

REGULAR SESSION OF THE ASHTABULA COUNTY BOARD OF COMMISSIONERS

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

February 11, 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 and Commissioner J. P. Ducro IV. **Absent:** Vice-President Kathryn L. Whittington **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: Ducro moved the adoption, Kozlowski seconded. **DISCUSSION:** None

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

Whereupon the minutes were declared approved unanimously.

THE BOARD PRESIDENT INTRODUCED AND ENTERTAINED MOTIONS FOR THE FOLLOWING RESOLUTIONS:

RESOLUTION NUMBER 2020-73 AUTHORIZING THE FILING OF A GRANT APPLICATION TO THE OHIO ATTORNEY GENERAL'S OFFICE FOR THE OHIO LAW ENFORCEMENT BODY ARMOR PROGRAM

The Board of County Commissioners of Ashtabula County, Ohio, met on the 11th day of February, 2020, in regular session at the offices of said Board in the Old Courthouse Building, 2nd Floor, 25 W. Jefferson St., Jefferson, Ohio, with the following members present: Casey R. Kozlowski, J. P. Ducro IV.

WHEREAS, Kathleen Thompson, Court Administrator for the Ashtabula County Court of Common Pleas, has prepared an application to the Ohio Attorney General's Office for the re-imbusement of 75% of the cost for 10 vests and vest carriers for Court Security and Adult Probation in the amount of \$7,216.13, with a 25% county match of \$2,405.38 for a total cost of \$9,621.50; and

WHEREAS, the purpose of the grant is to provide re-imbusement of 75% of the total cost of 10 vests and vest carriers; and

WHEREAS, The Commissioners feel submitting this grant application would be desirable and is necessary; now

THEREFORE, BE IT RESOLVED, By the Board of Commissioners of Ashtabula County, Ohio that an application be made to the Ohio Attorney General's Office in accordance with the terms outlined in the grant, with a copy of said application on file in this office.

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

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

Whereupon the resolution was declared passed unanimously.

RESOLUTION NUMBER 2020-74 AUTHORIZING THE ASHTABULA COUNTY BUILDING DEPARTMENT TO PURCHASE A VEHICLE

The Board of County Commissioners of Ashtabula County, Ohio, met on the 11th day of February, 2020, in regular session at the offices of said Board in the Old Courthouse Building, 2nd Floor, 25 W. Jefferson St., Jefferson, Ohio, with the following members present: Casey R. Kozlowski, J. P. Ducro IV.

WHEREAS, in accordance with 307.41 of the Ohio Revised Code, a resolution setting forth the necessity for the purchase or lease of motor vehicles for use in the aid of departmental duties will be adopted when Commissioners deem it necessary; and

WHEREAS, Dennis Bowman, Chief Building Official of the Ashtabula County Building Department, has requested permission to purchase a 2020 Dodge Ram 1500 to aid his department in the performance of their duties; and

WHEREAS, the cost is under the \$50,000.00 competitive bidding requirement and quotes were obtained from Great Lakes and Paul Sherry Chrysler, with the best price being from Great Lakes Automotive in the amount of \$29,194.00; now

THEREFORE, BE IT RESOLVED, By the Board of Commissioners of Ashtabula County, Ohio, that the Ashtabula County Building Department is authorized to purchase the 2020 Dodge Ram 1500 4 x 4 at a total cost of \$29,194.00. Said vehicle to be purchased through Great Lakes Chrysler, 6119 Lake St., Kingsville, OH 44048.

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

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

RESOLUTION NUMBER 2020-75 APPROVING FIRE, EMERGENCY MEDICAL DISPATCHING SERVICE AGREEMENT AND AMENDMENT WITH THE VILLAGE OF JEFFERSON ON BEHALF OF THE JEFFERSON FIRE DEPARTMENT, THE ASHTABULA COUNTY BOARD OF COMMISSIONERS AND THE ASHTABULA COUNTY SHERIFF'S DEPARTMENT

The Board of County Commissioners of Ashtabula County, Ohio, met on the 11th day of February, 2020, in regular session at the offices of said Board in the Old Courthouse Building, 2nd Floor, 25 W. Jefferson St., Jefferson, Ohio, with the following members present: Casey R. Kozlowski, J. P. Ducro IV.

WHEREAS, William Johnson, Ashtabula County Sheriff, has presented the following agreement and amendment for the approval of the Board:

Scope: provide dispatching for Fire and Emergency Medical services

Users: **Fire and Emergency Medical Dispatching:**

Village of Jefferson on behalf of Jefferson Fire Department, 96 E. Jefferson St., Jefferson, OH 44047

Cost: \$3,365.00

Cost: No cost to the county, see the cost listed above

Term: retroactive to January 1, 2020 and terminating December 31, 2020

Amendment: to extend the term of the agreement from **December 31, 2020 to December 31, 2024** and increase the cost per call and dispatch factor portion of the agreement by 3% annually, beginning on January 1, 2021 and each year thereafter until termination of the agreement; now

WHEREAS, the parties are entering into this agreement pursuant to ORC Sections 307.15, 331.29, and 737.04; and

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

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

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

RESOLUTION NUMBER 2020-76 HOLDING PUBLIC MEETING REGARDING THE RETIREMENT AND RE-EMPLOYMENT OF MICHELE MIHALICK, CLERK-COURT EXECUTIVE OF WESTERN COUNTY COURT

The Board of County Commissioners of Ashtabula County, Ohio, met on the 11th day of February, 2020, in regular session at the offices of said Board in the Old Courthouse Building, 2nd Floor, 25 W. Jefferson St., Jefferson, Ohio, with the following members present: Casey R. Kozlowski, J. P. Ducro IV.

WHEREAS, Ohio Revised Code Section 145.381 outlines the procedure for allowing a person who is or most recently has been employed by a public employee in a position that is customarily filled by a vote of members of a board or commission; and

WHEREAS, Michele Mihalick has notified the Board of Commissioners that she intends to retire with the adjusted dates of February 29, 2020 and be re-employed on March 1, 2020; and

WHEREAS, a public notice regarding this public meeting was posted on the Ashtabula County Website under Public Notices on Monday, December 30, 2019; and

WHEREAS, this being the date and time set by Resolution Number 2019-427 to hold the public meeting regarding the retirement and re-employment of Michele Mihalick, Clerk-Court Executive of Western County Court, public comments were heard, as follows:

WHEREAS, there were no members of the public in attendance, therefore no public comments were heard. Commissioner Kozlowski read into the record the following:

Per the Ohio Revised Code 107.20 states, "the clerk of courts shall be the clerk of the county court, except that the board of county commissioners, with the concurrence of the county court judges, may appoint a clerk for each county court judge, who shall serve at the pleasure of the board and shall receive compensation as set by the board." The Ashtabula County Board of Commissioners is the appointing authority for county court clerks. Therefore the board must follow Ohio Revised Code 145.381 Re-employing retirant.

Being re-employed as a retiree in the same OPERS covered position that is customarily filled by a vote of members of a board or commission or by the legislative authority of a county, municipal corporation, or township, the OPERS employer must provide the following public notices:

1. Not less than 60 days before the re-employment commenced, give public notice (containing the time, date and location at which a public meeting was to take place) that the person is or will be retired and will be returning to work in the same position; and
2. Between 15 and 30 days before the re-employment commenced, hold a public meeting on the issue of re-employing and OPERS benefit recipient in the same position.

Employer must notify OPERS by the end of the first month of employment. Failure to provide OPERS with timely notice of re-employment will result in employer liability for any overpaid pension benefits.

Public meeting: February 11th 2020@ 1:30 p.m.

Name: Michele L. Mihalick

Title: Western County Court - Clerk of the Court Executive Hire date:

September 1, 1987

Retire date: February 29th, 2020 (32 years plus) Rehire

date: March 1, 2020

Pay per hour: \$28.42

THEREFORE, BE IT RESOLVED, By the Board of Commissioners of Ashtabula County, Ohio, that the public meeting regarding the retirement and re-employment of Michele Mihalick, Clerk-Court Executive of Western County Court, was hereby held.

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

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

Whereupon the resolution was declared passed unanimously.

RESOLUTION NUMBER 2020-15FINA APPROVING FINANCIAL TRANSACTIONS FOR THE COUNTY

The Board of County Commissioners of Ashtabula County, Ohio, met on the 11th day of February, 2020, in regular session at the offices of said Board in the Old Courthouse Building, 2nd Floor, 25 W. Jefferson St., Jefferson, Ohio, with the following members present: Casey R. Kozlowski, 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:

Casey Kozlowski	CCAO Energy Summit	Columbus	2/7	\$.00
Kathryn Whittington	CCAO Energy Summit	Columbus	2/7	\$.00
Dennis Bowman	Floodplain Management Workshop	Newburg Hts.	2/18	\$.00
Jake Brand	Broadband Feasibility Study	Youngstown	2/13	\$.00

<u>Appropriations</u>	<u>Fund</u>	<u>Total</u>	<u>Personal Svcs</u>	<u>Comment</u>
Data Board	1001.017	\$ 5,000.00	\$ -	appropriation for contract services - phone system
Unclaimed Funds	7025.003	\$15,217.00	\$ -	appropriation for unclaimed funds land bank
Sheriff	1001.008	\$ 3,045.00	\$ -	appropriation of DEA forfeiture
Commissioners	1001.001.100	\$ 500.00	\$ -	appropriation for travel to match 1st report
TCAP	2355.016	\$18,219.00	\$ -	appropriation for transfers out
Advance Out	1001.001.101	\$15,000.00	\$ -	appropriation for advance out
<u>Transfer</u>				
From TCAP Fund 2355 to	\$ 18,219.00			
OMAS MH Grant Fund 2760				
Advance				
From General Fund 1001 to CEAAC Fund 2250	\$ 15,000.00			

EXECUTING PAYMENT OF THEN AND NOW CERTIFICATION PRESENTED BY THE COUNTY AUDITOR PURSUANT TO ORC 5705.41(D)1 AND AUTHORIZING THE DRAWING OF WARRANT(S) IN PAYMENT OF AMOUNTS DUE UPON CONTRACT OR ORDER- SEE SCHEDULE 6TN

DIRECT RELIEF BILLS:

Vouchers #2020-0000196 thru 2020-0000234 for Public Assistance; #2020-200021 thru 2020-200022 for Child Support Invoices

BILLS:

COUNTY FUNDS SCHEDULE 6
ENGINEERS SCHEDULE 6E; 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, Kozlowski seconded. **DISCUSSION:** None

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

Whereupon the resolution was declared passed unanimously.

Public Participation:

Genevieve Constanza from Nopec attended the meeting and introduced herself to the Board. Stephanie Wessell asked for comments from the Commissioners regarding the sale of the Ashtabula Mall. Commissioner Ducro stated his appreciation for the seller's and their community involvement and allowing the use of the mall by the community. Commissioner Kozlowski stated he looks forward to meeting with new ownership and being able to offer any assistance to make the facility a success.

An email was received by the Board from Judge Camplese looking for an answer on the hiring of a Magistrate. The board will answer the Board has not completed the 2020 Budget process and has not yet made a decision.

February 11, 2020 10:00 a.m. Topic: General Matters/Agenda Items

In Attendance: Casey Kozlowski, J. P. Ducro IV, Janet Discher Came in for schedules: Rebecca Becker

Kathy Thompson- grant for vests (on today's agenda) previously discussed. The grant is through AG's office and BWC you can apply for grant for 75% reimbursement for body armour – vests. \$9,600 total cost. Once grant is received our costs \$2,400. County's match would be 7 out of TCAP and 3 out of General Fund Adult Probation fund. Board is okay for today's agenda.

Court Reporter Transcript fees for assigned counsel and public defender – State standards say costs for transcripts are not to be more than \$4.00 per page; local transcribers charge \$4.25 per page. Kathy is suggesting a meeting with the judges, court reporters, and commissioners to discuss further. Jamie provided background information on her conversations with Marie Lane and the state. Casey asked her to check with other local counties to see what they are charging. Lisa to work with Kathy to set up a meeting with all parties to discuss further.

TCAP funds – using funds to pay for case mgt. system; using some for a grant match; would like to buy another car with TCAP funds; Kathy says TCAP can reimburse for gas usage – Janet to get Kathy history of gas expense for AP.

Miscellaneous

2nd Amendment Resolution (in folder) Lisa drafted a new draft of the resolution; board to consider. Commissioners have not reviewed it yet and neither has the Prosecutor.

TB – rapidly approaching a deadline for TB. JP shared that he heard back from Lake County. Hasn't heard back from ODH or the Prosecutor's office. Will follow up again with both of them.

Airport – JP is going to the board meeting on Thursday.

Letters for Jail – Catherine Colgan reached out seeking input on jail letters. Casey will work with Lisa on the letters.

Casey Kozlowski reported – Eddy Eckart approached Casey to discuss the 3 JEDDs in the Harpersfield/Geneva area. NextSite has a proposal regarding completing an analysis to drive commercial investment with a variety of items over a 3 year period (items listed in document). JEDD plans to move forward – 2 ways to do it: There is a lower fee, with the firm getting a value of the projects should they land the projects OR an agreement that costs a fixed \$35,000 for a 3 year time period. JEDD plans to put up \$17,500 and would like the county to match \$17,500 to go the fixed route. Casey would like to learn more about the firm. He believes there is an informational meeting coming up and will let the board know.

Schedule: (Call Beckey in) 2/13 there is an executive session for economic dev at 10:30. JP needs to leave at 11:00 for a meeting at Eastgate for broadband. Casey signed up for CCAO ED webinar that is tomorrow morning at 9:30 a.m. Beckey is asking about a meeting in March for the Eastgate annual meeting. It's on the 26th. Will have to move all of our work sessions that day. Board plans to attend the annual meeting. Casey is out the first 3 days next week.

❖ **New/Old Business**

Leadership meeting discussion (not being held until later today)
NOPEC grant \$26,952 for 2020 – decision to use money on EMA generator
Community Corrections/Jail Project
Pierpont Sewers
Nursing Home RFP

Financial Transaction payments

February 10, 2020 3:05 p.m. Topic: 2020 Juvenile Court Budget

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

Commissioner Ducro met with Judge Camplesse regarding a letter he sent proposing the hiring of a new Magistrate, among other items. The Judge extended the date of the hire of a magistrate, until after the Board had a chance to meet. Court space was discussed, trying to understand how hiring an additional person would resolve the issues. There is a large open area outside of the Judges office where the proposed Magistrate would be located. The position is needed to assist the Judge with items that do not absolutely need his attention. The current Magistrates are in court so do not have the time. The new Magistrate position would direct other Magistrates, where they are needed most, whether Juvenile or Probate. The Magistrate appears to be the most critical, providing the most assistance to the Court. Ms. Discher and Mr. Misiak met this morning. Ms. Discher addressed some of the issues from the letter the Board had sent. Total 483,000 in 2019, proposed \$711,000 in the Journal Entry for 2020, included 3% raises for Juvenile Court, new Magistrate, Building Maintenance position, new Administrative person, included wages of person in 2019 that didn't come out of that fund. Commissioner Whittington met with Sean O'Brien regarding the \$1.4 million requested in the Capital budget, there is a \$500,000 additional rollover. If the \$1.5 million is received, the project could be feasible. It is possible that we could receive less than requested. We should know in a couple weeks what is allocated. Until budget is completed, no new employees should be considered. Commissioner Kozlowski does not feel he can support the position today, we still need to cut \$1 million from the 2020 General Fund budget. Would like to revisit once the balanced budget is passed, we knew when MCO went away, not opposed to the new Magistrate position, just can't commit to it yet. Ms. Discher presented 2 budget scenarios, one with a new Magistrate with a March 1 start date and one without that position funded, including a 1% salary increase, no other new positions, some other adjustments. Proposing \$1,048,000 almost exactly what was spent in 2019. The decision of the majority of the board is to not give approval of the position at this time, the Judge decides to proceed, the payroll line item could finish the year in the negative and we could receive an audit finding. The person would have to be paid under FLSA rules. The Board is to come back to Janet with budget recommendations with ideas for savings. There is a meeting tomorrow to discuss Public Defender. Janet made some changes to the Common Pleas budget request which include: 1% raises, how much for court security budgeted at \$75,000, 2019 was \$50,000. Provide a response that the Board could not come to a unanimous decision for the hiring of the new Magistrate position and will revisit as part of the 2020 ongoing budget discussions.

ADJOURNMENT:

The President and Clerk of the Board hereby certify that this is a true and accurate record of the minutes of the February 11, 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

COMMISSIONERS

COMMISSIONERS

OF

CLERK

ASHTABULA COUNTY

ASHTABULA COUNTY