

**SEPTEMBER 14, 2023**

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 David K. Smith. Roll Call: President David K. Smith, present; Vice President Q. Jay Stapleton, present; Commissioner Leslie Henry, present.

The President entertained a motion for approval of the September 7, 2023 minutes. motion. Roll call: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea.

TRAVEL REQUESTS				
DEPARTMENT	NAME	DATE	TO	RE:
Commissioners	Brian Rutherford	9/18/23	Hilliard OH	Legal Deposition

The President entertained a motion to approve travel requests as submitted. Q. Jay Stapleton made and Leslie Henry seconded the motion. Roll call: Mr. Smith, yea; Mr. Stapleton, yea; Mr. Stapleton, yea.

2023 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
9/10	7	1	1	0	0	0	0	0	2	26	0	0	0	10

**EXECUTIVE SESSION – COMMISSIONERS – PERSONNEL**

9:19 a.m., the President entertained a motion to enter into executive session with the County Administrator to discuss the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee. Leslie Henry made and Q. Jay Stapleton seconded the motion. Roll call: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea. Returned to regular session at 9:30 a.m. No action taken.

**EMPLOYEE – IT – RESIGNATION**

Brian Rutherford, County Administrator requests the Commissioners acceptance of the resignation of Charles Max Bowman effective September 27, 2023. The President entertained a motion to accept the resignation as presented by Mr. Rutherford. Q. Jay Stapleton moved and Leslie Henry seconded the motion. Roll call: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea.

**COMMISSIONERS – NEW HIRE**

Brian Rutherford, County Administrator recommended to the commission to hire Tyler Ward as a full-time Maintenance/Custodial worker, a classified position, at a pay rate of \$15.00 per hour with a 180-day probationary period, effective 10/2/2023. The President vacated the chair and moved to hire Tyler Ward as a full-time Maintenance/Custodial worker as recommended by Mr. Rutherford. Leslie Henry seconded the motion. Mr. Stapleton spoke on his concern for the starting pay rate. He had also recommended and presented a quote from a local resource on cleaning the courthouse three days a week. Roll call: Mr. Smith, yea; Mr. Stapleton, nay; Ms. Henry, abstain. Motion not passed.

**AMENDMENT #5 ENGINEERING AGREEMENT FOR SERVICES**

**GREEN TOWNSHIP SEWER PHASE 2 PROJECT**

Grants Administrator Karen Sprague presented the Commission with Amendment #5 for the Engineering Agreement with DLZ Ohio, Inc. to provide construction observation & contract administration for the Green Township Sewer Phase 2 Project (additional 24 months within the take-over contract period):

- Original Agreement amount: \$656,000.00
- Net change for prior amendments: \$450,000.00
- This amendment amount: \$510,000.00
- Adjusted agreement amount: \$1,616,000.00
- Change in time for service: 24 months

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Reason noted in amendment request: Construction Observation (RPR) and Contract Administration Services for an additional 24 months within the take-over contract period of the project. Hours will be billed only on actual work and if contractor finishes before their proposed time, the amount will be less.

President Smith entertained a motion to approve the Amendment #5 to the Engineering Agreement as presented. Q. Jay Stapleton made and Leslie Henry seconded that motion. Upon roll call votes were as follows: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea.

All forms were signed by David K. Smith, as President of the Commission, and they are on file in the County's Green Township Sewer Phase 2 files.

**DJFS – NEW HIRE**

Kathy Campbell, Business Administrator on behalf of Dana Glassburn, GCDJFS Director, recommended the following new hire with an effective hire date to be determined by the Director upon successful completion of preliminary employment screening processes and in accordance with ORC 5101:2-33-55 (B)(1). Compensation will be set as per the collective bargaining agreement.

Tabithia Montgomery-Eligibility Referral Case Manager 2-Classification Number 17203 Position control # 21007.0

Leslie Henry moved and Q. Jay Stapleton seconded the motion. Roll call: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea.

**DJFS – AGREEMENTS**

Business Administrator, Kathy Campbell presented the Commissioners with the following agreements for approval:

**GALLIA COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES – SUBGRANT AGREEMENT**

**RECITALS**

This Subgrant Agreement between the Gallia County Department of Job and Family Services, (hereinafter referred to as "CDJFS") located at 848 3rd Avenue, Gallipolis OH 45631 and Educational Service Center, (hereinafter referred to as "SUBGRANTEE ESC") at P.O. Box 178 Rio Grande, Ohio 45674. SUBGRANTEE hereby accepts the Subgrant and agrees to comply with all the terms and conditions set forth in this Agreement.

This Subgrant is made pursuant to the following federal award: Child Support Enforcement Research CFDA 93.564 (original award date 8/26/2020; FAIN# 90FD0232) Temporary Assistance to Needy Families Block Grant, as administered by the U.S. Department of Health and Human Services, Federal Award signed on 8/26/2020. The new federal award date 7/1/2022; FAIN # 90FD01197 at the time of signing the subgrant the FFY24 CFDA Federal Award had not been signed. CDJFS will place updated Federal Award sign date once received.

The President entertained a motion to approve the agreement upon the recommendation of Ms. Campbell. Leslie Henry made and Q. Jay Stapleton seconded the motion. Roll calls: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea.

**GALLIA COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES - PURCHASE OF SERVICES SUBGRANT AGREEMENT**

**AMENDMENT NO. 2**

This amendment will amend the contract between the Gallia County Department of Job and Family Services "the grantor" and Educational Services Center "subgrantee" and will be effective 10/1/2022-9/30/2023 for the purchase of TANF Summer Advantage activities with TANF funds CFDS number 93.558 (original award date 10/1/2021; FAIN# 2201OHTANF) Temporary Assistance to Needy Families Block Grant.

Availability of Funds:

Increase the total amount of the contract to \$1,158,800. This is an increase in the amount of \$65,000 from another county and \$17,918.57 from adult budget. For clarification the total budget was originally \$900,000 split into two budgets (adult (\$20,000) and kids (\$880,000) program). Amendment No 1 only showed the kids program budget of \$1,055,000.

*s/Dana Glassburn*, Director 9/12/2023

*s/Denise Shackley*, Superintendent 9/6/2023

Gallia County Commissioners:

*s/David K. Smith* 9/14/2023

CASTO & HARRIS, INC. — RE-ORDER NO. 25403-23

SEPTEMBER 14, 2023

*s/R. Jay Stapleton* 9/14/2023

*s/Leslie Henry* 9/14/2023

*s/Jason Holdren, Pros. Attorney* 9/5/2023

The President entertained a motion to approve the amendment upon the recommendation of Ms. Campbell. Q. Jay Stapleton made and Leslie Henry seconded the motion. Roll calls: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea

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This Subgrant is made pursuant to the following federal award: TANF CFDA 93.558 (original award date 10/01/2022; FAIN# 2301OHTANF) Temporary Assistance to Needy Families Block Grant, as administered by the U.S. Department of Health and Human Services, Federal Award signed on 10/01/2022. At the time of signing the subgrant the FFY23 TANF CFDA Federal Award had not been signed. CDJFS will place updated Federal Award sign date once received. This Subgrant is not for research and development purposes.

The President entertained a motion to approve the agreement upon the recommendation of Ms. Campbell. Q. Jay Stapleton made and Leslie Henry seconded the motion. Roll calls: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea.

**GALLIA COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES - SUBGRANT AGREEMENT**

**RECITALS**

This Subgrant Agreement between the Gallia County Department of Job and Family Services, (hereinafter referred to as "CDJFS") located at 848 3rd Avenue, Gallipolis OH 45631 and Gallia-Vinton Educational Center (hereinafter referred to as "SUBGRANTEE ESC") (Unique Identifier G6A7TXMJX9G5) at P.O. Box 178 Rio Grande, Ohio 45674 SUBGRANTEE hereby accepts the Subgrant and agrees to comply with all the terms and conditions set forth in this Agreement.

This Subgrant is made pursuant to the following federal award: Title XX Base CFDA 93.667 (original award date 10/1/2022; FAIN# 2301OHSOSR Title XX Base Subsidy). At the time of signing the subgrant the FFY21 Title XX Base CFDA Federal Award had not been signed. CDJFS will place updated Federal Award sign date once received. as administered by the U.S. Department of Health and Human Services. This Subgrant is not for research and development purposes.

The President entertained a motion to approve the agreement upon the recommendation of Ms. Campbell. Leslie Henry made and Q. Jay Stapleton seconded the motion. Roll calls: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea.

**CHANGE ORDER #3 – GCDD WWTP IMPROVEMENTS PROJECT**

Grants Administrator Karen Sprague presented the Commission with Change Order No. 3 paperwork for the GCDD WWTP Improvements Project with Mack Industries, Inc. The change order is being requested as follows:

- Underground piping repairs and additional paving in 2 areas building Hopewell building = increase \$32,119.50
- Total change order increase = \$32,119.50

Contract amount adjustments as follows:

- Original contract price = \$348,498.00
- Change order #1 = \$104,028.75
- Change order #2 = \$8,123.80
- Change order #3 = \$32,119.50
- New contract total = \$492,770.05
- New contract time: increase 61 days; Final completion 11/30/2023

Ms. Sprague advised DLZ Engineer Gary Silcott & James Tuttle from Mack Industries, Inc. are both in agreement and have signed this change order, also further noting the County's 2021 WWIP Grant will cover the increase. David Smith entertained a motion to approve the change order form as requested. Leslie Henry made and Q. Jay Stapleton seconded that motion. Upon roll call votes were as follows: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea. Form was signed by David K. Smith, President of the Commission.

SEPTEMBER 14, 2023

**RECORDS COMMISSION MEETING**

President David K. Smith chaired the Record's Commission Meeting held in the Commissioner's office. The following were present: Commissioner David K. Smith, Assistant Prosecutor Isaac Beller, Auditor Robert J. Jacks, and Recorder Roger Walker. Also present: Commissioners Q. Jay Stapleton and Leslie Henry. Recorder Roger Walker reviewed the submitted applications to the records commission; all were approved. Minutes are on file in the Commissioner's office.

**OPWC AUTHORIZING LEGISLATION RESOLUTION – COUNTY ENGINEER**

Commission received OPWC Application from the Gallia County Engineer. The President entertained the motion to approve the following resolution. Leslie Henry moved and Q. Jay Stapleton seconded the motion. Roll call: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea.

**AUTHORIZING LEGISLATION**

A RESOLUTION AUTHORIZING BRETT A. BOOTHE, P.E., PS., GALLIA COUNTY ENGINEER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S)

WHEREAS, The State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure, and

WHEREAS, the County of Gallia is planning to make capital improvements to 2024 Gallia County Road Surface Improvements Project, and

WHEREAS, the County of Gallia is planning to make capital improvements to 2024 Gallia County Reconstruction and Improvements Project, and

WHEREAS, the infrastructure improvements herein above described is considered to be a priority need for the community and are qualified projects under the OPWC programs,

NOW THEREFORE BE IT RESOLVED by Gallia County:

Section 1: The Gallia County Engineer is hereby authorized to prepare and apply to OPWC for the projects described above.

Section 2: The Gallia County Commission President David Smith is authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance and executing contracts for said projects.

Passed: September 14, 2023

Approved by:

/David K. Smith, President

/Q. Jay Stapleton Vice President

/Leslie Henry, Commissioner

**BOARD OF ALCOHOL DRUG ADDICTION AND MENTAL HEALTH – BOARD REAPPOINTMENT**

The Commissioners received the following letter from Gallia-Jackson-Meigs Board of Alcohol, Drug Addiction and Mental Health Services Executive Director Robin Harris:

*September 7, 2023*

*Gallia County Board of Commissioners  
18 Locust Street  
Gallipolis, OH 45631*

*Dear Dr. Smith:*

*In accordance with ORC 340.02(G), this letter is to inform you of a vacancy of two County Commissioner's appointments to the Gallia-Jackson-Meigs Board of Alcohol, Drug Addiction and Mental Health Services. Your previous appointment of Mary Deel and Gary Phillips have now expired as they have each served two full terms.*

*I am submitting for your review and consideration the Board Member Application of Mr. Joe Browning. Mr. Browning would be eligible to serve a full term commencing July 1, 2023. We are currently doing some outreach within the African American community seeking a better racial/ethnic balance in filling the second vacancy.*

*Should you wish to discuss any current Board vacancies or functions, I am always happy to attend a meeting at your convenience. If you are comfortable with appointing Mr. Browning with information I have provided, I am appreciative.*

*Thank you for your cooperation and consideration in this matter. If you have any questions, please feel free to contact me.*

*Sincerely,*

*Robin Harris.*

*Executive Director*

The President entertained the motion as recommended by Director Harris to appoint Joe Browning to the Board of Alcohol Drug Addiction and Mental Health. Leslie Henry made and Q. Jay Stapleton seconded the motion. Roll call: Mr. Smith, yes; Mr. Stapleton, yea; Ms. Henry, yea.

CASTO & HARRIS, INC. — RE-ORDER NO. 25403-23

SEPTEMBER 14, 2023

**AUDITOR – BUDGET AND FUND LINE DISCUSSION**

Auditor Robert Jacks, along with County Administrator Brian Rutherford met with the Commissioners to review all of the County’s Revenue and Expense lines for the upcoming budget process. No action taken.

**COMMUNITY ACTION – LEAD SAFE OHIO FUNDS**

GMCAA, Lora Rawson met with the Commission to discuss the LEAD SAFE OHIO FUNDS and request that Community Action be designated as the official organization for Gallia County to apply for \$316,000.00. This funding would be used for the window and door replacement in pre 1978 homes in Gallia County. President Smith entertained a motion to give GMCAA permission to proceed with the LEAD SAFE OHIO FUNDS application. Q. Jay Stapleton made and Leslie Henry seconded that motion. Upon roll call votes were as follows: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea.

**BOARD OF ELECTIONS**

Eric Whitt and Jerrod Roberts, Board of Elections met with the Commissioners to discuss the need to order new poll books to be used beginning 2024. Mr. Whitt stated that the State has awarded finding for these poll books and the BOE would cover the rest which was included in their budget request for 2024. No action taken.

**EMANCIPATION COMMITTEE PROCLAMATION**

Grant Administrator Karen Sprague presented the following proclamation. The President entertained the motion to approve the proclamation as submitted. Q. Jay Stapleton made and Leslie Henry seconded the motion. Roll call votes were as follows: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea.

**WHEREAS**, The Emancipation Proclamation has been celebrated and honored in Gallia County continuously since 1863 and is reported to be the longest continuous celebration in the United States, and

**WHEREAS**, it began on September 22, 1863, the first anniversary of President Lincoln’s Proclamation of slavery, and has continued consecutively to pay tribute to this historic document, and

**WHEREAS**, the 160<sup>th</sup> Annual Emancipation Celebration is scheduled for Saturday, September 16 & Sunday, September 17, 2023 at the Gallia County Fairgrounds in Gallipolis.

**THEREFORE, BE IT HEREBY RESOLVED**, that the Board of Gallia County Commissioners proclaim September 16<sup>th</sup> & 17<sup>th</sup>, 2023 as the

**2023 Annual Emancipation Celebration Weekend**

in Gallia County and lend our full support to the efforts of the Emancipation Celebration Committee.

Signed this 14<sup>th</sup> day of September, 2023.

Gallia County Commissioners

*sl David K. Smith*

David K. Smith, President

*sl Q. Jay Stapleton*

Q. Jay Stapleton, Vice-President

*sl Leslie Henry*

Leslie Henry, Commissioner

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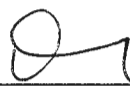
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**SEWER CUSTOMER – JOHN JOHNSON**

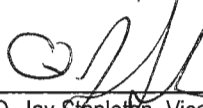
Tom White, Special Projects Manager and Sewer Customer John Johnson, owner of property 3362 State Route 7 North met with the Commissioners to discuss his current situation. Mr. Johnson and his wife were victims to a semi crashing through their residence in late March. Mr. Johnson stated that he has not lived at the property since the accident occurred, has no home on the residence and has no plan to go back there. President Smith entertained a motion that due to a post-accident that destroyed Mr. Johnson's home, that he only be responsible for the Bond Retirement portion of his bill and not the Operations & Maintenance and to also waive the \$250.00 disconnect fee that is normally required in this process. President Smith also noted that if anyone would ever want to connect, a re-connect fee will be assessed. Leslie Henry moved and Q. Jay Stapleton seconded the motion. Roll call votes were as follows: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea.

**ADJOURN**

At 3:00 p.m. the President entertained a motion for adjournment. Q. Jay Stapleton made and Leslie Henry seconded the motion. Roll call: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea.

  
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David K. Smith, President

  
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Amanda Phillips, Clerk to the Board

  
\_\_\_\_\_  
Q. Jay Stapleton, Vice President

  
\_\_\_\_\_  
Leslie Henry, Commissioner