

JACKSON CITY COUNCIL
Regular Session
June 8, 2009
7:00 p.m.

Call to Order.....	President Speakman
Pledge of Allegiance.....	Mr. Smith
Opening Prayer.....	Mr. Wiggins
Roll Call	
Approval of Minutes	
May 11, 2009 regular session	
May 20, 2009 special session	

VISITORS

Shane Goodman and Marion Hall, US Rail to discuss economic development.

COMMITTEE REPORTS:

- Utility
- Budget & Finance
- Police, Fire & Traffic
- Service
- Railroad
- Building/Recreation
- City Auditor
- Law Director
- Mayor
- Service/Safety Director

ORDINANCES AND RESOLUTIONS

CORRESPONDENCE

OLD BUSINESS

NEW BUSINESS

ADJOURN

JACKSON CITY COUNCIL

Minutes from

May 11, 2009

7:00 p.m.

Regular Session

Jackson City Council met in regular session on Monday, May 11, 2009 at 7:00 p.m. at the Jackson City Council chambers. President Speakman called the meeting to order. The Pledge of Allegiance was given, led by Mr. Eric Brown. The Prayer was given, led by Mr. Wiggins.

A roll call was taken as follows:

- Mr. Evans – present
- Mr. Adams – present
- Mr. Eric Brown – present
- Mr. Smith – present
- Mr. Cary Brown – present
- Mr. Elliott - present
- Mr. Wiggins – present

Mr. Wiggins made a motion to approve the minutes from April 27, 2009, seconded by Mr. Adams. In a voice vote, all Council agreed.

VISITORS

Shane Goodman and Marion Hall from US Rail were present to address council in regards to the railroad. Marion Hall announced this past Thursday there was derailment at Aluchem. Mr. Hall spoke on the track/rail condition. The light rail in the Aluchem area is not equipped for today's heavy rail cars. Coalton curve is also an area of concern. The rail sidetrack on Veteran's Drive is a serious problem. Mr. Hall spoke on the issues of needing more than replacing cross ties. He also spoke of bridge repair. In July FRA will start new rules for bridge inspections. On January 13, 1993 the city designated the rail carrier as person for keeping up rail. US Rail has invested \$1.2 million on maintenance. Shane Goodman shared economic development rail issues. US Rail has been meeting with Lawrence County to extend the rail line southward. Funds may be available later this year. There is one firm south of Jackson if the line is expanded to the Ohio River. Also business likely at Vinton county along railroad. OBM is about to be opened. (See attached memo)

Mayor Heath responded somewhat. As to ties, the ORDC wanted a project that was ready to proceed. There is an effort to work rail into the project. As to the tunnel, he explained the bids received, and the tremendous cost involved. He reported there was a meeting with Lawrence County as to the extension of the rail line to the Ohio River. Mr. Wiggins asked Mayor Heath about the study done as to some of the items that need taken care of on the rail line. Mr. Wiggins asked if that study could be discussed with Lou Janazzo (ORDC) to try and get this in the grant that is available. Mayor Heath responded that this will be discussed so we can get best expenditure of the grant money. Mr. Humphreys stated that the expansion would be 40 miles at \$1 million per mile. Mr. Goodman responded that Lawrence County Port Authority is leading the expansion project. There is potential funding for the project, and applications need to be in this summer, July. Mr. Eric Brown applauded the railroad committee, administration and US Rail for pursuing the southerly rail expansion. He stated this is the time to go after the money for the project.

COMMITTEE REPORTS

UTILITY

Mr. Eric Brown announced a Utility Committee meeting for Wednesday, May 20, 2009 at 6:30 p.m. to discuss water rates and condition of water fund.

BUDGET & FINANCE – No Report

POLICE, FIRE & TRAFFIC – No Report

SERVICE – No Report

RAILROAD

Mr. Wiggins reported on the committee meeting held on May 6, 2009 at 3:15 p.m. The meeting addressed the project of hopefully extending the railroad southward to the Ohio River. (See attachment) Mr. Adams asked if this would also go into Scioto County. Answer was is it would go into Scioto County. Mr. Evans stated Lawrence County is going to have to take the lead on this project.

BUILDING/RECREATION – No Report

Mr. Evans reported there are already problems at the skate park. There are a lot of kids who go to the park and stay until midnight. The Mayor stated he has notified the police department to monitor this on a regular basis. Mr. Eric Brown stated there is a curfew of 11:00 p.m. Perhaps a few tickets on curfew would remedy this problem. Mr. Adams stated have some policy as Harding Avenue Park, close at dark. Mr. Evans stated a lot of the problem is congregation around the shelter house. Mr. Wiggins stated the closing be recalled; coordinate with activities at the pool. Mr. Eric Brown stated the city should put signs up that park closes at 10:00 p.m. Mr. Smith stated there is also a lot of basketball being played at the pool as well. Mr. Evans stated the complaint said the real problem is at the shelter house, not the skate park or basketball court.

CITY AUDITOR

Mr. Humphreys as report for 2009, April. Reported on computer problems that resulted in information being wiped out from April 21 to May 5, all of April is reconstructed and done, the May data should be completed this week. Direct deposit payroll will be in accounts Wednesday, rather than Tuesday. Purchase Orders are done up to May 1, 2009.

LAW DIRECTOR

Mr. Detty gave his report. (See attached)

MAYOR

The Mayor spoke on the computer problem; he explained how the loss of data occurred. The Mayor will have completed report at next meeting. He spoke of the weather, rain and how it is affecting the mowing of the city and is affecting the street and alley crew as well. The boy's leagues are to start this week. Girl's softball will start next week. The pool will probably open about June 1, 2009. The Mayor proposed to increase the pool rates to \$2.00 per student and \$3.00 per adult. An ordinance will be required to raise the rates. Mayor Heath calls a special meeting on May 20, 2009 at 6:20 p.m. He stated new signs around town on tourism. Mayor stated there are about 20 signs to develop a trail through the county of tourist attractions. Last week was successful; increase was 17.73 tons in garbage for the week and 1 ton more in recycling. Mr. Smith asked the Mayor about dirt moving at the Harding Avenue Park. Mayor stated they are building a t-ball field. All work was donated. The backstops will be one from the High Street fields that is not being used. Mr. Humphreys stated he feels \$2.00 for the pool is too much. Mayor stated the pool costs the general fund up to \$20,000 and raising rates will get it closer to breaking even. Mr. Wiggins commented on the two large dumpsters were very successful during clean up week.

SAFETY/SERVICE DIRECTOR

Mr. Sheward reported the city is working diligently to use the stimulus funds for the railroad. The state/federal wants the city to spend these funds quickly. The Veterans Drive spur can be included but will cost about \$250,000 to repair the siding. The railroad tunnel bids were way over estimate and the amount set aside to work on the tunnel. The company that had a very low bid over a year ago is the low bid. The tunnel is in fear of collapsing. Ord. 39-09 is to award the contract with out bidding. Re-bidding is not feasible, as tunnel could possibly collapse. This could be a dangerous situation. He spoke on Ord. 40-09 resurfacing part of St. Rt. 32. Conversation as to railroad tunnel followed. Mr. Smith asked about plans concerning mosquitoes. He is already receiving complaints as to problems. Mr. Sheward reports bids are out this Thursday.

Mr. Eric Brown made a motion to go into executive session to discuss, Sale of city property, Berridge property, Arbitration handed in Courts, managerial, Employee compensation, Update of City vs. US Rail suit, requesting council to remain, law director, service director to remain, seconded by Mr. Smith. In a roll vote, all council agreed. Council went into executive session at 8:00 p.m.

Mr. Adams moved to return to regular session, seconded by Mr. Eric Brown. Council returned to regular session at 9:05 p.m.

Mr. Eric Brown requested Law Director to prepare ordinance to continue Mayor's health benefits, seconded by Mr. Adams. In a voice vote, all Council agreed.

Mr. Eric Brown made a motion to ask for extension on Berridge property, seconded by Mr. Smith. In a voice vote, all Council agreed. Mr. Eric Brown made a motion to hire Mr. Shoemaker to be present at any arbitration issues as to Bissell and to represent the city at Common Pleas, seconded by Mr. Cary Brown. In a voice vote, council agreed.

ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 38-09

AN ORDINANCE TO MOVE APPROPRIATIONS, AND DECLARING AN EMERGENCY.

First Reading

Mr. Eric Brown made a motion to adopt the ordinance, seconded by Mr. Adams. In a voice vote, all Council agreed.

Mr. Sheward stated this was for engineering on the two dams. Discussion followed, Mr. Adams said he would not oppose to tree harvest money being used for this.

Mr. Eric Brown made a motion to suspend the rules, seconded by Mr. Wiggins. In a roll call vote, Council voted as follows:

Mr. Evans – yes
Mr. Adams – yes
Mr. Eric Brown –yes
Mr. Smith – yes
Mr. Cary Brown – yes
Mr. Elliott – yes
Mr. Wiggins – yes

In a roll call vote to adopt the ordinance, Council voted as follows:

Mr. Evans – yes
Mr. Adams – yes
Mr. Eric Brown –yes
Mr. Smith – yes
Mr. Cary Brown – yes
Mr. Elliott – yes
Mr. Wiggins – yes

ORDINANCE NO. 38-09 DULY ADOPTED

ORDINANCE NO. 39-09

AN ORDINANCE FINDING A REAL AND PRESENT EMERGENCY CONCERNING THE CITY'S RICHLAND RAIL ROAD TUNNEL, AND AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF JACKSON, OHIO, AND THE WM BRODE COMPANY, 100 ELIZABETH STREET, PO BOX 299, NEWCOMERSTOWN, OHIO 43832, FOR REPAIRS TO THE

RICHLAND TUNNEL WITH FORMAL BIDDING AND ADVERTISING, AND DECLARING AN EMERGENCY.

First Reading

Mr. Eric Brown made a motion to adopt the ordinance, seconded by MR. Adams. In a voice vote, all Council agreed.

Mr. Eric Brown made a motion to suspend the rules, seconded by Mr. Elliott. In a roll call vote, Council voted as follows:

Mr. Evans -- yes
Mr. Adams -- yes
Mr. Eric Brown --yes
Mr. Smith -- no
Mr. Cary Brown -- yes
Mr. Elliott -- yes
Mr. Wiggins -- yes

In a roll call vote to adopt the ordinance, Council voted as follows:

Mr. Evans -- yes
Mr. Adams -- yes
Mr. Eric Brown --yes
Mr. Smith -- no
Mr. Cary Brown -- yes
Mr. Elliott -- yes
Mr. Wiggins -- yes

ORDINANCE NO. 39-09 DULY ADOPTED

ORDINANCE NO. 40-09

AN ORDINANCE GIVING CONSENT TO THE DIRECTOR OF TRANSPORTATION OF THE STATE OF OHIO TO COMPLETE A RESURFACING PROJECT FOR A PORTION OF STATE ROUTE 32 WITHIN THE CITY OF JACKSON, OHIO, AND DECLARING AN EMERGENCY.

First Reading

Mr. Elliott made a motion to adopt the ordinance, seconded by Mr. Adams. In a voice vote, all Council agreed.

Mr. Eric Brown made a motion to suspend the rules, seconded by Mr. Wiggins. In a roll call vote, Council voted as follows:

Mr. Evans -- yes
Mr. Adams -- yes
Mr. Eric Brown --yes
Mr. Smith -- yes
Mr. Cary Brown -- yes
Mr. Elliott -- yes
Mr. Wiggins -- yes

In a roll call vote to adopt the ordinance, Council voted as follows:

Mr. Evans -- yes
Mr. Adams -- yes
Mr. Eric Brown --yes
Mr. Smith -- yes
Mr. Cary Brown -- yes
Mr. Elliott -- yes

Mr. Wiggins – yes

ORDINANCE NO. 40-09 DULY ADOPTED

ORDINANCE NO. 41-09

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE ELECTRIC FUND, AND
DECLARING AN EMERGENCY.

First Reading

Mr. Eric Brown made a motion to adopt the ordinance, seconded by Mr. Adams. In a voice vote, all
Council agreed.

CORRESPONDENCE

Received a request from the State Liquor Control for a transfer of license for the AMVets Post #84
from 232 Broadway Street to 208 Broadway Street. Mr. Eric Brown made a motion to request no hearing,
seconded by Mr. Adams. In a voice vote, all Council agreed.


OLD BUSINESS

NEW BUSINESS

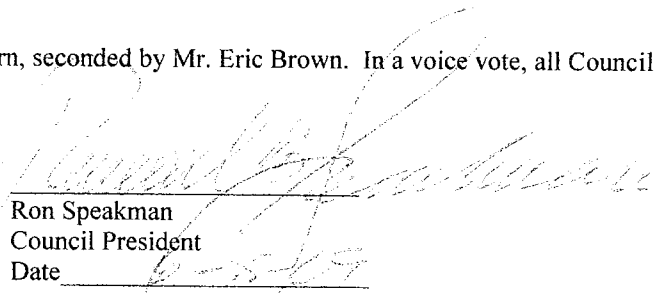
Mr. Speakman stated Visitors & Tourism Board has had tremendous increase for request of funds
and tremendous decrease in funds available. Most of the money has been spent at this time.

ADJOURN

Mr. Evans made a motion to adjourn, seconded by Mr. Eric Brown. In a voice vote, all Council
agreed. Council adjourned at 9:15 p.m.



Tera Brown
Clerk
Date 6/8/09



Ron Speakman
Council President
Date 6-8-09

May 11, 2009

Mr. President, the Railroad Committee met in Council Chambers at 3:15 P.M. on Wednesday, May 6th.

All members, Councilman Tom Evans, Councilman Randey Smith, and Curt Wiggins were present.

Also present at the meeting were Mayor Randy Heath, Service Director Bill Sheward, Bill Dingus-Executive Director of Lawrence Economic Development Corporation, Bob Compton, plus media personnel Steve Keller and David Cohan.

The purpose of the meeting was to discuss possible ways to reconnect the South end of the Jackson Short-Line Railroad with the Ohio River.

It was generally agreed by all in attendance that this would help stimulate economic growth in the area served by our railroad.

It was agreed that Lawrence Economic Development Corporation would take steps to request federal stimulus monies to complete the needed study and engineering for reconnecting our railroad with the Norfolk & Southern Railroad at the Ohio River West of Hanging Rock.

It was agreed that Mr. Dingus and Mayor Heath would work together to prepare a Memorandum of Agreement, that the City of Jackson would permit the new rail line to be connected to our existing rail near Firebrick, Ohio. This letter will then have to be approved by Jackson City Council.

Curt Wiggins
Chair, Railroad Committee

U S Rail Corporation continues to work on numerous projects along this railroad, some of which have been seen to fruition and some that are currently in the developmental or exploratory stages.

For two years, U S Rail has worked closely with the Lawrence County Port Authority to explore the feasibility of the extension of the railroad south to the river. We've met with local, state, and federal officials as part of this process and had regular meetings with the Lawrence County representatives. U S Rail has invested a lot of the company's time and resources into this project because this extension southward gives shippers on the Jackson line a connection with Norfolk Southern and access to the river. These new options will give our shippers more competitive pricing and additional options for the distribution of their products. It has been estimated that more than 2,000 jobs could be created by this project. Funds will be available later this year that might not be available again.


We've already recruited a potential customer who is interested in locating a facility on the railroad south of Jackson, but only if the project to the river will be completed. That company's development here would result in 60 to 100 new jobs for local people.

We've also recruited a manufacturer who has made a preliminary site selection in Vinton County on this railroad. We've worked closely on this project with officials from Vinton County and The State of Ohio. State officials have completed a detailed analysis of the proposed project and will meet with the company tomorrow to offer an incentive package with commitments for job creation. This project would create important jobs in Vinton County and provide a much needed increase in traffic on the railroad.

U S Rail Corporation was directly responsible for bringing Ohio Basic Minerals to Jackson County and worked closely with local and state officials to bring the project to completion. Ohio Basic Minerals has made commitments to the State of Ohio for job creation at the former Schrader & Sons site. A railroad spur was built into the facility and they will be shipping by rail soon. The cars that will be shipped from Ohio Basic Minerals will bring additional revenue to the City's Railroad Maintenance Fund to allow for continuous infrastructure improvements to make the rail a safe and viable shipping option for all of our customers.

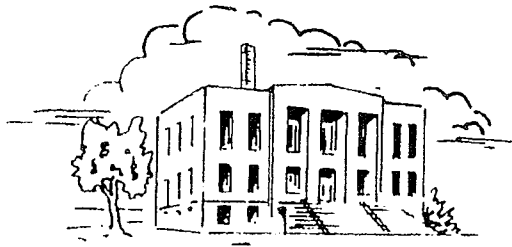
We have been successful in the recruitment of customers and potential customers and we have a strong working relationship with officials throughout the state. We will continue to help our existing companies and new companies grow their businesses and create jobs along this railroad. The City of Jackson has an unprecedented opportunity to utilize grant and loan funds for important upgrades this year and we ask that you strongly consider the needs of the railroad that have been outlined tonight.

As always, we are glad to meet with City officials to discuss the needs of the railroad and to establish priorities. The important projects that we've been outlined tonight are vital to the continued safe and efficient operation of the railroad. Thank you.



MANAGER OF PORT AFFAIRS
& COMMUNITY RELATIONS
U.S. RAIL CORP.

*Honorable
John T. Evans
Mayor
(614) 286-3224*



*Memorial Building
145 Broadway
Jackson, Ohio
45640*

*City of Jackson
Office of the Mayor*

January 13, 1993

Federal Railroad Administration
400 Seventh Street SW
Washington, D.C. 20590

RE: Petition by the City of Jackson, Ohio, as owner of rail lines, to have the FRA recognize the Great Miami & Scioto Railway Company as the party responsible for track maintenance.

Dear Sirs:

Please accept this correspondence as a Petition on behalf of the City of Jackson, Ohio, as an owner of a railroad, to have the Federal Railroad Administration (FRA) to recognize the Great Miami & Scioto Railway Company (GM&S) as the part responsible for track maintenance.

Pertinent information concerning this Petition is as follows:

1. Name and address of track owner:

CITY OF JACKSON, OHIO
Memorial Building
145 Broadway Street
Jackson, Ohio 45640

2. Name and address of assignee of part track maintenance:

GREAT MIAMI & SCIOTO RAILWAY COMPANY
7142 Sprucewood Court
Cincinnati, Ohio 45241

3. Statement of relationship between the City of Jackson, Ohio and GM&S:

GM&S leases the track and is the recognized operator.

4. A precise identification of the track:

See Exhibit "A", attached hereto and made a part hereof.

5. Statement of the competence and ability of assignee (GM&S) to do the work:

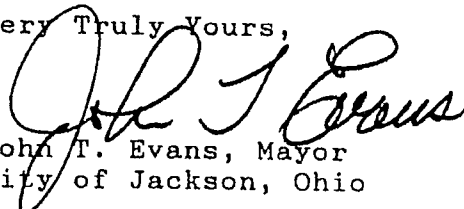
GM&S has hired all track personnel from the former track operator, the Indiana & Ohio Railroad Company. These persons have been maintaining the line all along.

6. Statement by assignee (GM&S) accepting the responsibility:

See Exhibit "B", attached hereto and made a part hereof.

If you have any questions concerning this Petition please contact the City of Jackson at 614-286-2201.

Very Truly Yours,


John T. Evans, Mayor
City of Jackson, Ohio

Attachments:

COJ Dsk.
Petition.GM&S

NOTICE TO LEGISLATIVE
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

018025300841		TRFL	JACKSON AMVETS POST 84
PERMIT NUMBER		TYPE	DBA AMVETS POST 84
02 01 2009		208 BROADWAY ST	
ISSUE DATE		JACKSON OH 45640	
03 27 2009			
FILING DATE			
D4			
PERMIT CLASSES			
40	022	B	F00418
TAX DISTRICT			RECEIPT NO.

FROM 04/10/2009

018025300084			JACKSON AMVETS POST 84
PERMIT NUMBER		TYPE	DBA AMVETS POST 84
02 01 2009		232 BROADWAY ST 1ST FL	
ISSUE DATE		JACKSON OHIO 45640	
03 27 2009			
FILING DATE			
D4			
PERMIT CLASSES			
40	022		
TAX DISTRICT			RECEIPT NO.



MAILED 04/10/2009

RESPONSES MUST BE POSTMARKED NO LATER THAN 05/11/2009

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES

B TRFL 0180253-00841

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

Lea K Brown

5-20-09

(Signature)

(Title) - Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

CLERK OF JACKSON MUNICIPAL COUNCIL
145 BROADWAY ST
JACKSON OHIO 45640-1656

LIQUOR CONTROL

OHIO DEPARTMENT OF COMMERCE - DIVISION OF LIQUOR CONTROL
6606 Tussing Road, P.O. Box 4005, Reynoldsburg, Ohio 43068-9005
Telephone: (614) 644-2431 - http://www.com.ohio.gov/liqr

FOR OFFICE USE ONLY	
NEW	<u>TRANSFER</u>
PERMIT #	
0180253-00841	

2009 MAR 26 AM 9:36

CLUB OFFICERS STATEMENT

SECTION A.

Name of D4 Applicant: <u>AMVETS POST 84</u>	DBA Name: <u>AMVETS POST 84</u>
Permit Premises Address: <u>232 Broadway Street</u>	City: <u>JACKSON</u> State: <u>OHIO</u> Zip Code: <u>45640</u>
Township, if in Unincorporated Area	Federal Tax Identification No.: <u>31-1605874</u>

LIST TOP FOUR OFFICERS

NAME	OFFICE HELD	RESIDENCE ADDRESS	SSN	DOB
<u>GEORGE H MOYER</u>	<u>COMMANDER</u>	<u>12040 ST JACKSON</u>		<u>1-14-45</u>
<u>WILLIAM CRABTREE</u>	<u>TREASURER</u>	<u>P.O. BOX 292</u>		<u>1-26-50</u>
<u>RUSS KENNEDY</u>	<u>1ST TRUSTEE</u>	<u>5 1/2 VINE ST</u>		<u>2-1-45</u>
<u>DAVID BROWN</u>	<u>2ND TRUSTEE</u>	<u>8 EAST MOHAWK JACKSON</u>		<u>3-20-49</u>

Affidavit

Being first duly sworn according to law, depose and say:

- *The above-listed individuals are the current elected and controlling officers of the Club.
- *The Club was organized solely for and in the interest of the membership of a reputable organization, and not for the profit of any person, firm, or company, either directly or indirectly.
- *Only members in good standing can and are permitted to exercise the privileges of the Club
- *The telephone number of the Club premises is (740) 286-7315

*The Club was organized for the purpose of:

Fraternal Social Recreational Athletic Patriotic
 Benevolent Charitable Political

*Membership in the Club is subject to the consent and approval of the membership at Regular Special meetings.

*The yearly initiation fee is \$ 25.00

*The dues of \$ 25.00 are payable Weekly Monthly Quarterly Semi-Annually Yearly.

State of Ohio, JACKSON County, ss: George H Moyer being first duly sworn according to law.
 (Print Name)
 deposes and says that he/she is duly elected and qualified as the COMMANDER
 of the AMVETS POST 84 George H Moyer Commander
 (Club Name) (Signed) (Office Held)

TO BE COMPLETED BY NOTARY:

Sworn to before me and subscribed in my presence this 16 day of MARCH 20 009
 (Date) (Month) (Year)

Rev. 5.06

Karen J Wyzant
 (Notary Public) (Expiration Date)

JOHN L. "JACK" DETTY

Jackson City Law Director

145 Broadway Street

Jackson, Ohio 45640

Phone: 740-286-2201

Fax: 740-286-3492

idgetty@jacksonohio.us

Jackson City Council

May 11, 2009

REPORT OF THE LAW DIRECTOR

The following is the Report of the Law Director:

• PUBLIC RECORDS TRAINING

- I have not yet received a response back from the OAG as to when and where training will be.
- As soon as I receive this information I will pass it on.

• RESEARCH RE POLICE DEPT.

- At the last meeting I was requested to research certain issues concerning the Police Department.
- This matter is still in process and should be completed in 1 – 2 weeks.

• BERRIDGE PROPERTY

- I would like to request an executive session to discuss the purchase of real property, being the Berridge property.

If at any time you have any questions or would like to discuss any issues with me please feel free to stop by my office, or call me at 710-1214.

John L. "Jack" Detty

City of Jackson Auditor's Office
James L. Humphreys, City Auditor
145 Broadway Street, Jackson, OH 45640
Phone 740.286.2423
Fax 740.286.9682

May 6, 2009

Unice Smith, Chief of Local Government Services
Office of Auditor of State, Mary Taylor, CPA
88 East Broad Street, 6th Floor
Columbus, OH 43215

Ms. Smith:

The City of Jackson is requesting a 30 day extension for the filing of the City's financial reports in accordance with generally accepted accounting principles (GAAP) with the Auditor of State's Office. This request is in accordance with guidelines set forth with Auditor of State Bulletin 97-015.

I realize that Bulletin 97-015 requires the request for extension be submitted to the Auditor of State no later than 60 days before the public office's deadline for filing it's financial reports and that this request doesn't fall within that timeframe. However, I would still request that the extension be approved in light of the catastrophic events that have occurred with our accounting software system which directly impact our ability to complete our GAAP based financial statements for year ending December 31, 2008.

The City had received a software update from our software vendor that was scheduled to be installed early this morning. Before the update was to be installed a data backup was to be performed by the IT Director for the City to preserve the integrity of all of the accounting data. During this backup, the IT Director inadvertently deleted the past 30 days of data from our entire accounting system instead of copying the current information to a new file. This catastrophic loss of data has affected all of our financial modules which include payroll, vendor payments, purchase orders, capital assets, utility billing and collections and various other areas.

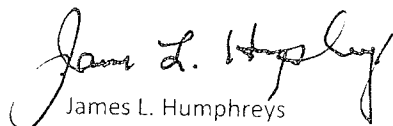
It has now become the task of our office to recreate the past 30 days worth of accounting entries, repost them, ensure that everything matches to the penny and then roll the month over to May 2009. Since payroll is involved, all payroll will have to be reentered and reprocessed to match exactly to our paper records before we can process a new payroll, which was to be processed this week. At this point in the conversion process, the capital asset portion had not been completed. All adjustments, additions, deletions and transfers of assets have been posted within the past 30 days have been deleted from the system.

This data loss will require numerous man hours to restore and get the City back in operation financially. This will require the time and attention of all of the employees in the Auditor's Office to successfully complete this task. It is our intention to make every effort to ensure that all of the City's records have been restored accurately. We feel that an extension of the filing deadline of our financial statements is vital to the restoration process of our City and ensures that accurate financial statements will be prepared and submitted to your office.

May 6, 2009

I appreciate your consideration of this request and if you have any questions or require any additional information please contact me at (740) 286-2423.

Respectfully,


James L. Humphreys
City Auditor


Ronald B. Speakman
President of City Council

**What: OVRDC
New Member Orientation**

**When: Thursday April 30, 2009
11:00 am - 1:00 p.m. (12:30 Lunch)**

**Where: Pike County Government Center
230 Waverly Plaza, Waverly, Ohio**

**Who: New Executive Committee and
Full Commission Members**

Your lunch will be provided!

Items to be covered in this orientation:

- **Structure of OVRDC**
- **How OVRDC Develops Project Packages**
- **Major OVRDC Services and Programs**
- **Special Initiatives**
- **Status of Major Funding Sources**

**Please RSVP ...
Call OVRDC at 740-947-2853 or 1-800-223-7491 (Shannon)
by Friday, April 24th.**

PITCH YOUR PLAN

BUSINESS PLAN COMPETITION

Where Ideas Become Reality

You are invited to attend the Pitch Your Plan Awards Presentation Luncheon. Please join us to support Southern Ohio's entrepreneurs.

Pitch Your Plan Competition Grand Finale

Wednesday, April 22, 2009

OSU South Centers
1864 Shyville Road, Piketon, Ohio

Agenda

11:30 a.m. Luncheon

12:00 p.m. Speakers

Michele Abraham, Director, Ohio Small Business Development Center

Thomas Mueller, District Director, Small Business Administration

12:30 p.m. Keynote Speaker

Lt. Governor Lee Fisher

1:00 p.m. Awards Presentation

For more information or to RSVP, contact Joy Bauman at (740) 289-2071 ext. 111 or (800) 860-7232 ext. 111 or e-mail jbauman@ag.osu.edu

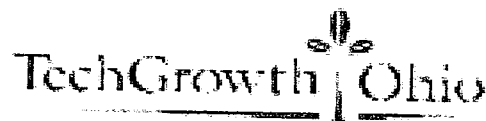
Sponsors/Partners:



THE OHIO STATE UNIVERSITY
South Centers

Ohio

Small Business
Development Center



OHIO VALLEY REGIONAL DEVELOPMENT COMMISSION
Executive Committee Meeting

Minutes

March 26, 2009

University of Rio Grande

Rio Grande, Ohio

Chairman:

Bob Proud

Interim Vice-Chairman:

Roger Rhonemus

Treasurer:

Doug Corcoran

1. WELCOME AND CALL TO ORDER

Bob Proud, OVRDC Chairman, called the meeting to order. Mr. Proud stated that a quorum was present and welcomed everyone to the University of Rio Grande in Rio Grande, Ohio. Mr. Proud thanked Justin Fallon, Gallia County Commissioner and Caucus Chair for hosting the meeting and asked him to lead the Pledge of Allegiance to the American Flag.

Those in attendance were as follows:

Executive Committee Members:

Ray Becraft, Brown County Chamber of Commerce

Tracy Call, Gallia County Private Sector Representative

Eugene Collins, Scioto County Minority Representative

Doug Corcoran, Ross County Commissioner

Jack DeWeese, Fayette County Commissioner

Justin Fallon (Interim Caucus Chairman), Gallia County Commissioner

Tom Morgan, Vinton County Commissioner

Margery Paeltz (Interim Caucus Chairman), Brown County Commissioner

Bob Proud, Clermont County Commissioner

Roger Rhonemus, Adams County Commissioner

Staff:

John Hemmings, III, OVRDC Executive Director

Rebecca Banchy-McIlwain, OVRDC Finance Director

Sherrie Lanier, OVRDC Development Director

Michele Throckmorton, OVRDC Economic Development Coordinator

Sharon Clark, OVRDC Administrative Assistant

Guests:

Brandon Kern, Representative for Senator Voinovich

2. APPROVAL OF MINUTES

Mr. Proud stated that the draft of the February 26, 2009 Executive Committee meeting minutes was mailed to members, along with the meeting notice. He asked if there were any corrections or additions to the minutes. Mr. Proud then asked for a motion to approve the minutes.

IT WAS MOVED BY JACK DEWEESE, SECONDED BY MARGERY PAELTZ AND CARRIED UNANIMOUSLY TO APPROVE THE MINUTES, OF THE FEBRUARY 26, 2009 EXECUTIVE COMMITTEE MEETING. THE MOTION PASSED.

Mr. Hemmings advised on February 12, 2009, Rebecca Banchy-McIlwain attended the conference planning committee meeting with the Ohio Bureau of Workers' Compensation (BWC) along with the other community partners to help coordinate and conduct a small business conference entitled "It's All About Business~Facing the Economic Challenges of Small Business" scheduled for Wednesday, May 20, 2009. The conference will be a day long event and will be held on the campus of Shawnee State University at the Vern Riffe Center for the Arts and will focus on providing business entrepreneurs various tools that will enable business enhancement and stability. In addition, the planners of the event have included a "procurement cafe" which will offer the opportunity for a brief exchange between government and private entities with those seeking contractual information and consideration. This effort is consistent with Governor Ted Strickland's commitment to all Ohio businesses.

5. LEGISLATIVE REPORT

Mr. Hemmings referred to Tab #5 in the packet and highlighted the various sections. Included in the packet was a NADO News Release indicating the President signed FY2009 Omnibus Bill that provides \$410 billion in spending for nine appropriations bills that were left uncompleted during the 110th Congress. The bill contains \$30 billion more than was spent on similar measures for FY2008. Mr. Hemmings advised EDA spending includes:

Public Works: \$133.28 million, a reduction of \$14.77 million

Technical Assistance: \$9.4 million, equal to current funding

Economic Adjustment: \$35.33 million, a reduction of \$7 million

Mr. Hemmings also advised that the Omnibus Bill provides the Appalachian Regional Commission (ARC) with \$75 million, an increase of roughly \$2 million.

Mr. Hemmings also advised on March 10, the House Transportation and Infrastructure Subcommittee on Economic Development, Emergency Management and Public Buildings held a hearing on reauthorization of the Economic Development Administration which focused on both the historic, recent performance and oversight of the agency.

Mr. Hemmings presented and discussed a handout on the Ohio Department of Transportation Summary of State and Stimulus Funding Across Ohio. Attached to the handout was the detail of project funding for District 6, District 8, District 9, and District 10 (all of which cover some portion of the OVRDC region). The total dollar amount of ODOT Stimulus Projects in District 6 is \$62,812,000; District 8 is \$61,943,401; District 9 is \$20,244,579; and District 10 is \$153,250,662.

6. OLD BUSINESS

a. ARC/EDA Project Status

Michele Throckmorton, OVRDC Economic Development Coordinator referred to Tab #6a and advised that changes to the status of the project applications were shown in bold print: **Area Development:** Lawrence County Medical Center Colon Cancer Screening (Lawrence County) has been approved. Loveland Downtown Redevelopment Project (Clermont County) has been approved. Pike County Manufacturing Center Infrastructure Project (Pike County) was forwarded to OVRDC. **Distressed County Projects:** Kelly Road Waterline Extension (Vinton

c. OVRDC New Member Orientation 4-30-09

Mr. Hemmings advise OVRDC will host a New Member Orientation on Thursday, April 30, 2009 at 11:00 am at the Pike Government Center in Waverly with Lunch provided. Further information will be forthcoming.

d. CEDS Committee Meeting 4-2-09

Mr. Hemmings referred to Tab #7d which included a 2009 Comprehensive Economic Development Strategy (CEDS) revised timeline for the year. The first meeting of the CEDS Committee will be held April 2, 2009 at 10:00 am at the OVRDC Office in Waverly to develop goals and begin development of objectives for the development of the new Strategic Plan.

e. Discussion on Ohio Senate Bill #1

Mr. Hemmings referred to Tab #7e which included an excerpt of Ohio Senate Bill 1 and the section to allocate certain funds for broadband initiative projects. A discussion was held and it was agreed to approve OVRDC to issue a letter of support for Ohio Senate Bill 1 to Senator Carey.

A MOTION WAS MADE BY TRACY CALL AND SECONDED BY TOM MORGAN TO ISSUE A LETTER OF SUPPORT FROM OVRDC TO SUPPORT SENATE BILL #1. THE MOTION CARRIED.

f. Discussion on Rail Regulation

Mr. Hemmings referred to insert under tab #7f which included information regarding the Go21 initiative. Mr. Hemmings met with Michael Gaynor who requested OVRDC to go on record to write a letter of support in support of continuing the Staggers Act which was passed in 1980 to deregulate rail. A discussion was held and it was decided to table this item until next month's meeting.

TANF/Title XX

Mr. Hemmings referred to a draft letter to Governor Strickland opposing the proposed elimination of \$62 million dollars of TANF/Title XX dollars (statewide) that are predominantly used to provide child welfare services throughout our state. He requested approval for OVRDC to send a letter to Governor Strickland expressing opposition of the elimination of the \$62 million dollars of TANF/Title XX dollars.

A MOTION WAS MADE BY DOUG CORCORAN AND SECONDED BY JUSTIN FALLON TO APPROVE OVRDC ISSUING A LETTER TO GOVERNOR STRICKLAND OPPOSING THE ELIMINATION OF \$62 MILLION DOLLARS OF TANF/Title XX DOLLARS. THE MOTION CARRIED.

8. ANNOUNCEMENTS

Mr. Proud referred to Tab #8 and the March Announcement section.