

DECEMBER 28, 2023

Grand Total All Funds:

- Appropriations = \$67,433,831.75
- Encumbrances = \$221,024.21
- Balances Carried Forward = \$25,991,368.18 (Note this will need to be amended with grant fund carryover balances after the final 2023 payroll costs post)

President Smith entertained a motion that the Annual Appropriation Resolution for the fiscal year 2024 be approved and signed by the Commission. Leslie Henry made and Mr. Stapleton seconded the motion. Upon roll call, votes were as follows: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea.

**GREEN SEWER 2 CONSTRUCTION MEETING**

At 1:30 p.m. the Commissioners, County Administrator Brian Rutherford, Grant Administrator Karen Sprague, and Clerk to the Board Amanda Phillips attended the Green Sewer 2 Construction monthly meeting in the Commissioners' office. Others in attendance were: DLZ Reps. Gary Silcott, Rob Snedden & Eli Walker and Tracy Shoults, Josh Fields and Bo Cox from Fields Excavating.

**\*2:00 pm The Commissioners attended the Planning Committee Meeting held in the Commissioners office at the Courthouse**

**AMENDMENT – 2023 YEAR-END ADVANCES & TRANSFERS**

County Administrator Brian Rutherford requested to make an amendment to the previous resolution:

*President Smith entertained a motion to grant the County Administrator and County Deputy Auditor the authority to agree on the final fund advances, fund transfers (in an amount up to \$10,000.00) and line item transfer should any other funds or line items end the year in the red once final payroll, fringes, and expenses are posted to funds. Leslie Henry moved and Q. Jay Stapleton seconded the motion. Roll call: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea.*

Mr. Rutherford stated that he has spoken with the County Deputy Auditor Kim Elliott and she has received more fund transfers that are in the red and will need an approval of more than the allowed amount of \$10,000.00. Mr. Rutherford is requesting to change that amount up to \$180,000.00. Leslie Henry moved and Q. Jay Stapleton seconded the motion. Roll call: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea.

**LANDFILL APPLICATION**


County Administrator Brian Rutherford requested of the Commission to allow Anette Brown, Auditor's office the authority to cut a manual check in the amount of \$29,900.00 to the Health Department for the 2024 Solid Waste Landfill Application. Q Jay Stapleton moved and Leslie Henry seconded the motion. Roll call: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea.

**SEWER BILLS (Amended 1.4.24 Journal 56 Pg. )**


Commissioner Henry moved to raise sewer bills for all sewer customers \$2.50 per month. Q. Jay Stapleton seconded the motion. Discussion from Mr. Stapleton was that he felt like the raise was necessary due to rising costs in the economy and the shortfalls of the sewer department. He stated he would like to re-evaluate mid-year to see what is collected through assessments. Commissioner Smith stated he would have preferred to have done this several months ago when they first recognized the need. Roll call: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea.

**ADJOURN**

At 4:00 p.m. the President entertained a motion for adjournment. Q Jay Stapleton moved 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

  
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Q. Jay Stapleton, Vice President

  
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Leslie Henry, Commissioner

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

**JANUARY 4, 2024**

The Gallia County Board of Commissioners met on this date for the purpose of approving the minutes of the previous meeting and current bills. At 9:00 a.m. the meeting was called to order by Commissioner David K. Smith. Roll Call: President David K. Smith, present; Vice President, Q. Jay Stapleton, present; Commissioner Leslie Henry, present.

**RE-ORGANIZATION MEETING**

At 9:00 a.m. on January 4, 2024 as advertised, the Commissioners met for the re-organization meeting as required by the Ohio Revised Code Section 305.05 on or before the second Monday of January. Commissioners present: President David K. Smith, Vice President Q. Jay Stapleton, Commissioner Leslie Henry.

**OFFICERS ELECTED**

Commissioner, David K. Smith entertained a motion to nominate a president for 2024. David K. Smith nominated Q. Jay Stapleton for president of the 2024 Board of Commissioners and Leslie Henry seconded the motion. Roll call: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea. David K. Smith made the motion to nominate Leslie Henry for vice-president. Q. Jay Stapleton seconded the motion. Roll call: Mr. Stapleton, yea; Ms. Henry, yea; Mr. Smith, yea.

**MEETING TIME SET**

David K. Smith made and Leslie Henry seconded the motion to continue the weekly meetings on Thursdays from 9:00 a.m. until business is completed and to conduct the meetings in Room 1292 of the Gallia County Courthouse, 18 Locust Street, Gallipolis, OH. Roll call: Mr. Stapleton, yea; Ms. Henry, yea; Mr. Smith, yea.

**COUNTY BUSINESS**

The President entertained a motion for approval of the December 28, 2023 minutes. David K. Smith moved and Leslie Henry seconded the motion. Roll call: Mr. Stapleton, yea; Ms. Henry, yea; Mr. Smith, yea.

The President entertained a motion to approve travel requests as submitted. Leslie Henry moved and David K. Smith seconded the motion. Roll call: Mr. Stapleton, yea; Ms. Henry, yea; Mr. Smith, yea.

TRAVEL REQUESTS				
DEPARTMENT	NAME	DATE	TO	RE:
Auditor	Robert Jacks	1/4/24	Dublin, OH	Executive Conference Planning Mtg.

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
12/31	9	0	0	0	14	0	0	0	14	21	0	0	0	10

**2024 BOARD DESIGNATIONS & APPOINTMENTS**

The following boards will be represented by the Commission as designated below: David K. Smith made and Leslie Henry seconded the following designations: Roll call: Mr. Stapleton, yea; Ms. Henry, yea; Mr. Smith, yea.

Board	2023 Member
Ariel Board of Directors	David K. Smith
Board of Revisions	Q. Jay Stapleton
Broadband Committee	Leslie Henry
Canine Management Committee (BOC Vice President)	Leslie Henry
Community Action Agency	All Alternate: Brian Rutherford Alternate: Amanda Phillips
Community Improvement Corporation (CIC)	Leslie Henry
Data Processing (BOC President)	Q. Jay Stapleton

JANUARY 4, 2024

SR 35 Corridor	*Inactive
Exotic Animals	Q. Jay Stapleton
Family & Children First Council "FCFC"	Q. Jay Stapleton
Family Svcs Planning Committee (BOC President & FCFC)	David K. Smith & Q. Jay Stapleton
Gallipolis in Bloom	David K. Smith
GJMV Solid Waste Management District	All
Health Dept. – Advisory Council (BOC President)	Q. Jay Stapleton
Infrastructure Committee	David K. Smith
Keep Gallia Beautiful	Leslie Henry
Local Emergency Planning Committee	Q. Jay Stapleton
Local Corrections Planning Board	Q. Jay Stapleton
Ohio Public Works Commission Integrating Committee	Leslie Henry
Our House Museum	David K. Smith
Ohio Valley Resource Conservation & Development	David K. Smith
OVRDC Full & Executive	Leslie Henry
Planning Commission	Q. Jay Stapleton Leslie Henry David K. Smith
Records Commission	David K. Smith
Renewable Energy Committee (2)	Leslie Henry & Q. Jay Stapleton
Security Committee	Q. Jay Stapleton
Sewer Committee (Health Dept.)	David K. Smith
SOACDF Tobacco Board	*Inactive
Solid Waste Mgmt. District	All
Tax Incentive Review Council (TIRC)	All
Threat Risk Assessment	Leslie Henry

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

**SPECIAL PROJECTS – FENCE**

Special Projects Manager, Tom White, submitted an estimate from Youngs Fencing to replacing the fence around the existing generator in the amount of \$2,064.11. President Stapleton entertained a motion to accept the estimate amount and allow the replacement. David K. Smith moved and Leslie Henry seconded the motion. Roll call: Mr. Stapleton, yea; Ms. Henry, yea; Mr. Smith, yea.

**EXECUTIVE SESSION – COMMISSIONERS – CONTRACTS**

9:28 a.m., the President entertained a motion to enter into executive session with Special Projects Manager Tom White to discuss contracts. David K. Smith moved and Leslie Henry seconded the motion. Roll call: Mr. Stapleton, yea; Ms. Henry, yea; Mr. Smith, yea. Returned to regular session at 9:45 a.m. No action taken.

**AUDITOR – END OF THE YEAR RECONCILIATION**

County Administrator Brian Rutherford requested the Commission to accept reconciliation from the Auditor's office for bringing all balances into a zero balance for 2023. Commissioner Smith moved and Leslie Henry seconded the motion. Roll call: Mr. Stapleton, yea; Ms. Henry, yea; Mr. Smith, yea.

**PROSECUTOR – SEWER DELINQUENT LETTERS**

Prosecutor Jason Holdren and Assistant Prosecutor David Evans met with the Commissioner's office to discuss the proper work flow between the two departments for sending out delinquent Sewer bill letters. It was decided to send out a 90 day, 120 day and a 180 day letter. The two offices are working on drafting the letter. No action taken.

JANUARY 4, 2024

**Resolution Authorizing the County Engineer to Develop,  
Administer, and Permit Use of Road Right of Way**

**Pursuant to the Ohio Revised Code.**

*Adam Edwards, Assistant Engineer presented the following resolution for approval:*

Resolution Authorizing the County Engineer to Develop,

Administer, and Permit Use of Road Right of Way

Pursuant to the Ohio Revised Code.

WHEREAS, the Ohio Revised Code Sections 153.64, 4931, and 4933, provides to the Board of County Commissioners, the authority to control 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 and 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 2024 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 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,

THEREFORE, be it 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.

BE IT FURTHER RESOLVED that the Gallia County Engineer reserve the right to recuse and defer any permit application that the Gallia County Engineer deems a conflict back to the Gallia County Board of Commissioners for their review, or their designate review, as approved or denied.

*David K. Smith moved and Leslie Henry seconded the motion. Roll call votes: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea.*

Adopted this 4th day of January, 2024.

GALLIA COUNTY BOARD OF COMMISSIONERS

*s/David K. Smith*

*s/Quentin J. Stapleton*

*s/Leslie Henry*

**Resolution Authorizing the County Engineer to Repair, Construction, Reconstruction, and Maintenance of  
Roads, Bridges and Culverts by Force Account Pursuant to the Ohio Revised Code.**

*Adam Edwards, Assistant Engineer presented the following resolution for approval:*

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 2024; and

JANUARY 4, 2024

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 and construction and reconstruction of roads, bridges and culverts in Gallia County during the Year 2024 as the Gallia County Engineer may determine necessary.

David K. Smith moved and Leslie Henry seconded the motion. Roll call votes: Mr. Smith, yea; Mr. Stapleton, yea; Ms. Henry, yea.

Adopted this 4<sup>th</sup> day of January, 2024

Board of County Commissioners, Gallia County, Ohio

*s/ David K. Smith*

*s/ Quentin J. Stapleton*

*s/ Leslie Henry*

**EMA – HAZARD MITIGATION PLAN CONTRACT**

911/EMA Director Sherry Daines advised the Commission that Gallia County's current Hazard Mitigation Plan is due for renewal. Mrs. Daines presented the Commission with a contract for the Hazard Mitigation Update with Stantec Consulting of Columbus, Ohio. David K. Smith made and Leslie Henry seconded the motion. Roll call: Mr. Stapleton, yea; Ms. Henry, yea; Mr. Smith, yea.

**SEWER RATE INCREASES (Amended from 12.28.23 Volume 56 Pg. 366)**

Commissioner Smith moved to delay implementation of the sewer charges until after the first quarter (effective April 1, 2024) to see what property taxes are collected and to also give appropriate notice to the sewer customers. Q. Jay Stapleton seconded the motion.

Discussion from Vice President Henry:

*On 12/29/2023 I made a motion to increase sewer rates an additional \$2.50 per month to cover operating and bond deficits that were present in the sewer department. At that time, both Commissioner Stapleton and Smith supported the decision. To review some history on why the sewer rate increase is necessary. In July of 2023, I found that many bills in the sewer department were delinquent causing the county and its taxpayers to incur approximately \$17,000.00 in late fees. We were also receiving shut off notices from AEP, Buckeye Rural Electric, and Gallia County Rural Water that supply our sewer systems because bills were past due to a department head not fulfilling the duties of their job. If systems are without power and water, sewer services would be interrupted which could pose a significant concern for residents and property owners. Additional issues were found within the department such as missing payments made by users. At this time, with the help of Mr. White, he and I began examining the departments finances. It was found that our sewer systems were not financially sound. Some systems had significant shortages in operation and maintenance funds and/or insufficient funds to cover bond payments/loans as well as accounts that were not being billed properly. In my research of commission meeting minutes, I found that our sewer systems were operating in a deficit as far back as December 2014. How are bills paid when there isn't enough money? Money is transferred from other fund lines such as the General Fund to cover the costs. Where does money from the general fund come from? All of our taxpayers. What does this mean? Taxpayers have been paying for a department that has not been properly managed for far too long, whether they are users of the sewer systems or not. The systems were designed to be paid for by the users as well as supplemented by grants to keep rates as low as possible, but with the understanding that rates would cover the operation and maintenance of the systems and the bond payments. In order for this to happen effectively, oversight is required to ensure efficiency and fiscal responsibility which is inclusive of identifying any increase in operational costs and adjusting bills accordingly and in real time to ensure residents aren't faced with significant increases all at once. Transfers and advances from General Fund to our sewer department since 2021 total \$144,000.00 and from Kanauga Settlement totaling \$109,000.00. In addition to transfers and advances from General fund, fund balances have been whittled away to practically nothing, making any unexpected expense difficult to cover. To be clear, the recommendation and approval of the additional \$2.50 does not bring our sewer department out of deficit spending, but it is a step in the right direction while we address other issues and investigate other options that will aid in fixing this ongoing and growing problem and lead us to a balanced budget in this department. Nobody wants to hear of increases or to have to absorb them, but we've all felt it in our personal budgets from increases in groceries, utilities, fuel, etc. The county sewer systems have experienced similar increases. I don't want to minimize the increase, because \$2.50 hits different people in different ways, but I believe it is a conservative ask to keep our sewer systems operational and brings us a bit closer to a balanced budget, one of our most important responsibilities. Waiting until first half property taxes are collected to assess how much revenue is received from special assessments is wishful thinking. When you look at special assessment receipts over time, there is no reliable trend.*

Discussion from Commissioner Smith:

*I would have liked to have had some notice as well before the motion was made on the 28<sup>th</sup>. I don't feel like it should be so rushed and feel we should give our sewer customers more notice. I am not 100% confident with the numbers. I also think we should open this up to the public to hear what they have to say.*

Discussion from Commissioner Stapleton:

*I know that an adjustment of more than 0.50 will be needed but I've decided it would be better to wait until after the first quarter when the tax assessments are in and we will be able to be more accurate with the adjustment needed. There*

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have been issues with the sewer department and in my first year as Commissioner I talked to Steve McGhee about taking over the bill collections and to Brett Boothe about taking over the maintenance of the sewer department. Both offices were interested in helping at that time. Brett Boothe was willing to help with more than the maintenance as well. All of this was to try to bring down the O&M costs for the County and its residents but at that time there was no interest in the Commissioner's office to do so.

Roll call: Mr. Stapleton, yea; Ms. Henry, nay; Mr. Smith, yea.

**COLE MASSIE – ECONOMIC DEVELOPMENT**

Cole Massie, Economic Development, met with the Commissioners to give an overview of Economic Development in 2023 and to also give updates on what is to come for 2024. No action taken.

**EXECUTIVE SESSION – ECONOMIC DEVELOPMENT**

1:50 p.m., the President entertained a motion to enter into executive session with Economic Development's Cole Massie to discuss acquisition of properties. David K. Smith moved and Leslie Henry seconded the motion. Roll call: Mr. Stapleton, yea; Ms. Henry, yea; Mr. Smith, yea. Returned to regular session at 2:02 p.m. No action taken.

**CHESHIRE DD WWTP – OEPA PTI ACH PAYMENT APPROVAL**

GMCAA Grants Administrator Karen Sprague presented the Commission with OEPA PTI ACH payment info for the Cheshire DD WWTP project:

- OEPA invoice 1617499 = \$2,462.00 to be paid by electronic check (ACH) to OEPA

Leslie Henry moved and David K. Smith seconded a motion to approve the OEPA ACH payment as submitted. Upon roll call votes were as follows: Mr. Stapleton, yea; Ms. Henry, yea; Mr. Smith, yea.

**MEMO ENTRY – EXPENSE OEPA ACH – CHESHIRE DD WWTP PROJECT**

GMCAA Grants Administrator Karen Sprague advised the Commission that she processed an ACH payment to OEPA for the Permit to Install fee for the Cheshire DD WWTP Project and in order to reflect the expenditure of these funds within the county fund established as 2021 WWIP – Cheshire DD WWTP fund the County Auditor must make the following memo entry:

- Memo expense in the amount of \$2,462.00 from 390.0390.531100 to Treasurer State of Ohio, OEPA vendor # 02592 for invoice # 1617499
- Credit Back \$2,462.00 from 2024 PO in line item 390.0390.531100

**CDBG GRANTS – 2024 UPDATE ORGANIZATIONAL CONTACTS-USER ROLE FORMS RESOLUTION**

Grants Administrator Karen Sprague presented the Commission with the Organizational Contacts Form and Ocean User & Role Assignment Form to update persons allowed to sign for CDBG grants draws for 2024, persons allowed to perform actions in Ocean the states online grant management system and a new feature allowing persons authorized to send and receive files to OCD. This updated form must be emailed to ODOD. Ms. Sprague noted the organizational contacts & user role forms are being updated to update the County CEO as Q. Jay Stapleton, update County Administrator as Brian Rutherford, designate 2024 County Grants Administrator as Karen Sprague and removal of former county staff: Kevin Nicholas. Ms. Sprague noted a Data Confidentiality Agreement has been signed by Sprague who will continue to have OCD File Upload & Download access. Mr. Stapleton entertained a motion that the forms be approved and signed as presented. David K. Smith made and Leslie Henry seconded that motion. Upon roll call votes were as follows: Mr. Stapleton, yea; Ms. Henry, yea; Mr. Smith, yea. The form is on file in the County's CDBG grant files.

**SPECIAL PROJECT – HOUSE ON LOCUST STREET**

Special Projects Manager presented an estimate to the Commission from Hornsby's to concrete the lot where the house on Locust Street was taken down to create additional parking for the Courthouse. The estimate was in the amount of \$61,800.00. President Stapleton entertained a motion to accept the amount and project as presented. David K. Smith moved and Leslie Henry seconded the motion. Roll call: Mr. Stapleton, yea; Ms. Henry, yea; Mr. Smith, yea.

**SPECIAL PROJECT – ANGLE PARKING & DUMPSTER PAD**

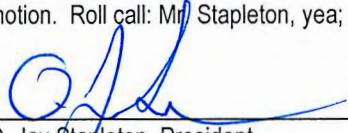
Special Projects Manager presented an estimate to the Commission from Rod Clary Excavating to create 60-degree angle parking on Locust Street and to concrete the dumpster pad. The estimate was in the amount of \$48,950.00.

JANUARY 4, 2024

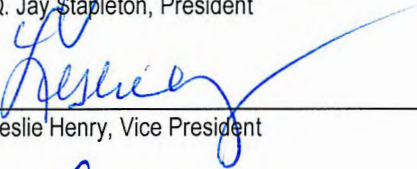
President Stapleton entertained a motion to accept the amount and project as presented. David K. Smith moved and Leslie Henry seconded the motion. Roll call: Mr. Stapleton, yea; Ms. Henry, yea; Mr. Smith, yea.

ADJOURN

At 4:00 p.m. the President entertained a motion for adjournment. David K. Smith moved and Leslie Henry seconded the motion. Roll call: Mr. Stapleton, yea; Ms. Henry, yea; Mr. Smith, yea.

  
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Q. Jay Stapleton, President

  
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Amanda Phillips, Clerk to the Board

  
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Leslie Henry, Vice President

  
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David K. Smith, Commissioner