

JULY 16, 2009

The Gallia County Board of Commissioners met on this date for the purpose of approving the minutes of the previous meeting and approving the current bills. At 9:00 a.m. the meeting was called to order by President Justin L. Fallon. Roll Call: Mr. Justin L. Fallon present; Mr. Howard J. "Joe" Foster Vice-President, present; and Ms. Lois M. Snyder, Member, present.

President Fallon entertained a motion for approval of the July 9, 2009 minutes. Lois Snyder made and Joe Foster seconded the motion. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.

TRAVEL REQUESTS				
DEPARTMENT	NAME	DATE	TO	RE:
Commissioners	Karen Sprague	7/21	Columbus	COHHIO Rural Convening

President Fallon entertained a motion to approve travel requests as submitted. Joe Foster made and Lois Snyder seconded the motion. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.

2009 Animal Shelter Canine Weekly Report										
Week Ending	IN	Adopted	Reclaimed	Euthanized	Died (Natural Causes)	Rescued	Destroyed (in field)	Total Out	In Foster Care	Remaining at Shelter
7/13	33	5	1	1	0	22	0	29	0	46

VEHICLE TO GREENFIELD FIRE DEPARTMENT

Sheriff Joe Browning submitted a recommendation to donate 1999 Jeep Cherokee for one (1) dollar to Greenfield Fire Department to be used as a first responder vehicle. Vehicle will be stationed at the fire department building on State Route 233 in Patriot. This vehicle would also still be available to the Sheriff's department once called on. Lois Snyder made and Joe Foster seconded the motion to transfer the vehicle for \$1. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.

EARLY CHILDHOOD FAMILY CENTER STATUS

MRDD Superintendent Rosalie Durbin, Project Manager Bartley Mullins and Architect Dave Stone met with the Commissioners to give an update of the efforts being put forth to resolve the issue with the HVAC system. They distributed the following:

1. Contractors guarantee forms – PortCo has the form in their manual but it is not signed off on and documents were never executed.
2. Proposed draft compromise – Mr. Stone distributed a copy of a proposed draft compromise addressed to the General Contractor Seth Stockmeister.

Ms. Durbin advised that due to the HVAC system issues, they have had to pay an additional \$14,000 in utility costs. The system has not properly functioned from the beginning and was never accepted. Mullins advised that several modifications could be made to the system right now that would allow it to function properly. Stone agreed it was not functioning properly and stated that part of the problem from the beginning was attitudes and refusal of addressing issues up front. Durbin stated that once it is functioning properly, then the maintenance period should begin. Commissioners agreed that we cannot roll over on a maintenance agreement and become responsible for a system that does not function properly. Taxpayers are not getting what they paid for; perhaps we need an outside opinion on the functionality of the system? Commissioners stated we want this resolved, but we should not yield on the important parts of what we are trying to accomplish. Commissioners encouraged Ms. Durbin to present the draft compromise to her board and they would support their decision.

Commissioners also requested that Ms. Durbin keep them informed of how the State budget cuts may affect her agency.

COUNTY ADMINISTRATOR REPORT  
FINANCIAL REPORT

The County Administrator presented the Commission with the 6-month financial report for 2009 for the County General Fund. The report was reviewed and discussed and due to reduced revenues in some line items for 2009 versus 2008 & 2007 as well as overall expenditures thru the end of June being at 54% of appropriations, the county administrator recommended a letter be sent to all county general departments notifying them of the financial conditions. The letter was taken into consideration and will be reviewed by the Commission with an answer before the end of the day.

Sales tax report thru July was also reviewed noting losses for the month of July and that Gallia County's share of the undivided local government fund revenue will take a \$71,399.60 reduction during the States 2009 fiscal year due to reductions made at that level.

Financial Reports for EMS, EMA and Airport funds were also submitted and reviewed. The airport fund remains stable thru 6 months of 2009. Both the EMA & EMS funds need to be monitored as revenues are down and they could end the year in the red if not vigilant.

KA SEWER – ARRA ENVIRONMENTAL ASSESSMENT

The County Administrator presented the Commission with a draft of the environmental assessment as completed by OEPA Water Pollution Control Loan Fund staff for the Kanauga-Addison Sewer Project. The document reflects that OEPA has made the same conclusions as USDA and the County that a finding of no significant impact can be made for this project. The environmental assessment has to be distributed as required and this allows the OEPA to move towards distribution of agreement documents for the \$720,000 of ARRA stimulus dollars for this project.

CWA 2340

The following CWA 2340 Union Representatives were present: Chief Steward Ernie Meadows, Steward Cynde Kuhn, and Steward Tannya Henry. (Steward Kathy Campbell was absent from the morning meeting but was present at the afternoon executive session.)

Ernie Meadows stated that they had come to answer any questions or clarify any issues or misunderstanding the Commission may have. He stated 18 employees have been laid off as of today; 8 bumped internally, 7 taken pay cuts, 1 – lateral move and three more are yet to be laid off.

Commissioner Fallon stated actions taken were based on the decisions of the State Legislature and we hope this is being properly conveyed to all the employees; we are losing jobs and money at a time in this economy that we need it the most.

Steward Cynde Kuhn stated their concern about personnel and contract issues and the Union has not come up with an answer to the situation yet. A decision has not been made on the final three people being involved in the lay off. She requested a little more time to pursue their concerns this morning to get answers on some issues of possibilities. A MOU was presented in April asking for an extension on changing the call back policy from 3 yr to 5 yr and asking for an agreement on the wage freeze to keep it frozen for those being bumped back, which was never agreed on. They are still not ready to give up on other ideas they have and requested one more day to research these things today.

Commissioners stated they would be open to this request; the Union representatives agreed to return today at 2pm.

EXECUTIVE SESSION

At 10:36 a.m. Justin Fallon entertained a motion to enter into executive session CWA 2340 representatives' for contract/personnel issues. Joe Foster made and Lois Snyder seconded the motion. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea. Returned to regular session at 10:47 p.m.; no action taken.

JFS STATE BUDGET DISCUSSIONS

Director Dana Glassburn advised that the statewide final budget plan appears to be exactly what the Governor projected months ago. Glassburn described the line items and discussed their projected decline from 2009 through 2011 and has concerns how these services will be provided. January appropriations and estimated receipts is based on a fiscal year and he has so far reduced the revenues from last year to figure how to get down to these numbers. Once a final budget is received he can work on an estimate of how to get where they need to be.

Glassburn advised that they may go into the red some with this pay period however; day care providers have not been paid. These normally go out at the beginning of the month and they are being made to wait until the end of the month. They are hoping to pay them for the month of June at the end of July. They are hopeful to be back on the normal draw process by the end of July. Mr. Glassburn advised that statewide, the biggest fear of all county directors is, just because they approve the budget, it is the starting point with reductions over the past 2 years. Decreasing the work force leaves half the staff to serve the public. Once direction is received by state JFS, we will have to rearrange the office as described by the state. JFS currently has 51 employees that have brought in over 98 million dollars into Gallia County. Without the staff to bring this money in, it won't be there when it is needed and it will be a ripple effect across the entire state.

EXECUTIVE SESSION

At 11:04 a.m. Justin Fallon entertained a motion to enter into executive session with JFS Director Dana Glassburn for personnel issues. Lois Snyder made and Joe Foster seconded the motion. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea. Returned to regular session at 11:50 a.m.; no action taken.

CERTIFICATE OF SUPPORT – USDA/RD APPLICATION

Commissioners signed a Certificate of Support for an USDA/RD Application for Greenfield Township Volunteer Fire Department to seek funding to purchase fire fighting apparatus to provide needed services to the their community.

BUDGET LETTER TO COUNTY GENERAL DEPARTMENTS

Justin Fallon entertained a motion to approve the following letter to all General Fund Departments regarding the condition of the revenues for 2009. Lois Snyder made and Joe Foster seconded a motion to approve the letter as submitted. Roll call votes: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.

TO: ALL COUNTY GENERAL FUND DEPARTMENTS/OFFICES  
RE: 2009 BUDGETS

*We are writing to advise all departments and offices with budgets under the County's General Fund that various revenue lines items are experiencing reduced revenue through the 1<sup>st</sup> half of 2009 as compared to the 1<sup>st</sup> half of 2008 and 2007. The 2009 revenue report through June 30, 2009 shows decreases in various revenue line items such as Local Gov't Funds, Depository & Investment Income and Defense of Indigent Reimbursement, to name a few.*

*If these trends continues for the 2<sup>nd</sup> half of 2009 the County's General Fund revenue could be reduced substantially from the income received for 2008 and 2007.*

*The Commissioners request that all departments handle line item shortfalls by transfers within their departmental budgets and not request any supplemental appropriations.*

*We wish to notify you in advance there could be a potential need to reduce current appropriations during the second half of 2009. All general fund departments need to make every effort possible to reduce spending throughout the rest of 2009. This will be a very tight year for our general fund and we ask that all departments assist by reducing spending in any way possible. Thanks in advance for your cooperation in this regard.*

Respectfully submitted,  
Gallia County Commissioners  
s/ Justin L. Fallon, President

s/ Howard Joe Foster, Vice-Pres.  
s/ Lois M. Snyder, Commission Member

#### EMS FLOORING REPLACEMENT

Joe Foster made and Lois Snyder seconded the motion to award the quote to Vanco Flooring for \$4,718.37 as recommended by the County Building Superintendent. An insurance warrant was previously received from CORSA for the flooring replacement due to water damage during the 5/25/09 flooding event. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.

#### GJM-BADAMHS AUDIT REPORT

Commissioners received and reviewed the single audit report for Gallia-Jackson-Meigs Board of Alcohol, Drug Addiction, and Mental Health Services for the Year ending December 31, 2008. This document is on file in the Commissioners office.

#### COUNTY ENGINEER

County Engineer Brett Boothe met with the Commissioners to discuss the following projects:

1. They have an available salt spreader and needs to purchase a truck for this equipment. He will use state bid pricing for the vehicle purchase.
2. He talked to ODOT District 10 Director and one of the projects he brought up is the Gallipolis by-pass and he discussed this with Fred Deel and Larry Woodford. Woodford advised ODOT may come up with the funds for the feasibility study. Boothe is completing the TRAC application for this.
3. Gallia/Lawrence connector. Boothe spoke to Woodford regarding the connection of 775 to 850 and stated that it makes sense and we need to contain our focus in this area make sure ODOT is on board with this project. These are very preliminary discussions, as all environmental issues will come into play in choosing the best route. Boothe agreed to work with Economic Development Director Amy Corbin for this project.
4. Senior Center parking lot – Boothe asked about the future plans for paving the Senior Center driveway and the lot in front of his entrance. Commissioners advised they want to do this project but with the current status of the budget and uncertainty of the future revenues, we will hold off at this time.
5. Request for transfer of funds – On an earlier request for a transfer from maps & prints line items - Salaries to Other; he explained that he still has plans to hire an Assistant Engineer and hopes to do that in the near future. With the requested transfer, he plans to purchase accounting software that provides bill pay, accounts receivable, tracking employee leave, payroll, inventory for roads, bridges and equipment and billing for materials for townships, etc. The County Administrator advised that these funds should be taken from maps and prints since all his employees but one is paid from M&R. Boothe explained that several other items recently purchased had been taken from M&R that could probably have been taken from Maps & Prints. Commission advised they would take this into consideration and get back to him.
6. Booth advised that the estimate of his costs for the EMS sub-grade parking lot work done by his department is \$8,900.

#### EMS PARKING LOT - REQUEST FOR DETERMINATION OF EMERGENCY

County Administrator Karen Sprague presented the Commission with 3 quotes from area asphalt companies for paving the parking lot for the new EMS Station facility as follows:

- Myers Paving - Henderson, WV - \$29,380.00
- Rick Eplion Paving - Proctorville, OH - \$33,088.79
- Nuko, Inc. - Crown City, OH - \$35,150.00
- Shelly Company - Gallipolis, OH – advised they were not interested in quoting the project
- Nichols & Wright of Huntington, WV – did not return a phone call from our request for a quote

Ms. Sprague noted the lowest quote exceeds the \$25,000 limit for bidding requirements, but based on the following reasons, recommends the Commission make a determination that a real and present emergency exists and award the project based on the lowest competitive quote submitted:

- ORC Section 307.86 (A) allows determination of an emergency that a real and present emergency exists with a unanimous vote of the board of county commissioners when either of the following applies:
  - (1) The estimated cost is less than fifty thousand dollars
  - (2) There is actual physical disaster to structures, radio communications equipment, or computers.

Ms. Sprague stated the following reasons for determining an emergency exists:

- the county has undertaken a huge cost to construct the facility and ready the parking lot for asphalt
- the new EMS facility's foundation has already been undermined twice by storm flow during rains while under construction
- the new EMS facility's foundation is still in jeopardy until the installation of the asphalt parking lot is completed
- the work completed by the county engineer's staff to ready the parking lot for asphalt (grading, compaction of the parking lot, installation of gravel base, installation of catch basins and effluent piping) could be ruined by storm flow during another rain
- Quotes from all area asphalt companies were solicited and 3 competitive quotes were obtained.
- Lowest competitive quote submitted is \$29,380, which is well under the \$50,000 limit imposed by ORC 307.86 (A) (1).
- There has already been actual physical disaster, ORC 307.86 (A) (2), to the new EMS facility from storm flow during prior rain events and there is the possibility of future structural damage without the prompt completion of the asphalt parking lot.

Ms. Sprague noted she had reviewed this situation with the County Prosecuting Attorney who concurred the project meets the requirements for a determination of emergency for both items listed at ORC 307.86 (A) (1) & (2). County

Engineer Brett Boothe in attendance for the meeting agreed the parking lot needed to be paved as soon as possible in order to alleviate the possibility of future damage to the base work his staff had completed as well as the foundation of the new building.

Justin Fallon entertained a motion that the Commission make the determination that a real and present emergency exists based on the information presented by Ms. Sprague and the recommendation of both Ms. Sprague and the County Prosecuting Attorney and award the project to Myers Paving based on the lowest competitive quote submitted in the amount of \$29,380.00. Lois Snyder moved and Joe Foster seconded the motion. Roll call votes: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.

**AMENDED TITLE IV-D – COMMON PLEAS**

Joe Foster made and Lois Snyder seconded the motion to approve the Title IV-D contract with JFS/Common Pleas as amended by Common Pleas and presented by JFS. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea.

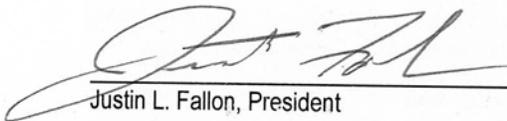
**EXECUTIVE SESSION - CWA 2340**

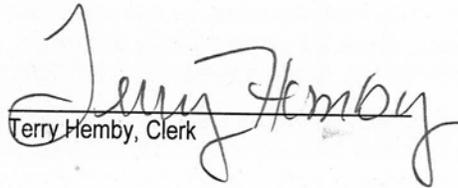
At 2:21 p.m. Justin Fallon entertained a motion to enter into executive session with the Union Stewards and Dana Glassburn for personnel issues. Lois Snyder made and Joe Foster seconded the motion. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, yea. Returned to regular session at 2:53 p.m.; no action taken.

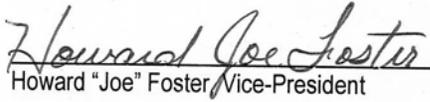
\*Commissioner Snyder left the meeting at 3:11 p.m.

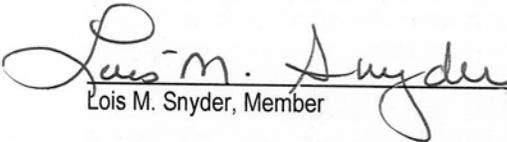
**ADJOURN**

At 3:48 p.m. President Fallon entertained a motion for adjournment. Joe Foster made and Justin Fallon seconded the motion. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Ms. Snyder, absent.

  
Justin L. Fallon, President

  
Terry Hemby, Clerk

  
Howard "Joe" Foster, Vice-President

  
Lois M. Snyder, Member