

OCTOBER 29, 2020

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, absent; Commissioner Brent Saunders, present.

The President entertained a motion for approval of the October 22, 2020 minutes. Brent Saunders moved and Harold G. Montgomery seconded the motion. Roll call: Mr. Montgomery, yea; Mr. Smith, absent for vote; Mr. Saunders, yea.

2020 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
10/25	1	1	0	0	12	0	0	0	13	1	0	0	0	1

JAIL PROJECT

County Administrator Melissa Clark presented for signature the Submission Checklist to the Bureau of Adult Detention (BAD) for Phase 3 Construction Documents. The President entertained a motion to approve and sign the document as presented. Brent Saunders made and Harold G. Montgomery seconded the motion. Roll call: Mr. Montgomery, yea; Mr. Smith, absent for vote; Mr. Saunders, yea.

SAMBA SAFETY PROGRAM

County Administrator Melissa Clark advised the Commission that in 2018, Anette Brown, Commission Clerk, was appointed as the designate user for the SAMBA Safety Program. The program, which provides analysis of high-risk drivers, allows the designated user the authority to view and receive monitoring alerts of high-risk drivers. Ms. Clark is requesting permission for Ms. Brown, as the county designated SAMBA Safety Program user, to provide county employee high risk driving alerts to the appropriate Elected Official or Department Head. President entertained a motion to grant Anette Brown, Commissioner Clerk and SAMBA Safety Program user, permission to provide county employee high risk driving alerts to the appropriate Elected Official or Department Head. Brent Saunders made and Harold G. Montgomery seconded the motion. Roll call: Mr. Montgomery, yea; Mr. Smith, absent for vote; Mr. Saunders, yea.

NURSE PRACTITIONER AGREEMENTS

County Administrator Melissa Clark presented to commission a revised offering of allowable services for proposed 2021 Nurse Practitioner agreements, noting she sought guidance from Scott Saunders, Saunders Insurance Agency, when evaluating current contracts. Ms. Clark recommended to Commission to revise the offering of allowable services for 2021 agreements in order to appropriately maintain the 105 Plan Fund balance.

2021 - PROPOSED

Office Visit	\$35.00
B12 Injection	\$15.00
Flu Swab	\$35.00
Phenergen 25 mg	\$15.00
Rocephin 250 mg injection	\$40.00
Steroid Injection	\$15.00
Strep Test	\$15.00
Toradol 15 mg	\$15.00

**Labs and ancillary services beyond approved procedures and costs listed above will be responsibility of patient and billed to health insurance or patient accordingly*

Ms. Clark requested permission to pursue revised 2021 Nurse Practitioner Agreements with the amended allowable services and will present the final agreements of participating local Nurse Practitioners at a later date for commission approval. President entertained a motion to approve Brent Saunders made and Harold G. Montgomery seconded the motion. Roll call: Mr. Montgomery, yea; Mr. Smith, absent for vote; Mr. Saunders, yea.

HOLZER HEALTH SYSTEM SERIES 2012 BONDS DEFEASANCE

The Gallia County Commissioners were in receipt of Holzer Health System releases to the Series 2012 Bonds from Dinsmore, Legal Counsel presented by Attorney Brent Saunders, Chief Executive Officer. Prosecutor Jason D. Holdren noted he has reviewed and attest to form. Commissioner Brent Saunders moved to approve the signing of the documents as presented and Harold G. Montgomery seconded the motion. Roll call: Mr. Montgomery, yea; Mr. Smith, absent for vote; Mr. Saunders, yea.

DJFS - RESOLUTION

Director Dana Glassburn presented the following Resolution for approval:

RESOLUTION

The Board of County Commissioners of Gallia County, Ohio, met in regular session on the 29th day of October year 2020, with the following members present: President Harold G. Montgomery, Commissioner Brent Saunders. The following member were absent: Vice President David K. Smith.

President Montgomery entertained a motion to approve and Mr. Brent Saunders moved for passage of the following Resolution:

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RESOLUTION AUTHORIZING GCDJFS TO PROVIDE PA FUNDS (CHILD, FAMILY AND ADULT COMMUNITY AND PROTECTIVE SERVICES ALLOCATION, TO PCSA FOR THE USE TO COVER ADMINISTRATIVE COST-COF "LOCAL", DIRECT COSTS – MATCH, SCPA CEILING EXCESS OR OTHER LOCAL CHILD WELFARE COSTS FOR SFY21 AND TO INCLUDE FUTURE SFY YEARS THAT THE FUND IS AVAILABLE AND IS DEEMED NECESSARY TO OPERATE PCSA.

WHEREAS, Dana L. Glassburn, Director of the Gallia County Department of Job and Family Services (GCDJFS) is recommending based on the recommendation of Ohio Department of Job & Family Services, that the Board of Gallia County Commissioners approve the transaction between subsets Public Assistance and Public Children Services Agency to utilize the Community & Protective Service Allocation to cover the ceiling excess that occurs in PCSA due to insufficient amount of state allocations; and

WHEREAS, accepting the Child, Family and Adult Community and Protective Services Allocation in PCSA will be utilized for administrative costs-COF "local", direct costs – match, SCPA ceiling excess or other local Child welfare costs.

WHEREAS, said adjustment and the acceptance of the funds from Gallia County Department of Job & Family Service Public Assistance Fund will be an ongoing transfer from the date of Children Services Agency merger with GCDJFS, effective December 1, 2020, and ongoing for as long as the Child, Family and Adult Community and Protective Services Allocation is available and/or is not needed for match in the Public Assistance Fund or needed to support other program as deemed necessary by the GCDJFS Director and/or follow state/federal regulations; and

WHEREAS, the Board of County Commissioners of Gallia County, Ohio, recognizes the demands upon PCSA, through the Gallia County Department of Job and Family Services and the restrictions against transfer of federal and state funds between program areas and wishes to participate in a county adjustment of allocated funds between the Gallia County Job & Family Service Public Assistance Fund and the Gallia County Public Children Service Fund in order to ensure the welfare of the children of Gallia County in accordance with Section 5101:9-6-05(H) of the Ohio Administrative Code and Ohio Revised Code Section 5705.14;

WHEREAS, the Board of County Commissioners of Gallia County, Ohio, approved Resolution dated April 3, 2014 for the Transfer of PA Funds (Community Protective Services), to CSEA for the use to cover ceiling excess in similar manner as this resolution and hereby approves the same permitting such action to occur upon approval of the GCDJFS Director in the amount determined as needed by the GCDJFS Director;

WHEREAS, the Board of County Commissioners of Gallia County, Ohio, deems this request to be in order and hereby approves the same permitting such action to occur upon approval of the GCDJFS Director in the amount determined as needed by the GCDJFS Director;

NOW, THEREFORE BE IT RESOLVED that the Board of County Commissioners hereby finds and determines that all formal actions relative to the passage of this resolution were taken in an open meeting of this Board, and that all deliberations of this Board and its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with all applicable legal requirements including Section 121.22 of the Ohio Revised Code.

Mr. Harold G. Montgomery seconded the Resolution and upon roll call, the vote resulted as follows:

Roll Call: Harold G. Montgomery, yea; David K. Smith, absent for vote; Brent Saunders, yea.

Adopted: October 29, 2020
Effective Date: December 1, 2020

CERTIFICATE:

I, Anette L. Brown, Clerk of the Board of County Commissioners of Gallia County, Ohio, hereby do certify that the above is a true and correct copy of resolution adopted by said Board under said date, and as same appears in Commissioners' Journal.

/s/ Anette L. Brown, Clerk

Board of County Commissioners

of Gallia County, Ohio

Approved by County Administrator */s/ Melissa Clark* Date: October
Melissa Clark

EXECUTIVE SESSION - DJFS - PERSONNEL

At 10:09 a.m. the president entertained a motion to enter into executive session with JFS Director Dana Glassburn to consider employment of a public employee. Brent Saunders moved and Harold G. Montgomery seconded the motion. Roll call: Mr. Montgomery, yea; Mr. Smith, absent for vote; Mr. Saunders, yea. Returned to regular session at 10:49 a.m.; no action taken.

OSU – AGENCY UPDATE

Gallia County OSU Extension, Tracy Winters submitted their October 2020 report and was presented by the clerk. The reports included Ag and Natural Resources, SNAP Ed, Office Associate, 4-H Report and 4-H Program Assistant. The Extension office continues to be open to the public Monday – Friday 9am. – 4 pm. with assigned staffing hours and by appointment. The physical office building location is still available for use by outside groups, following social distancing and COVID-19 policy set by the Health Department. The Extension office staff handles all use and maintenance of the C.H. MacKenzie Building.

COMMON PLEAS & JUVENILE COURT – CAPITAL UNIVERSITY AGREEMENT

Common Pleas Magistrate Tommy Saunders presented the following agreement for approval:

AGREEMENT

This Agreement is entered into by and between the Gallia County Board of Commissioners, on behalf of the Gallia County Common Pleas Court (Court), Gallia County Juvenile Court, and Capital University, a non-profit institution of higher education, on behalf of the Family and Youth Law Center at Capital University Law School, a department of Capital University Law School (FYLaw).

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WHEREAS, FYLaw provides legal information, guidance, and coaching to pro se litigants through its statewide Helpline, (614) 236-7236, as outlined in Attachment A,

WHEREAS, the Court wishes to make the help line service readily available to its county residents who represent themselves, or who intend to represent themselves,

NOW THEREFORE, in consideration of the promises and the mutual covenants set forth below, the Parties hereto agree as follows, intending to be legally bound:

1. FYLaw shall provide the following:
 - a. Maintain the state-wide Helpline,
 - b. Respond to calls from litigants pursuing matters in Gallia County, and
 - c. Communicate with Court Clerks and officers to facilitate services.
2. The Court shall provide the following:
 - a. Refer current pro se litigants, or potential pro se litigants, to the Helpline, and
 - b. Communicate with FYLaw staff assisting callers, to facilitate services.
3. Payment
The Court shall pay to FYLaw a total of \$1,000.00, payable upon invoice to be submitted by FYLaw within 30 days of execution of this contract.
4. Notices
All notices, certificates, or communications, shall be delivered or mailed postage prepaid to the Parties at their respective places of business as a set for the below or at a place designated hereinafter in writing by each Party:

<u>For FYLaw</u>	<u>For Court</u>
Attn: Douglas Althausen Family and Youth Law Center At Capital University Law School 303 E Broad Street Columbus, Ohio 43215	Attention: Thomas Saunders, Magistrate Gallia County Common Pleas Court General Division and Juvenile Division 18 Locust Street Gallipolis, Ohio 45631
5. Term
This Agreement shall be in effect for one year after its execution. The term shall not automatically renew.
6. Termination
Prior to the expiration of the term of this Agreement, any Party may terminate the Agreement by providing written notice to the other Party not less than 30 days prior to the termination date. In the event of FYLaw failing to provide any service described in section one, the Court may choose to allow FYLaw to correct the deficiency within 10days (or by such a longer period as the Court authorizes), before giving notice of termination. Termination pursuant to this paragraph will relieve all Parties of further obligation under this Agreement, except that the Court will be obligated to pay for all services rendered by FYLaw prior to the termination date.
7. Force Majeure
Any prevention, delay, or stoppage, due to acts of God, governmental restrictions, governmental regulations, enemy or hostile governmental action, terrorism, civil commotion, fire or other casualty, and other causes beyond the reasonable control of the Party obligated to perform, shall excuse the performance by such Party for a period equal to any such prevention on, delay or stoppage.
8. Severability
If any term or provision of this Agreement shall to any extent be determined by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this Agreement shall not be affected, and each term and provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.
9. Contractor Status
This Agreement does not create an employer/employee relationship between the Court and FYLaw. It is the Parties' intention that FYLaw shall be an independent contractor for any purposes including, but not limited to, the application of the Federal Insurance Contribution Act, and Social Security Act, the Federal Unemployment Tax Act, the provision of the Internal Revenue Code, the State Revenue and Taxation Code relating to income tax withholding at the source of income, the Workers' Compensation Insurance Code, 401(K) retirement benefits, and other benefits payments and third party liability claims.
10. Merger
This Agreement constitutes the entire agreement between the Parties. No waiver, consent, modification, or change of terms of this Agreement shall bind either Party unless in writing and signed by all Parties. Such waiver, consent, modification or change of terms of this Agreement, if made, shall be effective only in the specific instance and for the specific purpose given.
11. Execution of Agreement
The Parties hereby acknowledge that all have read and understand this Agreement, and agree to be bound by its terms and conditions. Further, the individuals signing this Agreement warrant that they have the authority to bind the Parties by their signatures. In witness whereof, the Parties hereto have cause this Agreement to be executed by their duly authorized representatives as of the date last set forth below.

/s/ Margaret Evans 10/29/2020
M. Margaret Evans, Judge Date
Gallia County Common Pleas

/s/ Thomas S. Moulton 10/29/2020
Thomas S. Moulton, Jr., Judge Date
Gallia County Juvenile/Probate Division

/s/ William Mea 10/30/2020
William Mea, Vice President for Business & Finance Date
Capital University

/s/ Harold G. Montgomery, President 10/29/2020
Harold G. Montgomery Date
President of Gallia County
Board of Commissioners

Brent Saunders moved to approve the agreement and to give the President authorization to sign the agreement, Harold G. Montgomery seconded the motion. Roll calls: Mr. Montgomery, yea; Mr. Smith, absent for vote; Mr. Saunders, yea.

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EMS QUARTERLY UPDATE

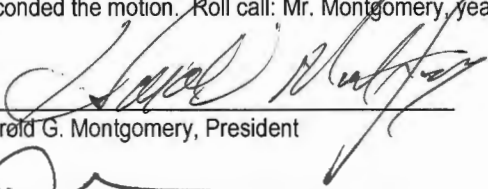
Director Keith Wilson presented the 3rd Quarter Update. Director Wilson discussed the newly implemented run evaluations and billing process. No action taken.

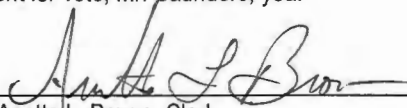
COMMON PLEAS – SUBGRANT AWARD AGREEMENT

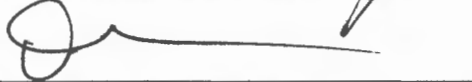
Common Pleas Chief Probation Officer Mike Smith presented the Subgrant Award Agreement 2020-CE-CTF-2160 to the commission for the President of the Gallia County Commissioners to sign. Brent Saunders move to approve President Harold G. Montgomery to sign the Subgrant Award Agreement and Harold G. Montgomery seconded the motion. Roll call: Mr. Montgomery, yea; Mr. Smith, absent for vote; Mr. Saunders, yea.

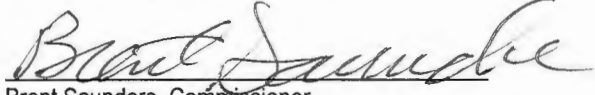
ADJOURN

At 4:00 p.m. the President entertained a motion for adjournment. Brent Saunders moved and Harold G. Montgomery seconded the motion. Roll call: Mr. Montgomery, yea; Mr. Smith, absent for vote; Mr. Saunders, yea.



Harold G. Montgomery, President

Anette L. Brown, Clerk

David K. Smith, Vice President

Brent Saunders, Commissioner