

**REGULAR SESSION OF THE ASHTABULA COUNTY BOARD OF COMMISSIONERS**

Old Courthouse 25 West Jefferson St., 2nd Floor Jefferson, OH 44047

**March 10, 2020**

The Board of Ashtabula County Commissioners met in session; the Board President called the meeting to order and the Pledge of Allegiance was said.

**Members Present:** President Casey R. Kozlowski, Vice-President Kathryn L. Whittington and Commissioner J. P. Ducro IV. **Absent:** None **Board Staff Present:** County Administrator Janet Discher and Clerk of the Board Lisa Hawkins.

**Motion To Approve Minutes Of Previous Session(s), Waiver Of The Reading Of Same and Motion To Approve Today's Agenda:**

**MOTION:** Whittington moved the adoption, Ducro seconded. **DISCUSSION:** None

**VOTE:** **Yeas:** Kozlowski, Whittington, Ducro **Nays:** None **Abstained:** None **Absent:** none  
Whereupon the minutes were declared approved unanimously.

**THE BOARD PRESIDENT INTRODUCED AND ENTERTAINED MOTIONS FOR THE FOLLOWING RESOLUTIONS:  
RESOLUTION NUMBER 2020-100 APPROVING SERVICE AGREEMENT WITH ARAMARK FOR MAT SERVICES  
FOR JUVENILE COURT**

The Board of County Commissioners of Ashtabula County, Ohio, met on the 10<sup>TH</sup> day of March, 2020, in regular session at the offices of said Board in the Old Courthouse Building, 2<sup>nd</sup> Floor, 25 W. Jefferson St., Jefferson, Ohio, with the following members present: Casey R. Kozlowski, Kathryn L. Whittington, J. P. Ducro IV.

WHEREAS, Andrew Misiak, Court Administrator, has presented an agreement for the approval of the Board of Commissioners; to-wit:

**Provider:** Aramark, 3600 East 93<sup>rd</sup> St., Cleveland, OH 44105  
**Service:** An agreement to provide floor mats at Juvenile Court  
**Cost:** Not to Exceed, \$2,449.20  
**Term:** July 1, 2020 through June 30, 2023

NOW, THEREFORE, BE IT RESOLVED, By the Board of Commissioners of Ashtabula County, Ohio that the Agreement, as noted above, is approved in accordance with the copy of said Agreement now on file in this office.

**MOTION:** Ducro moved the adoption, Whittington seconded. **DISCUSSION:** None  
**VOTE:** Yeas: Kozlowski, Whittington, Ducro Nays: None Abstained: None Absent: None  
Whereupon the resolution was declared passed unanimously.

**RESOLUTION NUMBER 2020-101 APPROVING AN AGREEMENT BY AND BETWEEN THE ASHTABULA COUNTY COURT OF COMMON PLEAS- JUVENILE DIVISION, ASHTABULA COUNTY COMMISSIONERS AND SIGNATURE HEALTH FOR RESPITE SERVICES AT PAUL'S HOUSE GROUP HOME**

The Board of County Commissioners of Ashtabula County, Ohio, met on the 10<sup>TH</sup> day of March, 2020, in regular session at the offices of said Board in the Old Courthouse Building, 2<sup>nd</sup> Floor, 25 W. Jefferson St., Jefferson, Ohio, with the following members present: Casey R. Kozlowski, Kathryn L. Whittington, J. P. Ducro IV.

WHEREAS, Andrew Misiak, Court Administrator, has presented an agreement for the approval of the Board of Commissioners; to-wit:

**Parties:** Ashtabula County Court of Common Pleas, Juvenile Division  
Ashtabula County Commissioners  
Signature Health, Inc., 4134 Park Ave., Ashtabula, OH 44004  
**Service:** A respite services agreement to engage Signature Health's, Paul's House Group Home to provide room and board for Court detainees.  
**Cost:** Not to Exceed, \$70,000.00  
**Term:** Retroactive to January 1, 2020 through December 31, 2022

NOW, THEREFORE, BE IT RESOLVED, By the Board of Commissioners of Ashtabula County, Ohio that the Agreement, as noted above, is approved in accordance with the copy of said Agreement now on file in this office.

**MOTION:** Whittington moved the adoption, seconded. **DISCUSSION:** None  
**VOTE:** Yeas: Kozlowski, Whittington, Ducro Nays: None Abstained: None Absent: None  
Whereupon the resolution was declared passed unanimously.

**RESOLUTION NUMBER 2020-102 APPROVING PY 2019 CRITICAL INFRASTRUCTURE, STATE OF OHIO, COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM GRANT AGREEMENT WITH THE OHIO DEVELOPMENT SERVICES AGENCY, GRANT NO. B-X-19-1AD-2, COMMUNITY SERVICES & PLANNING DEPT.**

The Board of County Commissioners of Ashtabula County, Ohio, met on the 10<sup>TH</sup> day of March, 2020, in regular session at the offices of said Board in the Old Courthouse Building, 2<sup>nd</sup> Floor, 25 W. Jefferson St., Jefferson, Ohio, with the following members present: Casey R. Kozlowski, Kathryn L. Whittington, J. P. Ducro IV.

WHEREAS, Janice Switzer, Director of the Dept. of Community Services and Planning, has presented a grant agreement for the approval of the board, to-wit:

**Program:** PY 2019 Critical Infrastructure  
**Term:** retroactive to March 1, 2020, terminating April 30, 2022  
**Grant Award:** \$120,600- Total project cost is \$222,350, includes \$101,750 in combined leverage from an OPWC grant/loan to the Village of Andover.  
**Program Description:** Ashtabula County will assist the Village of Andover for improvements to the lift station on Russtik Drive. The project will replace the lift station, 2 pumps, and the electric generator.

WHEREAS, The grant agreement has been reviewed by this Board and is deemed to be beneficial to the residents of Ashtabula County; now

THEREFORE, BE IT RESOLVED, By the Board of Commissioners of Ashtabula County, Ohio, that the grant agreement is hereby approved in accordance with the copy of said grant agreement now on file in this office.

**MOTION:** Ducro moved the adoption, Whittington seconded. **DISCUSSION:** None  
**VOTE: Yeas:** Kozlowski, Whittington, Ducro **Nays:** None **Abstained:** None **Absent:** None  
 Whereupon the resolution was declared passed unanimously.

**RESOLUTION NUMBER 2020-103 APPROVING HOMEOWNER-CONTRACTOR-COUNTY AGREEMENTS WITH CONSTANCE REES; DANNY AND KATHY LEWIS; BRANDON JONES; DAUGHTERS EXCAVATING CO. LLC; AND ASHTABULA COUNTY FOR HOUSEHOLD SEWAGE TREATMENT SYSTEM (HSTS) PROJECTS, FY 2019 WATER POLLUTION CONTROL LOAN FUND (WPCLF), COMMUNITY SERVICES & PLANNING DEPT.**

The Board of County Commissioners of Ashtabula County, Ohio, met on the 10<sup>TH</sup> day of March, 2020, in regular session at the offices of said Board in the Old Courthouse Building, 2<sup>nd</sup> Floor, 25 W. Jefferson St., Jefferson, Ohio, with the following members present: Casey R. Kozlowski, Kathryn L. Whittington, J. P. Ducro IV.

WHEREAS, the Community Services & Planning Dept. received 3 quotes on March 6, 2020 for 3 septic system replacement projects as follows:

<b>Contractor</b>	<b>Jones Quote</b>	<b>Rees Quote</b>	<b>Lewis Quote</b>
Daughters Excavating Co. LLC, Geneva	\$13,940.00	\$13,150.00	\$13,100.00
Kaplin Inc., Jefferson	\$19,550.00	\$17,550.00	\$14,750.00
Boczar Excavating LLC, Jefferson	\$22,147.00	\$19,851.00	\$19,843.00

WHEREAS, Janice Switzer, Director of the Community Services & Planning Dept., has recommended to award the quotes and enter into agreements (after receiving OEPA approval) with Daughters Excavating Co. LLC, 7884 Timber LN, Geneva, OH 44041, as follows:

<b>HSTS Applicant</b>	<b>Total Contract</b>	<b>Homeowner Share</b>	<b>HSTS Share</b>
Brandon Jones 7307 Regal DR, Conneaut	Not to Exceed: \$13,940.00	\$2,091.00	\$11,849.00
Constance Rees 3890 Lampson RD, Austinburg	Not to Exceed: \$13,150.00	0	\$13,150.00
Danny & Kathy Lewis 7476 Hillcrest DR, Andover	Not to Exceed: \$13,100.00	\$1,957.50	\$11,142.50

**Terms:** begin upon signing through June 30, 2020; now

THEREFORE, BE IT RESOLVED, By the Board of Commissioners of Ashtabula County, Ohio that the agreements as noted above are approved in accordance with the copies now on file in this office.

BE IT FURTHER RESOLVED, Janice Switzer, as Director of the Community Services and Planning Department is authorized to sign all documents related to these agreements.

**MOTION:** Whittington moved the adoption, seconded. **DISCUSSION:** None  
**VOTE: Yeas:** Kozlowski, Whittington, Ducro **Nays:** None **Abstained:** None **Absent:** None  
 Whereupon the resolution was declared passed unanimously.

**RESOLUTION NUMBER 2020-104 APPOINTING SARAH BOGARDUS, DIRECTOR OF THE 503 CORPORATION, AS ENTERPRISE ZONE MANAGER**

The Board of County Commissioners of Ashtabula County, Ohio, met on the 10<sup>TH</sup> day of March, 2020, in regular session at the offices of said Board in the Old Courthouse Building, 2<sup>nd</sup> Floor, 25 W. Jefferson St., Jefferson, Ohio, with the following members present: Casey R. Kozlowski, Kathryn L. Whittington, J. P. Ducro IV.

WHEREAS, On April 13, 1989, in accordance with Chapter 5709 of the Ohio Revised Code, the Board of County Commissioners established Enterprise Zones in certain portions of Ashtabula County; and

WHEREAS, Such zones provide the mechanism to utilize tax abatement for qualifying business wishing to locate or expand facilities in Ashtabula County; and

WHEREAS, It is deemed expedient by the Board of Commissioners to appoint a person to manage the applications and associated paperwork and other criteria necessary for the approval of tax abatement by the County and the State of Ohio; and

WHEREAS, Such management functions were performed by Mark Winchell, former Director of the 503 Corporation, who has resigned that position; and

WHEREAS, It is the desire of this Board to appoint Sarah Bogardus, Director of the Ashtabula County 503 Corporation, as the Enterprise Zone Manager; now

THEREFORE, BE IT RESOLVED, By the Board of Commissioners of Ashtabula County, Ohio, that Sarah Bogardus is hereby appointed Enterprise Zone Manager for Ashtabula County, effective immediately and to serve until further notice by the Board.

**MOTION:** Ducro moved the adoption, Whittington seconded. **DISCUSSION:** None

**VOTE:** Yeas: Kozlowski, Whittington, Ducro Nays: None Abstained: None Absent: None

Whereupon the resolution was declared passed unanimously.

**RESOLUTION NUMBER 2020-105 TERMINATING A LEASE AGREEMENT WITH THE ASHTABULA COUNTY EDUCATIONAL FOUNDATION, DBA ASHTABULA COUNTY 4-H FOUNDATION FOR SPACE IN THE GRANGER BUILDING**

The Board of County Commissioners of Ashtabula County, Ohio, met on the 10<sup>TH</sup> day of March, 2020, in regular session at the offices of said Board in the Old Courthouse Building, 2<sup>nd</sup> Floor, 25 W. Jefferson St., Jefferson, Ohio, with the following members present: Casey R. Kozlowski, Kathryn L. Whittington, J. P. Ducro IV.

WHEREAS, The Board of Commissioners owns the building located on the southwest corner of West Walnut and North Chestnut Streets in the Village of Jefferson, known as the Granger Building and leases available space to other entities, at times; and

WHEREAS, the Ashtabula County Educational Foundation, dba Ashtabula County 4-H Foundation, currently leases 220 square feet located at 77 North Chestnut Street, Jefferson, Ohio and has notified this Board of its intent to terminate the lease agreement effective May 1, 2020; now

THEREFORE, BE IT RESOLVED, By the Board of Commissioners of Ashtabula County, Ohio that the Lease Agreement with the Ashtabula County Educational Foundation, dba Ashtabula County 4-H Foundation, for office space in the Granger Building is hereby terminated in accordance with the terms and conditions contained in the copy of the Lease Agreement on file in this office, effective May 1, 2020.

**MOTION:** Whittington moved the adoption, seconded. **DISCUSSION:** None

**VOTE:** Yeas: Kozlowski, Whittington, Ducro Nays: None Abstained: None Absent: None

Whereupon the resolution was declared passed unanimously.

**RESOLUTION NUMBER 2020-106 SUPPORTING THE AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS (AASHTO) AND THE OHIO DEPARTMENT OF TRANSPORTATION'S DESIGNATED BIKE ROUTE SYSTEM**

The Board of County Commissioners of Ashtabula County, Ohio, met on the 10<sup>TH</sup> day of March, 2020, in regular session at the offices of said Board in the Old Courthouse Building, 2<sup>nd</sup> Floor, 25 W. Jefferson St., Jefferson, Ohio, with the following members present: Casey R. Kozlowski, Kathryn L. Whittington, J. P. Ducro IV.

WHEREAS, bicycle tourism is a growing industry in North America, contributing \$47 billion a year to the economies of communities that provide facilities for such tourists; and

WHEREAS, the American Association of State Highway and Transportation Officials (AASHTO) has designated a series of corridors crossing Ohio to be developed as various US Bicycle Routes; and

WHEREAS, the Ohio Department of Transportation has designated a series of corridors crossing Ohio to be developed as various State Bicycle Routes; and

WHEREAS, the Ohio Department of Transportation is supportive of AASHTO designated bicycle routes through Ohio, subject to ongoing collaboration with affected jurisdictions to inventory, analyze, and designate specific facilities the routes will traverse; and

WHEREAS, Ashtabula County and the Adventure Cycling Association, with the cooperation of the Ohio Department of Transportation and other stakeholders, have proposed specific routes to be designated as various US and State Bike Routes, a map of which is herein incorporated into this resolution by reference; and

WHEREAS, we have investigated the proposed route and found it to be a suitable route, and desire that the route be designated so that it can be mapped and signed, thereby promoting bicycle tourism in our area; and

WHEREAS, we acknowledge the route may change over time because new facilities are being constructed that are more suitable for bicyclists; and

THEREFORE, BE IT FURTHER RESOLVED, that the Board of County Commissioners hereby expresses its approval and support for the development of various State and US Bike Routes, and requests that the appropriate officials see to it that the route is officially designated by AASHTO. Once the Route is approved by AASHTO, there may be efforts to publicize the route via internet maps, incorporating the Route on local maps, etc. Tourism agencies may be involved in these efforts.

**MOTION:** Ducro moved the adoption, Whittington seconded. **DISCUSSION:** None

**VOTE:** Yeas: Kozlowski, Whittington, Ducro Nays: None Abstained: None Absent: None

Whereupon the resolution was declared passed unanimously.

**RESOLUTION NUMBER 2020-107, A SECOND AMENDMENT PRESERVATION RESOLUTION, RELATING TO THE ASHTABULA COUNTY BOARD OF COMMISSIONERS AND THEIR SUPPORT OF THE UNITED STATES CONSTITUTION AND THE CONSTITUTION OF THE STATE OF OHIO**

The Board of County Commissioners of Ashtabula County, Ohio, met on the 10<sup>th</sup> day of March, 2020, in regular session at the offices of said Board in the Old Courthouse Building, 2<sup>nd</sup> Floor, 25 W. Jefferson St., Jefferson, Ohio, with the following members present: Casey R. Kozlowski, Kathryn L. Whittington, J. P. Ducro IV.

WHEREAS, The Ohio Constitution: Article 1, Section 4 states that “The people have the right to bear arms for their defense and security”; and

WHEREAS, The 2nd Amendment of the Constitution of the United States of America states “A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed”; and

WHEREAS, The 2nd Amendment of the Constitution of the United States of America was ratified in 1791, and is still the Law of the Land; and

WHEREAS, Article 6 of the Constitution of the United States of America states “This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding”; and

WHEREAS, Article 15, Section 7 of the Ohio Constitution states: “Every person chosen or appointed to any office under this state, before entering upon the discharge of its duties, shall take an oath or affirmation, to support the Constitution of the United States, and of this state, and also an oath of office; and

WHEREAS, County Commissioners Casey R. Kozlowski, Kathryn L. Whittington, and J.P. Ducro IV have all taken such oath and believe it to be binding on them morally, ethically, and legally; and

WHEREAS, the Ashtabula County Commissioners fully affirm their support of the rights of law-abiding citizens to keep and bear arms; and

WHEREAS, the Ashtabula County Commissioners will not authorize any County Official to expend County funds for the purpose of enforcing illegal and or unconstitutional laws or ordinances; and

WHEREAS, the Ashtabula County Board of Commissioners believe some of the best ways to prevent gun violence include: education on safe gun handling and ownership; addressing the growing mental health crisis; supporting the enforcement of already existing criminal laws that aim to stop violence and not to limit the inalienable rights of law-abiding citizens; and

WHEREAS, the citizens of Ashtabula County Ohio derive economic benefit from lawful use of firearms, including hunting, recreation and shooting sports; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Ashtabula County, Ohio, by the authority granted the Board by the laws of the State of Ohio and the people of Ashtabula County, Ohio to stand and defend their rights and liberties, which are guaranteed by the United States and Ohio Constitutions, we hereby declare this Resolution to be a Second Amendment Preservation Resolution.

BE IT FURTHER RESOLVED, that this Board will not authorize any County Official to expend County funds for the purpose of enforcing illegal and/or unconstitutional laws or ordinances.

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

**MOTION:** Whittington moved the adoption, seconded. **DISCUSSION:** None

**VOTE: Yeas:** Kozlowski, Whittington, Ducro **Nays:** None **Abstained:** None **Absent:** None

Whereupon the resolution was declared passed unanimously.

**RESOLUTION NUMBER 2020-108 HOLDING PUBLIC HEARING IN THE MATTER OF THE PROPOSED ANNEXATION OF TERRITORY IN THE TOWNSHIP OF ORWELL TO THE VILLAGE OF ORWELL, (KENNAMETAL, INC. PROPERTY)**

The Board of County Commissioners of Ashtabula County, Ohio, met on the 10<sup>TH</sup> day of March, 2020, in regular session at the offices of said Board in the Old Courthouse Building, 2<sup>nd</sup> Floor, 25 W. Jefferson St., Jefferson, Ohio, with the following members present: Casey R. Kozlowski, Kathryn L. Whittington, J. P. Ducro IV.

WHEREAS, This being the date set by the Board of Ashtabula County Commissioners on its Journal of December 30, 2019, for the public hearing on the matter of annexation of territory in the Township of Orwell to the Village of Orwell. The hearing was opened at 1:33 p.m.; and

WHEREAS, The Clerk of the Board testified the following:

- The petition was filed by Frank Constantine, Agent, for Petitioner Michelle Keating, Vice-President, Kennametal, Inc., in the Board's Offices on December 18, 2019.
- Resolution No. 2019-428 entered the petition on the journal of the Board on December 30, 2019.
- Resolution No. 2019-429 set the date and time of hearing for the annexation on December 30, 2019.
- The map and petition were filed with the County Engineer on December 20, 2019.
- The Agent, Frank Constantine, was notified of the date and time of the hearing on December 30, 2019.
- On January 10, 2020 the Clerk of Orwell Village; and on January 13, 2020 the Fiscal Officer of Orwell Township received notice of petition for annexation and on January 22, 2020 the agent filed proof of service with the Board Clerk.
- On January 2, 2020 the Engineer's report was received by the Board Clerk.
- On January 16, 2020, a notarized affidavit that notices were mailed to all property owners in territory and adjacent property owners of hearing was filed with the Board Clerk.
- On March 5, 2020, the Affidavit of Publication was filed with the Board Clerk.
- Resolution No. 20-01-01R adopted by the Village of Orwell outlining the statement of services to be provided was received on January 22, 2020 by the Board Clerk; and

WHEREAS, Tom Partridge, Chief Deputy Engineer read the Engineer's report as follows:

January 2, 2020

Ashtabula County Commissioners

Re: Petition for Annexation; Kennametal -- Orwell

Dear Board,

We have reviewed the petition and have found the following:

- A. The petition was submitted 12/30/2019 includes an accurate description and survey.
  - B. The parcel to be annexed is owned by Kennametal, Inc.
  - C. The survey has the acreage of the parcel as 27.904.
  - D. The Engineer's office found the survey meets 4733 requirements, and is now part of the deed of record for Kennametal, Inc.
  - E. The current tax map and Deed Vol. 696 Page 2659 (PPN; 38-013-40-015-00) have the acreage as 27.904, this shall be assigned an Orwell Village PPN once annexation is complete.
  - F. As shown on the survey plat submitted with the description to our office, the annexation of this parcel will not create an island. The parcel is adjacent and contiguous with the Village of Orwell.
- Sincerely, Tom Partridge Chief Deputy Engineer; and

WHEREAS, Frank Constantine, Agent, presented a Powerpoint presentation to explain Kennametal's expansion project and the reason for the request to annex. Joe Varckette spoke to the support of Orwell Village Council and the services they would provide, as outlined in the resolution submitted from Orwell. Mike Hamper, Attorney for Orwell Township, spoke to Ohio law Annexation requirements and the benefits have to outweigh the detriment. Mr. Hamper asked questions of the group relating to the annexation, with discussion and responses following. The Board of Commissioners listened to testimony from those in favor and against the annexation. For a complete record of the public hearing, there is a recording available.

WHEREAS, the Board will make a decision by April 9, 2020; and

WHEREAS, the Board of Commissioners has little discretion as long as the requirements of the Ohio Revised Code are met; now

THEREFORE, BE IT RESOLVED, By the Board of Commissioners of Ashtabula County, Ohio, that there being no further testimony offered, the hearing on the proposed annexation of territory in the Township of Orwell to the Village of Orwell as petitioned by Kennametal, Inc. was declared adjourned.

**MOTION:** Ducro moved the adoption, Whittington seconded. **DISCUSSION:** None

**VOTE:** Yeas: Kozlowski, Whittington, Ducro **Nays:** None **Abstained:** None **Absent:** None

Whereupon the resolution was declared passed unanimously.

## **RESOLUTION NUMBER 2020-20FINA APPROVING FINANCIAL TRANSACTIONS FOR THE COUNTY**

The Board of County Commissioners of Ashtabula County, Ohio, met on the 10<sup>TH</sup> day of March, 2020, in regular session at the offices of said Board in the Old Courthouse Building, 2<sup>nd</sup> Floor, 25 W. Jefferson St., Jefferson, Ohio, with the following members present: Casey R. Kozlowski, Kathryn L. Whittington, J. P. Ducro IV.

WHEREAS, it is declared and determined that all formal actions of the Board of County Commissioners concerning and relating to the adoption of all resolutions that were adopted in this meeting, and that all deliberations of the Board of Commissioners and any of its committees that resulted in such formal action, were open to the public and were in compliance with all legal requirements, including Section 121.11 of the Ohio Revised Code.

### **Financial Transactions and Voucher Approval Requirements**

WHEREAS, The Board of Commissioners acknowledges receipt of all department financial transactions and vouchers submitted this date for approval, as follows:

**TRAVEL REQUESTS:**

Tim Settles	Beaver Valley PP Exercise	Hancock Co. EMA, WV	3/19	\$25.00
Tim Settles	NE Ohio MMRS Mtg.	Lake Co. EMA	3/5,4/6,5/1,6/5	\$25.00 each

**DIRECT RELIEF BILLS:**

Vouchers #2020-0000350 thru 2020-0000368 for Public Assistance; #2020-200033 thru 2020-200034 for Child Support; and #2020-300018 thru 2020-300018 for WIA Invoices

**BILLS:**

COUNTY FUNDS	SCHEDULE 10
ENGINEERS	SCHEDULE 10E; now

THEREFORE, BE IT RESOLVED, By the Board of Commissioners of Ashtabula County, Ohio, do hereby find that the above outlined financial transactions and vouchers are in order and sufficient funds are available to permit the execution of these transactions,

BE IT FURTHER RESOLVED, that the above transactions are approved and allowed, and furthermore, that the County Auditor is hereby authorized to issue warrants for payment of said vouchers.

**MOTION:** Ducro moved the adoption, Whittington seconded. **DISCUSSION:** None

**VOTE: Yeas:** Kozlowski, Whittington, Ducro **Nays:** None **Abstained:** None **Absent:** None

Whereupon the resolution was declared passed unanimously.

**RESOLUTION NUMBER 2020-3ACNH APPROVING AN AGREEMENT WITH STANLEY SECURITY SOLUTIONS, INC. FOR WANDER GUARD ALARM SYSTEM, ACNRC**

The Board of County Commissioners of Ashtabula County, Ohio, met on the 10<sup>TH</sup> day of March, 2020, in regular session at the offices of said Board in the Old Courthouse Building, 2<sup>nd</sup> Floor, 25 W. Jefferson St., Jefferson, Ohio, with the following members present: Casey R. Kozlowski, Kathryn L. Whittington, J. P. Ducro IV.

WHEREAS, Connie Eyman, Nursing Home Administrator, has presented an agreement for the approval of the Board of Commissioners; to-wit:

- Provider:** Stanley Security Solutions, Inc., 4600 Vine St., Lincoln, NE 68503
- Service:** An agreement to provide wander guard alarming system for the front door of the facility
- Cost:** Not to Exceed, \$4,707.74
- Term:** Retroactive to February 24, 2020 through February 23, 2023, (initial 3 year term- then automatically renews annually)

NOW, THEREFORE, BE IT RESOLVED, By the Board of Commissioners of Ashtabula County, Ohio that the Agreement, as noted above, is approved in accordance with the copy of said Agreement now on file in this office.

**MOTION:** Whittington moved the adoption, Ducro seconded. **DISCUSSION:** None

**VOTE: Yeas:** Kozlowski, Whittington, Ducro **Nays:** None **Abstained:** None **Absent:** None

Whereupon the resolution was declared passed unanimously.

**RESOLUTION NUMBER 2020-4ACNH AUTHORIZING CREATION OF AN ESCROW ACCOUNT AT AUSTINBURG BANK FOR FUNDS PAYABLE TO THE IAP GOVERNMENT SERVICES GROUP**

The Board of County Commissioners of Ashtabula County, Ohio, met on the 10<sup>TH</sup> day of March, 2020, in regular session at the offices of said Board in the Old Courthouse Building, 2<sup>nd</sup> Floor, 25 W. Jefferson St., Jefferson, Ohio, with the following members present: Casey R. Kozlowski, Kathryn L. Whittington, J. P. Ducro IV.

WHEREAS, Ashtabula County has a contract with principal contractor, IAP Government Services Group, 2740 Airport Drive, Suite 300, Columbus, OH 43219, for interior renovations to the Ashtabula County Nursing Home; and

WHEREAS, Ohio Revised Code 1311.26 permits any subcontractor, material supplier, or laborer who is performing or has performed labor or work or is furnishing or has furnished material for any public improvement provided for in a contract between the public authority and a principal contractor, and under a contract between the subcontractor, material supplier, or laborer and a principal contractor or subcontractor, at any time, not to exceed one hundred twenty days from the performance of the last labor or work or furnishing of the last material, to serve the public authority an affidavit stating the amount due and unpaid for the labor and work performed and material

furnished, when the last of the labor or work was performed and when the last of the material was furnished with all credits and setoffs thereon, and the post-office address of the claimant; and

WHEREAS, an affidavit for claim on the nursing home project was filed by Johnson-Laux Construction Ohio, LLC, on or about February 12, 2020, with the Ashtabula County Recorder's Office; and

WHEREAS, the Ashtabula County Board of Commissioners received, on February 25, 2020, notice of the affidavit for claim from Johnson-Laux Construction Ohio, LLC, on the nursing home project; and

WHEREAS, Ohio Revised Code 1311.28 requires a public authority to detain from the principal contractor or from the balance of the funds remaining in the contract with the principal contractor, an amount, up to the balance remaining on the contract, that does not in the aggregate exceed the claim or claims; and

WHEREAS, Johnson-Laux Construction Ohio, LLC claims a lien on an unpaid sum of \$141,716.28; and

WHEREAS, it is the intent of the Ashtabula County Board of Commissioners to establish an escrow account for the purpose of satisfying this lien pursuant to Ohio Revised Code 1311.31; and

WHEREAS, the filing for record of the affidavit with the county recorders gives such subcontractor, material supplier, laborer, or person filing the affidavit as provided in section 1311.26 of the Revised Code, a preference, as to payments subsequently due from the public authority, over such of the other subcontractors, material suppliers, and laborers who have failed, prior to the date any such payment is due, to file the affidavit provided for in section 1311.26 of the Revised Code, and to file for record the copy thereof with the county recorders as provided in this section. On detained funds, such claimants have no priority among themselves, but payment thereon shall be made to them in amounts prorated according to the amount of the then-existing valid claim of each. The failure of any claimant to file for record a copy of the affidavit with the county recorders does not affect the validity of the claimant's amount claimed with respect to persons other than such of the claimant's other subcontractors, material suppliers, and laborers who have filed for record copies of their affidavits with the county recorders, and, against detained funds, such claimants who have failed to make such filing for record with the county recorders have no priority among themselves, but, after all claims having preference over theirs have been paid, payment shall be made to them in amounts prorated according to the amount of the then-existing valid claim of each.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners hereby finds the following:

1. The Ashtabula County Board of Commissioners authorizes the opening of said escrow account at a competent bank institution for the purposes of detaining funds pursuant to the public improvement lien affidavit filed by Johnson-Laux Construction Ohio, LLC; and

The detained funds shall remain in escrow as provided for under section 153.63 of the Revised Code, to be released at the times, in the amounts, and to the persons ordered by a court of competent jurisdiction or by agreement of the principal contractor and the subcontractor, material supplier, or laborer who filed the affidavit provided for in section 1311.26 of the Revised Code or upon a failure to commence suit as provided in section 1311.311 of the Revised Code.

**MOTION:** Whittington moved the adoption, Ducro seconded. **DISCUSSION:** None

**VOTE:** Yeas: Kozlowski, Whittington, Ducro **Nays:** None **Abstained:** None **Absent:** None

Whereupon the resolution was declared passed unanimously.

**RESOLUTION NUMBER 2020-13SEWA APPROVING UTILITY EASEMENTS FOR PURPOSES OF SANITARY SEWER INFRASTRUCTURE OPERATIONS THROUGH LANDS OF CLAY STREET PLAZA, LLC TO THE COUNTY OF ASHTABULA, ACDES**

The Board of County Commissioners of Ashtabula County, Ohio, met on the 10<sup>TH</sup> day of March, 2020, in regular session at the offices of said Board in the Old Courthouse Building, 2<sup>nd</sup> Floor, 25 W. Jefferson St., Jefferson, Ohio, with the following members present: Casey R. Kozlowski, Kathryn L. Whittington, J. P. Ducro IV.

WHEREAS, Nick Sanford, Director of ACDES, has presented two (2) Utility Easement agreements for the approval of the Board; and

WHEREAS, Clay Street Plaza, LLC has entered into agreements for permanent utility easements for sanitary sewer facilities within legally described boundaries, for the following parcels:



<u>Name:</u>	<u>Parcel No.</u>
Clay Street Plaza, LLC	07-003-00-033-00
Clay Street Plaza, LLC	07-003-00-033-02

WHEREAS, All terms and conditions are outlined in the Utility Easements and are in full force and effect; now  
THEREFORE, BE IT RESOLVED, By the Board of Commissioners of Ashtabula County, Ohio that the  
Agreements for the Utility Easements are hereby approved by this Board as outlined above and in accordance with the  
copies of the easements now on file.

**MOTION:** Ducro moved the adoption, Whittington seconded. **DISCUSSION:** None  
**VOTE:** Yeas: Kozlowski, Whittington, Ducro **Nays:** None **Abstained:** None **Absent:** None  
Whereupon the resolution was declared passed unanimously.

**RESOLUTION NUMBER 2020-14SEWA HOLDING EXECUTIVE SESSION- PERSONNEL- EMPLOYMENT:  
121.22(G)(1)**

The Board of County Commissioners of Ashtabula County, Ohio, met on the 10<sup>th</sup> day of March, 2020, in  
regular session at the offices of said Board in the Old Courthouse Building, 2<sup>nd</sup> Floor, 25 W. Jefferson St., Jefferson,  
Ohio, with the following members present: Casey R. Kozlowski, Kathryn L. Whittington, J. P. Ducro IV.

WHEREAS, Pursuant to the Ohio Revised Code Section 121.22(G)(1) the Board of Ashtabula County  
Commissioners shall meet in executive session to discuss Personnel- Employment; and

WHEREAS, Said Executive Session was convened at 2:24 p.m.; now

THEREFORE, BE IT RESOLVED, By the Board of Commissioners of Ashtabula County, Ohio, that the above  
executive session was held. Said session adjourning at 3:10 p.m.

**MOTION:** Whittington moved the adoption, Ducro seconded. **DISCUSSION:** None  
**VOTE:** Yeas: Kozlowski, Whittington, Ducro **Nays:** None **Abstained:** None **Absent:** None  
Whereupon the resolution was declared passed unanimously.

**February 27, 2020 10:15 a.m. Topic: Water/Sewer**

*In Attendance: Kathryn Whittington, J. P. Ducro IV, Janet Discher, Nick Sanford, Lesley Gordon, Janice Switzer*

**Department Administration**

**1. Transition Process**

- a. Janet Discher met with management staff on 2/24 to discuss roles/responsibilities during transition phase.

**2. Forthcoming Resolution Requests**

- a. Easement Agreements (3 total) for a private sanitary sewer to become public, Austinburg Twp. (in final draft phase, under review by Grantors)
- b. Approval of Plans for a waterline extension along Clay Street, from Sexton Road west to Telling Drive (Geneva)
- c. Work Authorizations for CT (2) – Harpersfield Water Tower, North Bend Road Sanitary Sewer Extension Design; will be on Board’s agenda for 3/3

**3. Pierpont Wastewater Collection & Treatment Initiative**

- a. Status: County Engineer is reviewing scope and developing a cost estimate, will report to the Board and Lesley Gordon of his findings.
- b. Total ACDES expenditures to-date since 12/2018 are \$15,244.01

**4. Ashtabula County Regional Water & Sewer Initiative**

- a. Awaiting correspondence from Albers as to particulars to finalizing the case for forming a Regional Water/Sewer District consisting of ACDES assets. Key components in development: Union Contract(s). Point of contact will be Lesley Gordon.

**5. Ashtabula County Port Authority – Plant C**

- a. Port Board anticipated to approve 4-year agreement with ACDES on 3/20/2020.

**6. Harpersfield Area Water Distribution Improvements**

- a. OPWC funding for Valve Replacements, SR-534: materials purchased, preparing RFP for labor for simultaneous installation during low demand.
- b. Water Tower Project: Awaiting ARC funding confirmation, property discussion, cellular tower co-op, FAA regs on lighting in proximity to nearby airport, branding proposal(s).

**7. Harpersfield Twp. Board of Trustees Request**

- a. 50 feet of frontage along Old Harpersfield Road north of the Admin building/Fire Station within County-owned property (Harpersfield Booster Station), for purposes of achieving safe turning radius with apparatus.
- b. Recommendation: proceed with a conveyance of property utilizing resources from the Engineer’s office.

**8. Coffee Creek WWTP Improvements**

- a. Under design; change of course in treatment technology.
- b. ACDES is in the process of purchasing a new, larger backup generator due to failure of existing equipment; costs to be offset by OPWC funding (46%) and in-kind labor (concrete slab pour & electrical assistance).

## **9. 2020 Infrastructure Projects At-A-Glance**

- a. US 20 Culvert Replacement (Saybrook) water/sewer relocation – awaiting quotations
- b. Lift Station Upgrades – Saybrook/Ashtabula Twps. – awaiting bid specs
- c. (2021) SR-307 Waterline Replacement – Jefferson Twp. (OPWC)

### **Work sessions:**

March 5, 2020 11:00 a.m. Topic: Ash. Co. Department of Job and Family Services

In Attendance: Casey Kozlowski, Kathryn Whittington, J. P. Ducro IV, Patrick Arcaro

### **Senior Levy:**

Campaign is running smoothly.

JFS has ordered and paid for wristbands for the Levy. Leftovers will be used for the Senior Conference.

### **Transit:**

- ACTS will provide transportation to the RAM event.
- The TAC still needs one more committee member appointed.
- Information and pics for the four buses set for disposition have been sent to Lisa for the website.
- Meeting with Conneaut City this Friday to seek local match for ACTS. Inside scoop from the Council President says we might be able to get \$5k ... at least it's something. Will be setting up a meeting with Saybrook Township next, and so on.

Reminder: 2020 action items due for finalization of the Coordinated plan:

1. Begin laying the foundation for the formation of a transit board and hiring a mobility manager(?).

### **OMJ Center/WIOA:**

ACMC has verbally accepted our offer for flooring. I am waiting for something in writing. Cost will be \$16k+. I want to paint the front areas before the flooring is laid.

We will be sponsoring a Summer Youth Work Program this year. My staff is preparing the RFP. There may be additional money available from the State for 14 – 15 Yo's for this program. Stay tuned.

### **Buildings & Admin:**

- Still trying to clear things up with the Clemans Nelson wage survey. Schedules have crossed, but we have a conference call scheduled for 3/13.
  - The LED retro fit has begun at our building this week. The building looks much brighter. There have been some complaints. The heating module is not what we expected.
  - The agency vehicle needs brakes.
  - We are replacing two more heating units at Donahoe at a cost of \$15k for the two.
  - I have authorized the purchase of several hand sanitizers for placement throughout our buildings. Will the county be sending out an announcement on the COVID-19?
- b. Doug Lumpkin, ODJFS new County Liaison will be coming to our NorthCoast Director's meeting to meet with our district. We have invited the stand-alones to attend as well.
  - c. Monthly Division/Contract reports & handouts were attached separately.

### **March 5, 2020 12:00 p.m. Topic: Transcription**

In Attendance: Casey Kozlowski, Kathryn Whittington, J. P. Ducro IV, Lisa Hawkins, Janet Discher, Terri Tisch, Carrie Iarocci, Jamie Arcaro, Amy

The purpose of the meeting was to discuss the \$4.25 rate for transcription services in the Court of Common Pleas. The Ohio Public Defenders Office reimburses at a rate of \$4.00. In 2019, the \$.25 cost the county \$1,000 for all three Transcriptionists. They are requesting the \$4.25 rate, figure out what to do to keep that rate. The reimbursement process was discussed regarding Indigent Defense reimbursement. The Judges felt this was an issue to be brought to the Board of Commissioners, as the board is the authority to set the reimbursement rate. The majority of the cases that require a transcript are indigent criminal cases. The Judges do not have the authority to tell the Commissioners or the state the rate for transcription services. The Transcript work alone would not be 2,080 hours. There is not enough time during work hours. On average, during the week do you get to spend on transcriptionist, the reply is zero, best case 6 to 8 hours per week for Carrie Iarocci. The fee schedule is a per page rate, they cannot sell copies. Transcriptionists are certified, have other fees, expenses, supplies and dues they pay, even though the equipment is provided. They pay proofreaders, scopists, etc. The transcription has to be done after work hours. The \$4.25 rate was set by the Judges, used to be \$4.50. The \$4.25 rate has been in effect since May, 2013. Some courts went to \$5 or \$6.50. Add \$1.25 per copy, if 2<sup>nd</sup> copy, additional fee. The loss to the county, indigent defendant \$37 at \$.25 a page for Amy, just over \$5, just over \$4.85. The county is getting dollars for indigent. The Ohio Public Defenders reimburse at a reduced rate, which is capped at \$4.00. The Judges set the rates, Ohio Public Defender sets a cap. Transcriptionist can set the page rate, but Commissioners set the reimbursement rates. The Judges are the direct supervisors of the transcriptionists, who are paid from the Common Pleas budget, but General fund monies. Judge Yost court has Digital Recording with an Electronic Operator. If a transcript is required they send to a firm (Katie Reporting) who prepares the transcript, the bill goes to Jamie. She has received one bill that stated \$4.25 and paid it. with a staff person formats differently than Court Reporter guidelines. Carrie is the fill-in, Magistrate Russo, Williams and Eastern and Western has digital. She does all the transcripts for these courts. Proposed to charge \$4.00 for Indigent cases, and the non-indigent rate be set higher to make up the difference. The Association should advocate to the Public Defender's office for an increase. Decision: Kathy Thompson will speak with the Judges. The board would like to reach out to similar counties to see how they process transcriptions.

### **March 10, 2020 8:30 a.m. Topic: County Home Management Services**

In Attendance: Casey Kozlowski, Kathryn Whittington, J. P. Ducro IV, Lisa Hawkins, Janet Discher

The Board received one proposal for Management Services. Will look into how County Home rates compare to private nursing homes. In 2016, 30 beds were sold at \$11,500 each. There is concern over staffing struggles and financial volatility of the nursing home market. Decision: offer a one year term contract, with the 4 options to renew. Lisa to send contract, with term changes, to the Prosecutor for review. Commissioner Whittington will have a meeting with the County Home to discuss the contract change.

**March 10, 2020 9:00 a.m. Topic: Children Services**

*In Attendance: Casey Kozlowski, Kathryn Whittington, J. P. Ducro IV, Lisa Hawkins, Tania Burnett*

The purpose of the meeting was to discuss Children Services. Ms. Burnett distributed a Statistical report. **Best Practice funding** received \$98,766. The same amount will be received July 1, 2020. SACWIS (Statewide Automated Child Welfare Information System) is software in place since 2007, used for all cases which includes assessments and case notes. Traverse replaces a paper file for every family and will interface with SACWIS. Best Practice Funds can be used for: Surface Pros, Kinship Support, 2<sup>nd</sup> Family Peer Mentor, Floater/Trainer position and College costs for staff to obtain their Master's Degree. **Multi System Youth funding**- CSB received \$187,655 after the mandated 5% given to Family and Children First, which was just over \$10,000. Funds will be used for children in residential treatment, looking to contract with someone to assess the children, may prevent custody relinquishment. Ms. Burnett met with Marla Root, an Autism expert, to discuss Applied Behavioral Analysis, as another use of the funds. **Foster Care Recruitment** funding in the amount of \$49,382, looking to contract with an agency for year round marketing in Ashtabula County. There are a few foster homes outside the county, but want to keep in the county. There are currently 48 families licensed. There are still kids going out of county. Funding could be freed up to allow for an increase foster care Per diem rates, which have not been increased in many years, and tiered for ages 0-5, 5-12, then teenager. It takes 6 to 8 months to become Foster Care licensed. They are looking at ways to get them licensed. **Kinship Care funding** in the amount of \$148,148- helps offset cost of Kinship Care, based on TANF requirements, partner with Dept. of Job and Family Services. This could be used for food vouchers, beds, clothing, childcare, etc. The funding is only available for 4 months of assistance. The caregiver can reapply annually, up to 21 years old. 90 kids have been approved for the program. Dept. of Job and Family Services funding replaces local dollars, in the amount of \$380,000. They need a visitation center. They currently have a little house in disrepair, which can only accommodate one family at a time. Suggested to reach out to Ashta, INEOS for community service projects. Lisa to email list of Pre-Qualified Contractors. 50/60% of child removals are drug related. Meth drug screens are up. The Start program is a voluntary, intensive, targeted case management of substance using parents. They are working on making it more evidenced based. About \$300,000 of 2020 funds were given in 2019. They are on the calendar to meet quarterly with the Board. Luncheon is April 24, 2020 this year.

**March 10, 2020 10:00 a.m. Topic: General Matters/Agenda Items**

*In Attendance: Casey Kozlowski, Kathryn Whittington, J. P. Ducro IV, Lisa Hawkins, Janet Discher, Denny Bowman, Stu Cordell, Troy Bailey, Steve Henson, Jake Brand*

- ❖ Troy Bailey and Steve Henson attended the meeting to discuss the Board of Commissioners displaying a collection of flags. They are not State Flags, but all the stars and stripes. Mr. Henson discussed the flag collection in great detail. The Hub Scot put together 2 sets of flags, one is Colonial the other is State flags. They are promoting the Colonial display, to the year 1000, ending at the end of the Civil War period. There is a presentation of about 25 minutes they can do, where they discuss the flags, possibly the approximately 20 flags associated with the American Revolution. They have an inventory of approximately 41 flags, not including the Civil war period. The flags could be where they set up the flags and take them down after, or they could be put on display housed in the Commissioners Conference room for a month, and do the program in the evening, with literature regarding the flags at the door. Decision: have the flags displayed for a month, with a program set up in mid-April through mid-May, maybe collaborate with Historical Society.
- ❖ Board of Appeals- Building Dept. attorney opening. Denny Bowman and Stu Cordell attended the meeting to discuss the board opening. The Board would meet as needed, strictly for Residential Appeals, Commercial goes through Akron. There has not been a case for many years. The new code has some strict energy requirements, would be referred to the Board of Appeals.
- ❖ Jake Brand- Eastgate/Broadband Feasibility Study entering into with Mahoning and Trumbull County. Trumbull applied for a grant, timing worked out for Ashtabula and Mahoning to join in. They would like to see in-kind staff commitment of 2 to 3 hours per week, average for a total of \$12,500 from Ashtabula County. Trumbull's match from ARC is \$27,500 as leverage. HSTS bids for recommendation to enter into contract with Ohio EPA to offset septic collapses, Daughters Excavating Co. LLC, Geneva was the apparent low bidder.
- ❖ Miscellaneous
  - Resolution – the proposed resolution gun/Constitution was read and revised. Decision: on today's agenda.
  - OCCO Flier- Commissioner Whittington will attend, Commissioner Kozlowski will attend if he does not have Jury duty, April 1, 2:00p.m. RSVP for all 3 Comrs.
  - EOC dedication date/who to invite 3/25 briefing and lunch at 11:30a.m., invite Townships, APMC, UH, everyone for the exercise, first responders, Fire/Police, First Energy, industries, Villages, Cities.
  - Dept. Head Photos- new photos for Commissioners and Department Heads, and put them on the website.
  - Response for Orwell Annexation Mandamus for Michael & Carol Young. Kelly Summers will reach to Lisa with some dates.
  - Online Social Media Training- Ohio Electronic Records Committee- Social Media Records Management Challenge. Send to all Elected Official, Department Heads. Lisa and Janet will check it out and report back.
  - Dog Warden reports – reports will be in the Correspondence file, noted in the work session minutes and reviewed weekly.
- ❖ Schedule/Newsletter: (Call Beckey in)
  - Early Morning coffee w/Comrs., Beckey will look at schedules and figure out times. Music Boosters asked for a basket for this Friday. Decision: not at this time. Hand sanitizers update- Staples is the only provider who has the wall mounts maybe. Royal Coffee had not way to get any more dispensers. Anyone else contacted is 2 weeks minimum. Beckey will check with Staples to see if the hand pump dispensers are available.
- ❖ New/Old Business
  - Department Head Photos
  - TB contracts –

Leadership meeting discussion  
NOPEC grant \$26,952 for 2020 – decision to use money on EMA generator  
Community Corrections/Jail Project- set up meetings before the end of month.  
Pierpont Sewers- set up time for Casey and Kathryn to discuss.  
Nursing Home RFP – next steps.  
Financial Transaction payments – proposals be received on 3/27.

**Committee Reports:**

Ashtabula City has asked to have a presentation to the Board there, John Albers to discuss Sewer Regionalization. Nick Sanford to outline a history of how we got here. JP will present to Stacey Sensky to present to Council the history, if interested, then will have John Albers, all of council would need to attend. Resolution on today's agenda for the creation of an Escrow Account for IAP funds. Decision: on today's agenda.

**ADJOURNMENT:**

The President and Clerk of the Board hereby certify that this is a true and accurate record of the minutes of the March 10, 2020 session. All deliberations concerning official business and formal actions by this Board of Ashtabula County Commissioners were conducted in an open public meeting.

CERTIFIED:

ATTESTED:

\_\_\_\_\_  
PRESIDENT

\_\_\_\_\_  
CLERK

\_\_\_\_\_  
COMMISSIONERS

OF

\_\_\_\_\_  
ASHTABULA COUNTY