

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

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

**April 2, 2019**

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, J. P. Ducro IV, Vice-President, Casey R. Kozlowski and Commissioner Kathryn L. Whittington **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, Kozlowski seconded. **DISCUSSION:** None

**VOTE:** **Yeas:** Ducro, Kozlowski, Whittington **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 2019-133 RECEIVING BID AND AWARDING TO JET EXCAVATING CO. FOR THE CAINE ROAD BRIDGE REPLACEMENT PROJECT, ENGINEER'S OFFICE, PID #101732, ENGINEERS OFFICE**

The Board of County Commissioners of Ashtabula County, Ohio, met on the 2<sup>nd</sup> day of April, 2019, 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: J. P. Ducro IV, Casey R. Kozlowski, Kathryn L. Whittington.

WHEREAS, on February 26, 2019, by Resolution No. 2019-100, the County Engineer, on behalf of the Board of Commissioners, ordered publication and bids for the Caine Road Bridge Replacement Project located in Pierpont Township, and

WHEREAS, on March 22, 2019 at 10:00 a.m., the County Engineer, on behalf of the Board of Commissioners, received one bid, as follows:

<u>Bidder:</u>	<u>Amount:</u>
JET Excavating Co., 4354 S. Range New Middletown, OH 44442	\$808,809.00

Engineer's estimate: \$750,000

WHEREAS, The County Engineer has recommended that the bid for the Caine Road Bridge Replacement Project located in Pierpont Township be awarded to JET Excavating, Co., as listed above and this Board would concur with that recommendation; now

THEREFORE, BE IT RESOLVED, By the Board of Commissioners of Ashtabula County, Ohio, that the bid is hereby awarded as outlined above.

BE IT FURTHER RESOLVED, the funding for the project is 80% Federal, with a 20% Local Match paid from MVGT funds.

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

**RESOLUTION NUMBER 2019-134 APPROVING 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 2<sup>nd</sup> day of April, 2019, 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: J. P. Ducro IV, Casey R. Kozlowski, Kathryn L. Whittington.

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

WHEREAS, there is space available in said building that may be leased by the County to other entities; and

WHEREAS, Janet Discher, County Administrator, has presented a Lease Agreement for the approval of the Board, to-wit:

- Lessee:** Ashtabula County Educational Foundation  
(dba Ashtabula County 4-H Foundation)  
P.O. Box 445  
Jefferson, OH 44047
- Location:** 77 North Chestnut Street Jefferson, Ohio  
220 sq. ft.
- Lease Period:** 1 year commencing retroactive to April 1, 2019 and ending March 30, 2020
- Cost:** \$1,500 total, payable in monthly installments of \$125.00; now

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

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

**RESOLUTION NUMBER 2019-135 APPROVING LEASE AGREEMENT WITH ASHTABULA COUNTY SOIL AND WATER CONSERVATION DISTRICT FOR SPACE, JEFFERSON VILLAGE**

The Board of County Commissioners of Ashtabula County, Ohio, met on the 2<sup>nd</sup> day of April, 2019, 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: J. P. Ducro IV, Casey R. Kozlowski, Kathryn L. Whittington.

WHEREAS, The Board of Commissioners own the building located at 39 Wall Street in the Village of Jefferson; and

WHEREAS, there is space available in said building that may be leased by the County to other entities; and

WHEREAS, Janet Discher, County Administrator, has presented a lease agreement for the approval of the Board, to-wit:

- Lessee:** Ashtabula County Soil and Water Conservation District  
39 Wall St., Jefferson, OH 44047
- Location:** 39 Wall Street, Jefferson, Ohio  
1,145 sq. ft.
- Lease Period:** 2 years beginning May 1, 2019 ending April 30, 2021

**Cost:** \$9,975.00, per year, payable in annual installments; now

THEREFORE, BE IT RESOLVED, By the Board of Commissioners of Ashtabula County, Ohio that the Lease Agreement with the Ashtabula County Soil and Water Conservation District for space as noted above is approved in accordance with the terms and conditions contained in the copy now on file in this office.

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

**RESOLUTION NUMBER 2019-136 AUTHORIZING THE COUNTY ENGINEER TO PARTICIPATE IN THE OHIO DEPARTMENT OF TRANSPORTATION ROAD SALT CONTRACTS AWARDED IN 2019**

The Board of County Commissioners of Ashtabula County, Ohio, met on the 2<sup>nd</sup> day of April, 2019, 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: J. P. Ducro IV, Casey R. Kozlowski, Kathryn L. Whittington.

**WHEREAS**, the Ashtabula County Board of Commissioners, hereinafter referred to as the "Political Subdivision" hereby submits this written agreement to participate in the Ohio Department of Transportation's (ODOT) annual road salt bid in accordance with the Ohio Revised Code 5513.01(B) and hereby agrees to all of the following terms and conditions in its participation of the ODOT road salt contract.

a. The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the road salt contract and acknowledges that upon award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract; and

b. The Political Subdivision hereby acknowledges that upon the Director of ODOT's signing of the road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and

c. The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT road salt contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Political Subdivision's participation in the road salt contract; and

d. The Political Subdivision's electronic order for Sodium Chloride (Road Salt) will be the amount the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and

e. The Political Subdivision hereby agrees to purchase a minimum of 90% of its above-requested salt quantities from its awarded salt supplier during the contract's effective period; and

f. The Political Subdivision hereby agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT salt contract; and

g. The Political Subdivision acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request by no later than Friday, April 19, 2019 by 12:00 p.m. The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: [Contracts.Purchasing@dot.ohio.gov](mailto:Contracts.Purchasing@dot.ohio.gov) by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision's participation request. Furthermore, it is the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement as well as the receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision's participation agreement and/or a Political Subdivision's request to rescind its participation agreement.

**NOW, THEREFORE**, be it resolved by the Ashtabula County Board of Commissioners that this participation agreement for the ODOT road salt contract is hereby approved, funding has been authorized, and the Political Subdivision agrees to the above terms and conditions regarding participation on the ODOT salt contract.

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

**RESOLUTION NUMBER 2019-137 ACCEPTING ANNUAL REPORT OF CONNEAUT MUNICIPAL COURT FOR 2018**

The Board of County Commissioners of Ashtabula County, Ohio, met on the 2<sup>nd</sup> day of April, 2019, 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: J. P. Ducro IV, Casey R. Kozlowski, Kathryn L. Whittington.

**WHEREAS**, In accordance with the provisions of Section 1901.14 of the Ohio Revised Code, Conneaut Municipal Court has filed with this Board their 2018 Annual Report as required by law; and

WHEREAS, Said report which shows the work performed by the court, a statement of receipts and expenditures of the civil and criminal branches, and the number of cases heard, decided and settled has been duly examined by this Board; now

THEREFORE, BE IT RESOLVED, By the Board of Commissioners of Ashtabula County, Ohio, that said report is hereby accepted and filed.

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

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

Whereupon the resolution was declared passed unanimously.

#### **RESOLUTION NUMBER 2019-138 ACCEPTING ANNUAL REPORT OF ASHTABULA MUNICIPAL COURT FOR 2018**

The Board of County Commissioners of Ashtabula County, Ohio, met on the 2<sup>nd</sup> day of April, 2019, 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: J. P. Ducro IV, Casey R. Kozlowski, Kathryn L. Whittington.

WHEREAS, In accordance with the provisions of Section 1901.14 of the Ohio Revised Code, Ashtabula Municipal Court has filed with this Board its 2018 Annual Report as required by law; and

WHEREAS, Said report which shows the work performed by the court, a statement of receipts and expenditures of the civil and criminal branches, and the number of cases heard, decided and settled, has been duly examined by this Board; now

THEREFORE, BE IT RESOLVED, By the Board of Commissioners of Ashtabula County, Ohio, that said report be and the same is hereby accepted and filed.

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

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

Whereupon the resolution was declared passed unanimously.

There was discussion regarding the Airport appropriation and the USDA loan. Commissioner Ducro received responses from John Mahoney and Mike Baird regarding the issue. He also spoke with Dave Hall from USDA, with no definitive answers. We are in a holding pattern. Decision: Commissioners send a letter to the USDA asking for a meeting of all parties, a written response from the USDA as to if they agree the airport has no obligation to pay the loan if they are not profitable and if the USDA loan is in default by the Airport (this was received in a former communication from USDA dated 2/1/19), does it affect the funding ability of other county offices and/or the rating of the County. It was suggested to contact the Congressman, as well.

#### **Work sessions:**

*April 2, 2019 10:00 a.m. Topic: General Matters/Agenda Items*

*In Attendance: J. P. Ducro IV, Casey Kozlowski, Kathryn Whittington, Lisa Hawkins, Janet Discher, Jamie Arcaro, Greg Myers, Amanda White, Jake Brand*

- ❖ Lodging Tax- Jamie gave a report of bed tax collections for non-compliant lodgers. It was discovered at the end of last year, several campgrounds in the area offer cottages, they are reporting now. Need to put a process in place for new establishments. Send one letter, no response, send a 2<sup>nd</sup> letter, failure to report will lead to potential referral to the Prosecutor for charges for non-compliance. Letter 3 is referral to the Prosecutor for further action or they can respond. Jamie to forward to JP and he will assist. Jamie to contact the Prosecutor, and cc him or another attorney in that office. Casey is still exploring the program for Lodging Tax Collection.
- ❖ Greg Myers attended the session to explore the creation of a Transportation Improvement District-county wide designation that allows leverage and access to surface transportation improvements. There is a project a TID could benefit, the 5<sup>th</sup> Street road improvement. The district has borrowing ability sort of like Port Authority. The Transportation Improvement District would give access to \$250,000 in grant dollars each year. In order to apply for the TID designation, you have to have \$10 million in committed projects, as a one-time thing to be qualified as an established TID. They think they can get to that. The County Commissioner's establish the TID. They do not have taxing authority, but they have bonding authority. The Governor has discretion to extend boundaries of MPO, so in theory could be part of an MPO. Allow a seat at the table for transportation discussion, could allow additional planning dollars, but no to access capital investment dollars. The funding is a UVA District, designated by Census. Decision: ok to set up a meeting with parties that would be on the TID to discuss the creation this includes the Engineer, Ashtabula Twp., Ashtabula City and Conneaut City reps to attend the meeting. Growth Partnership will set up a meeting.
- ❖ Board Application- revised to be 3 pages. Decision: ok. Send Port Authority to Jeff Magyar.
- ❖ Miscellaneous
  - Salary Increases- approved 2 union contracts. 2% salary increase in 2019, retroactive to January 1, 2019. Janet will notify all the departments.
  - Ltr. for Health Dept.- tobacco prevention support. Decision: ok.
  - Upcoming Board openings- Just FYI.
  - Response to Nathan Paskey- need to respond. JP will work with Beckie to draft a response.
  - Newsletter- very nicely done. Kathryn will give her some May topics. Decision: ok to send out today.
  - ARC Mtg. on 4/8- send to Tim Reardon for libraries.
  - Census Resolution- draft resolution and will include general categories of the committee members. Decision: Lisa to send out the resolution to Comrs. for review.

- ❖ Letter to terminate John G. Johnson as Construction Manager, as the price is more than we can afford. We split out the projects, did the ballroom renovation. Cc the County Prosecutor. Decision: official action by the Board of Commissioners is to terminate the contract pending legal review.
- ❖ Schedule:
  - Changed 4/9
  - Changed all meetings of 4/25 to 4/24
- ❖ Old Business
  - Fair Board lease

**ADJOURNMENT:**

The President and Clerk of the Board hereby certify that this is a true and accurate record of the minutes of the April 2, 2019 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

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COMMISSIONERS

OF

ASHTABULA COUNTY