter staff as well as the public and therefore deemed not adoptable, euthanization performed by Veterinarian Brian Hendrickson
- Week ending 3/25/2018, 1 dog euthanized; Dog Warden Laurie Cardillo, euthanization recommended because dog was in very poor health due to old age and was unable to walk or stand on its own, euthanization performed by Veterinarian Brian Hendrickson
- Week ending 7/15/2018, 1 dog euthanized; Dog Warden Laurie Cardillo; euthanization recommended because of health & aggression issues and therefore deemed not adoptable, euthanization performed by Veterinarian Brian Hendrickson
- Week ending 10/7/2018, 1 dog euthanized; Dog Warden Laurie Cardillo; euthanization recommended because of health issues, euthanization performed by Veterinarian Brian Hendrickson
- Week ending 10/14/2018, 2 dogs euthanized; Dog Warden Laurie Cardillo; euthanization recommended because of health & aggression issues and therefore deemed not adoptable, euthanization performed by Veterinarian Brian Hendrickson
- Week ending 11/4/2018, 1 dog euthanized; Dog Warden Laurie Cardillo; euthanization recommended because of health issues, euthanization performed by Veterinarian Brian Hendrickson
- Week ending 11/11/2018, 1 dog euthanized; Dog Warden Laurie Cardillo; euthanization recommended because of aggression issues and therefore deemed not adoptable, euthanization performed by Veterinarian Brian Hendrickson

Prepared by Gallia County Dog Warden Laurie Cardillo, 1/7/2019

2018 4<sup>th</sup> Quarter Gallia County Canine Shelter Safety & Vicious Dog Report

- Health Department Dog Bite Report during 2018:
  - 1<sup>st</sup> Quarter 2018: Gallia County Sanitarian John McKean reported 4 dog bites. Of these 4 bite events, all 2 dogs had owners and 2 dogs were strays.
  - 2<sup>nd</sup> Quarter of 2018, Gallia County Sanitarian John McKean reported 14 dog bites. Of these 14 bite events, 12 dogs had owners and 2 dogs were strays.
  - 3<sup>rd</sup> Quarter of 2018, Gallia County Sanitarian John McKean reported 20 dog bites. Of these 20 bite events, 16 dogs had owners and 4 dogs were strays.
  - 4<sup>th</sup> Quarter of 2018, Gallia County Sanitarian John McKean reported 15 dog bites. Of these 15 bite events, 9 dogs had owners and 6 dogs were strays.
  - **GRAND TOTAL FOR 2018: 53 reported dog bites. Of these 53 bite events, 39 dogs had owners and 14 dogs were strays.**
- 2018 Health Department Rabies Testing Report:
  - 1<sup>st</sup> Quarter of 2018, Gallia County Sanitarian John McKean reported there were no animal heads sent for rabies testing.
  - 2<sup>nd</sup> Quarter of 2018, Gallia County Sanitarian John McKean reported there were 2 feline animal heads sent for rabies testing. None tested positive for rabies.
  - 3<sup>rd</sup> Quarter of 2018, Gallia County Sanitarian John McKean reported there was 1 canine animal head sent for rabies testing. It tested negative for rabies.
  - 4<sup>th</sup> Quarter of 2018, Gallia County Sanitarian John McKean reported there was 1 canine animal head sent for rabies testing. It tested negative for rabies.
  - **GRAND TOTAL FOR 2018: 4 heads sent off for testing. None tested positive for rabies.**
- Livestock losses during 2018:
  - 1<sup>st</sup> Quarter 2018: Report of one injury to a pregnant cow from dog attack, no action taken at the request of livestock owner who has contacted the neighboring dog owner to confine the dogs.

- 2<sup>nd</sup> Quarter 2018: NONE reported
  - 3<sup>rd</sup> Quarter 2018: NONE reported
  - 4<sup>th</sup> Quarter 2018: Josh Davies reported 22 chickens killed due to neighbor dog attack. Neighbor surrendered both dogs to Shelter. 1 dog went to rescue and the other was adopted as a house pet.
- Dogs destroyed in the field during 2018:
    - **NONE**
- Prepared by Gallia County Dog Warden Laurie Cardillo, 1/7/2019

#### EXECUTIVE SESSION - PERSONNEL

At 10:39 a.m. the President entertained a motion to enter into executive session with County Administrator Karen Sprague and Kim Elliott to discuss personnel. David K. Smith made and Harold G. Montgomery seconded the motion. Roll call: Mr. Saunders, yes; Mr. Montgomery, yea; Mr. Smith, yea. Returned to regular session at 10:44 a.m.; no action taken.

#### INVESTMENT ADVISORY COMMITTEE

Gallia County Treasurer, Steve McGhee, Chair of the Investment Committee, presented the 4<sup>th</sup>. Quarter 2018 investment report for review. The Investment reports are submitted monthly; with meetings held quarterly. Members present were the Commissioners Brent Saunders, Harold G. Montgomery and David K. Smith, County Treasurer Steve McGhee and Clerk of Courts Noreen Saunders. The Investment Report is on file in the Treasurer's office and in the Commissioner's office for review.

#### 2<sup>nd</sup> PUBLIC HEARING – EMERGENCY SALES TAX LEVY

At 11:00 a.m. Commission President Brent Saunders called the second and final public hearing regarding the Emergency Sales Tax Levy to order in the courthouse second floor meeting room noting the purpose of the public hearings is to obtain input from the public regarding an increase of sales tax in Gallia County by one quarter of one percent (0.25%). Attending were: President Brent Saunders; Vice President Harold G. Montgomery; Commissioner David K. Smith; County Administrator Karen Sprague; Anette L. Brown, Clerk of the Board; Sheriff Matthew D. Champlin; Treasurer, Steve McGhee; Recorder Roger Walker; Gallipolis City Commissioner Tony Gallagher; Municipal Court, Lou Ellen Werry and Robbie Harrison and Dean Wright, Gallipolis Tribune Reporter. The second public hearing was again with low attendance and no objections. Commissioners noted with the combination of increasing expenses and decreasing revenues, the emergency sales and use tax is the prudent financial thing to do for Gallia County.

#### RESOLUTION LEVYING AN ADDITIONAL ONE-FOURTH OF ONE PERCENT SALES AND USE TAX

The Board of County Commissioners of Gallia County, Ohio, met in regular session with the following members present, on January 10, 2019, at the office of said board of county commissioners, located at the County Courthouse, 18 Locust Street, Gallipolis, Ohio, with the following members present:

Brent Saunders      Harold G. Montgomery      David K. Smith

Absent:                None

David K. Smith moved the adoption of the following resolution:

#### RESOLUTION LEVYING AN ADDITIONAL ONE-FOURTH OF ONE PERCENT SALES AND USE TAX

WHEREAS, Section 5739.026 of the Ohio Revised Code authorizes a county to levy a tax at the rate of one-half or one-fourth of one percent upon every retail sale, except sales of motor vehicles, titled watercraft and outboard motors, made in such county for certain purposes, including providing additional revenue for the county's general fund; and

WHEREAS, Section 5741.023 of the Ohio Revised Code provides that any county which levies a tax pursuant to Section 5739.026 of the Ohio Revised Code shall levy a tax at the same rate on the storage, use, or other consumption in such county of motor vehicles, titled watercraft and outboard motors, and on the storage, use or other consumption in such county of tangible personal property which is subject to the tax levied by this State under Section 5741.02 of the Ohio Revised Code; and,

WHEREAS, this board of county commissioners has determined that there is a need to provide additional revenue to this county's General Fund for a continuing period of time by levying an additional sales and use tax pursuant to such sections; and

WHEREAS, two public hearings regarding this resolution were held by this board of county commissioners on January 3, 2019 and January 10, 2019, and notices of such hearings were published, all as required by and in accordance with Section 5739.026(A) of the Ohio Revised Code;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Gallia County, Ohio that (all the members thereof concurring) that:

SECTION 1. The rate of the existing sales tax levied upon retail sales in the County of Gallia, Ohio (the "County") pursuant to Chapter 5739 of the Ohio Revised Code is hereby increased by one-fourth of one percent for a continuing period of time, commencing April 1, 2019. The proceeds derived from such additional one-fourth of one percent shall be used, pursuant to Section 5739.026(A)(3) of the Ohio Revised Code, to provide additional revenue to the County General Fund, and one hundred percent (100%) of each distribution of the proceeds of such tax to the County shall be applied to such purpose.

Pursuant to the provisions of Section 5741.023 of the Ohio Revised Code, the rate of the existing use tax levied pursuant to Chapter 5741 of the Ohio Revised Code is also hereby increased by one-fourth of one percent, to be effective on the same date that the sales tax increase provided for in this Section becomes effective and to be used for the same purposes and in the same amounts as the sales tax increase set forth above.

SECTION 2. This resolution is hereby determined to be, and is adopted as, an emergency measure necessary for the immediate preservation of the public peace, health or safety for the following reasons:

- a. The County General Fund has experienced significant losses in various revenue streams from the State of Ohio in recent years such as MCO Sales Tax, Defense of Indigent Reimbursement, Undivided Local Government Fund and Public Utility Real Estate Taxes, and additional losses in such revenue streams are expected in future years.
- b. The County General Fund has incurred significant additional costs in recent years in funding both Law Enforcement and the Courts, due in large part to the opioid crisis. Law Enforcement and Courts budgets have grown from 42% of the total General Fund budget in Year 2016 to 52% of the total General Fund budget in 2018 with 2019 General Fund budget requests for Law Enforcement & Courts at 59% of the total General Fund budget requests. These increases are not sustainable with the incurred and expected reductions in the County General Fund's revenue streams made by the State of Ohio as described above.

SECTION 3. The clerk of this board of county commissioners is directed to certify a copy of this resolution to the Tax Commissioner of the State of Ohio for receipt not less than the sixty-fifth (65<sup>th</sup>) day preceding the proposed commencement date for the tax authorized hereby (April 1, 2019).

SECTION 4. All moneys collected pursuant to the one-fourth percent sales and use tax referred to in this resolution shall be deposited into the County General Fund.

SECTION 5. It is found and determined that all formal actions of this board of county commissioners concerning and relating to the adoption of this resolution were adopted in an open meeting of this board of county commissioners, that all deliberations of this board of county commissioners and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements including Ohio Revised Code Section 121.22.

SECTION 6. This resolution shall go into effect immediately upon its adoption.

Harold G. Montgomery seconded the resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

AYES: Brent Saunders      Harold G. Montgomery      David K. Smith

NAYS: None

ADOPTED, January 10, 2019.

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

**CERTIFICATE**

The undersigned hereby certifies that the text of the foregoing resolution is taken and copied from the record of proceedings of a meeting of the Board of County Commissioners of the County of Gallia, Ohio, held on January 10, 2019. The undersigned further certifies that the same has been compared by me with said record and it is a true and correct copy thereof, together with a true and correct copy of excerpts from the minutes of said meeting to the extent pertinent to the consideration and adoption of said resolution.

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

**CERTIFICATE**

The undersigned certifies that a true copy of the foregoing resolution was filed with the Tax Commissioner of the State of Ohio on January 10, 2019, pursuant to and in full compliance with Section 5739.026 of the Ohio Revised Code.

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

**ADJOURN**

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

Brent Saunders  
Brent Saunders, President

Anette L. Brown  
Anette L. Brown, Clerk

Harold G. Montgomery  
Harold G. Montgomery, Vice President

David K. Smith  
David K. Smith, Commissioner

CASTO & HARRIS, INC. — RE-ORDER NO. 19928-18