

REGULAR SESSION OF THE ASHTABULA COUNTY BOARD OF COMMISSIONERS

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

April 7, 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 2020-140 RECEIVING BID AND AWARDING TO HYDRO CONDUIT CORP. DBA RINKER MATERIALS FOR OPWC REINFORCED CONCRETE PIPE FOR 2020 CULVERT PROJECTS, ENGINEER’S DEPT.

The Board of County Commissioners of Ashtabula County, Ohio, met on the 7th day of April, 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, Kathryn L. Whittington, J. P. Ducro IV.

WHEREAS, On March 6, 2020 by Resolution Number 2020-91, bids were ordered for OPWC reinforced concrete pipe for the Ashtabula County Engineers Department; and

WHEREAS, on March 31, 2020, one bid was received by Hydro Conduit Corp. dba Rinker Materials, as follows:

2020 Culvert Projects	Quantity & Description	Engineer’s Estimate	Delivered Jefferson
(TH 78 C 1.0) Forman Rd. (OPWC)	64’ of 42” RCP	\$5,120.00	\$5,086.72
(TH 78 C 1.07) Forman Rd. (OPWC)	128’ of 66” dia RCP	\$26,880.00	\$27,296.00
(TH 334 B .8) Dewey Rd. (OPWC)	56’ of 48” dia. RCP	\$5,600.00	\$5,577.60
(CH 25 D 1.79) State Rd.	56’ of 42” dia. RCP	\$4,480.00	\$4,450.88
(TH 342 A .1) Penn Line Rd.	56’ of 42” dia. RCP	\$4,480.00	\$4,450.88
(TH 176 A .03) Russel Rd.	56’ of 42” dia. RCP	\$4,480.00	\$4,450.88
(TH 89 A .88) Sodom Rd.	112’ of 42” dia. RCP	\$8,960.00	\$8,901.76
(TH 89 A .96) Sodom Rd.	112’ of 42” dia. RCP	\$8,960.00	\$8,901.76
(TH 314 A 1.9) Stollaker Rd.	112’ of 48” dia. RCP	\$11,200.00	\$11,155.20
(TH 185 B .55) Stumpville Rd	56’ of 48” dia. RCP	\$5,600.00	\$5,577.60
(CH 9 E .63) Noble Rd.	64’ of 54” dia. RCP	\$9,280.00	\$9,318.40
(CH 291 D .55) South Denmark Rd.	56’ of 54” dia. RCP	\$8,120.00	\$8,153.60
(CH 291 B .45) South Denmark Rd.	56’ of 66” dia. RCP	\$11,760.00	\$11,942.00
(TH 95 A .1) Fee Rd.	56’ of 66” dia. RCP	\$11,760.00	\$11,942.00
(TH 345 C .9) Beckwith Rd.	56’ of 66” dia. RCP	\$11,760.00	\$11,942.00
(TH 223 B .6) Ninevah Rd.	56’ of 84” dia. RCP	\$19,040.00	\$17,799.60
(CH 149 G .8) Creek Rd.	64’ of 43”X68” Ellip RCP	\$14,080.00	\$12,096.00
	TOTAL:	\$171,560.00	\$169,042.88

WHEREAS, the County Engineer recommends the award of this bid as the lowest and best bid received; and

WHEREAS, this Board concurs with the recommendation and hereby awards the OPWC Concrete Pipe bid to Hydro Conduit Corp. dba Rinker Materials as the only bid received, as outlined above; now

THEREFORE, BE IT RESOLVED, By the Board of Commissioners of Ashtabula County, Ohio, that the bid is hereby received and awarded to Hydro Conduit Corp. dba Rinker Materials, 4200 Universal Dr., Diamond, OH 44412 in the amount of \$169,042.88, as outlined above.

BE IT FURTHER RESOLVED, that this pipe is to be used for the 2020 culvert projects and funding will be from MVGT and OPWC.

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 2020-141 AUTHORIZING THE BOARD OF ASHTABULA COUNTY COMMISSIONERS TO ENTER INTO AN AGREEMENT WITH WHOLESALE IMPRINTS, INC. FOR TAX ABATEMENT

The Board of County Commissioners of Ashtabula County, Ohio, met on the 7th day of April, 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, Kathryn L. Whittington, J. P. Ducro IV.

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

WHEREAS, An application has been filed by Wholesale Imprints, Inc. for tax abatement for a building addition at its current facility located in the Village of North Kingsville, Ashtabula County, Ohio and will require the investment of \$350,000 in real property within the boundaries of the aforementioned Enterprise Zone, provided the appropriate development incentives are available to support the economic viability of the project; and

WHEREAS, The Village of North Kingsville has developed and agreed to the conditions of tax abatement; and

WHEREAS, The Buckeye Local School District and the Ashtabula County Technical and Career Center have been notified of the tax abatement application by Wholesale Imprints, Inc. for five (5) years at Sixty Percent (60%) abatement for real property; and

WHEREAS, The Board of County Commissioners has investigated the application of Wholesale Imprints, Inc. and has found that said company is qualified by financial responsibility and business experience to create and preserve employment opportunities in said Enterprise Zone and improve the economic climate of Ashtabula County; and

WHEREAS, Wholesale Imprints, Inc. will present an agreement for tax abatement in the Enterprise Zone for the approval of the Board of Commissioners; now

THEREFORE, BE IT RESOLVED, By the Board of Commissioners of Ashtabula County, Ohio, that said Board does hereby authorize itself to enter into an agreement with Wholesale Imprints, Inc. for tax abatement in the Ashtabula County Enterprise Zone.

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 2020-142 APPROVING ENTERPRISE ZONE AGREEMENT WITH WHOLESALE IMPRINTS, INC. FOR TAX ABATEMENT

The Board of County Commissioners of Ashtabula County, Ohio, met on the 7th day of April, 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, Kathryn L. Whittington, J. P. Ducro IV.

WHEREAS, Wholesale Imprints, Inc. has submitted the following Enterprise Zone Agreement for the approval of the board, to-wit:

OHIO ENTERPRISE ZONE AGREEMENT

This agreement made and entered into as of April 7, 2020 (the "Effective Date") by and between the Board of County Commissioners, Ashtabula County, Ohio, a county, with its main offices located at 25 W. Jefferson Street, Jefferson Ohio (hereinafter referred to as "County") and Wholesale Imprints, Inc. (hereinafter referred to as "Wholesale Imprints, Inc."), with its corporate headquarters located at 6259 Hewitt Lane, North Kingsville, Ohio 44068, WITNESSETH;

WHEREAS, the "County" has encouraged the development of real property and the acquisition of personal property located in the area designated as an Enterprise Zone; and

WHEREAS, Wholesale Imprints, Inc. plans for construction of a (6,000 sf) six-thousand square-foot facility addition to expand operations and permit modernization and expansion of its existing facility and production lines (hereinafter referred to as the "PROJECT") within the boundaries of the aforementioned Enterprise Zone, provided that the appropriate development incentives are available to support the economic viability of said PROJECT; and

WHEREAS, the Board of County Commissioners of Ashtabula County, Ohio, by Resolution Number 89-368 adopted on the 13th day of April 1989, Resolution Number 89-500 adopted on the 15th day of May 1989, and Resolution Number 92-507 adopted on the 7th day of May 1992 designated the area as an "Enterprise Zone" pursuant Chapter 5709 of the Ohio Revised Code; and Resolution Number 97-233 adopted on the 27th day of February 1997.

WHEREAS, effective May 26, 1989, the Director of Development of the State of Ohio determined that the aforementioned area designated in said Resolution Numbers 89-368, 89-500, 92-507, and 97-233 contain the characteristics set forth in Section 5709.61 (A) of the Ohio Revised Code and certified said area as an Enterprise Zone under said Chapter 5709; and

WHEREAS, Board of Ashtabula County Commissioners having the appropriate authority for the stated type of project is desirous of providing Wholesale Imprints, Inc. with incentives available for the development of the PROJECT in said Enterprise Zone under Chapter 5709 of the Ohio Revised Code; and

WHEREAS, Wholesale Imprints, Inc. has submitted a proposed agreement application (herein attached as Exhibit A) to the Board of Ashtabula County Commissioners pursuant to Section 5709.63 (B) of the Ohio Revised Code, said application (hereinafter referred to as "APPLICATION"); and

WHEREAS, Wholesale Imprints, Inc. has remitted the required state application fee of \$750.00 made payable to the Ohio Development Service Agency with the application to be forwarded with the final agreement; and

WHEREAS, Wholesale Imprints, Inc. has negotiated with the Ashtabula County Enterprise Zone Manager and developed and agreed to conditions of tax abatement outlined in Section 4 below; and

WHEREAS, The Enterprise Zone Manager of Ashtabula County has investigated the application of Wholesale Imprints, Inc. and has recommended the same to the Board of County Commissioners of Ashtabula County on the basis that Wholesale Imprints, Inc. is qualified by financial responsibility and business experience to create and preserve employment opportunities in said Enterprise Zone and improve the economic climate of Ashtabula County; and

WHEREAS, the project site as proposed by Wholesale Imprints, Inc. is located in the Village of North Kingsville, Buckeye Local School District and the Ashtabula County Technical and Career Center and all three have been notified in accordance with Section 5709.83 and been given a copy of the APPLICATION; and

WHEREAS, pursuant to Section 5709.63(B) and in conformance with the format required under Section 5709.631 of the Ohio Revised Code, the parties hereto desire to set forth their agreement with respect to matters hereinafter contained; NOW,

THEREFORE, in consideration of the mutual covenants hereinafter contained and the benefit to be derived by the parties from the execution hereof, the parties herein agree as follows:

1. Wholesale Imprints, Inc. shall invest a total of three hundred fifty thousand dollars (\$350,000) in an expansion PROJECT, including three hundred fifty thousand dollars (\$350,000) to construct approximately a six thousand square foot (6,000 sf) addition to its facility at 6259 Hewitt Lane, North Kingsville, Ohio 44068, for additional warehouse, office and production area to aid in expansion of its production lines.

Said facility shall be constructed on all or part of permanent parcel number 280720000300 as the same is known and designed on the Auditors revised list of lots in North Kingsville, Ohio.

The PROJECT will begin on or about April 15, 2020 and all construction and installation is anticipated to be completed on or about July 15, 2020.

The total investment of this EXPANSION project is greater than 10% of the market value of the facility assets already owned at the site prior to such expenditures as evidenced in Exhibit A.

2. Wholesale Imprints, Inc. shall create within a time period not exceeding 24 months after the completion of the project, the equivalent of 6 full-time job(s) opportunities and 2 part-time job opportunities. Wholesale Imprints,

Inc. will use its best efforts to retain 46 full-time jobs and 1 part-time jobs at the PROJECT site during the term of this agreement. As of the Effective Date, Wholesale Imprints, Inc. has 46 full-time permanent employees, 1 part-time permanent employees, 0 full-time temporary employees, and 0 part-time temporary employees at the project site.

This increase in the number of employees will result in approximately one hundred eighty-two thousand dollars (\$182,000) of additional annual payroll for Wholesale Imprints, Inc. The following is an itemization by the type of new jobs created: full-time permanent \$150,000 and part-time permanent \$32,000. The retention of the existing jobs will maintain the current annual payroll of one million five hundred eleven thousand, four hundred seventy-three dollars (\$1,511,473).

3. Wholesale Imprints, Inc. shall provide to the proper Tax Incentive Review Council any information reasonably required by the council to evaluate the enterprise's compliance with the agreement, including returns filed pursuant to section 5711.02 and 5727.08 of the Ohio Revised Code if requested by the Council.
4. Ashtabula County hereby grants Wholesale Imprints, Inc. a tax exemption for real property improvements made to the PROJECT site pursuant to Section 5709.62, 5709.63 or 5709.632 of the Ohio Revised Code and shall be in the following amounts:

The exemption commences the first year for which the real property would first be taxable were that property not exempted from taxation. No exemption shall commence after 2021 nor extend beyond 2025.

Year of Tax Exemption	Tax Exemption Amount
2021	60%
2022	60%
2023	60%
2024	60%
2025	60%

Each identified project improvement will receive a five-year exemption period.

Wholesale Imprints, Inc. must file the appropriate tax forms (DTE 23) with the County Auditor to effect and maintain the exemptions covered in the agreement.

5. Each year during the Term, Wholesale Imprints, Inc. shall pay an annual fee equal to the greater of one percent of the dollar value of incentives offered under the agreement or five hundred dollars (\$500): provided, however, that if the value of the incentives exceeds two hundred fifty thousand dollars (\$250,000), the fee shall not exceed two thousand five hundred dollars (\$2,500). The fee shall be made payable to the Ashtabula County Treasurer once per year for each year the agreement is effective on the days and in the following forum: The fee is to be paid to the Enterprise Zone Manager by June 15th each year and made out to the Ashtabula County Treasurer.

This fee shall be deposited by the COUNTY in a special fund created for such purpose and shall be used exclusively for the purpose of complying with section 5709.68 of the revised code and by tax incentive review council created under section 5709.85 of the revised code exclusively for the purposes of performing the duties prescribed under that section.

6. Wholesale Imprints, Inc. shall pay such real and tangible personal property taxes that are duly owed and not exempted under this agreement and are charged against such property and shall file all tax reports and returns as required by law. If Wholesale Imprints, Inc. fails to pay such taxes or file such returns and reports, all incentives granted under this agreement are rescinded beginning with the year for which such taxes are charged or such reports or returns are required to be filed and thereafter.

7. The COUNTY shall perform such acts as are necessary to appropriate to effect, claim, reserve, and maintain exemptions from taxation granted under this agreement including, without limitation, joining in the execution of all documentation and providing any necessary certificates required in connection with such exemptions.
8. If for any reason the Enterprise Zone designation expires, the Director of the Ohio Development Service Agency revokes certification of the zone, or Ashtabula County revokes the designation of the zone, entitlements granted under this agreement shall be continued for the five-year period specified under this agreement, unless Wholesale Imprints, Inc. materially fails to fulfill its obligations under this agreement and Ashtabula County terminates or modifies the exemptions from taxation granted under this agreement.
9. If Wholesale Imprints, Inc. materially fails to fulfill its obligations under this agreement, or if the COUNTY determines that the certification as to delinquent taxes required by this agreement is fraudulent, the COUNTY may terminate or modify the exemptions from taxation granted under this agreement and may require the repayment of the amount of taxes that would have been payable had the property not been exempted from taxation under this agreement.
10. Wholesale Imprints, Inc. hereby certifies that, as of the Effective Date, Wholesale Imprints, Inc. does not owe any delinquent real or tangible personal property taxes to any taxing authority of the State of Ohio, and does not owe delinquent taxes for which Wholesale Imprints, Inc. is liable under Chapter 5733, 5735, 5739, 5741, 5743, 5747, or 5753 of the Revised Code, or, if such delinquent taxes are owed, Wholesale Imprints, Inc. currently is paying the delinquent taxes pursuant to an undertaking enforceable by the State of Ohio or an agent or instrumentality thereof, has filed a petition in bankruptcy under 11 U.S.C.A. 101, et seq., or such a petition has been filed against Wholesale Imprints, Inc.. For the purposes of the certification, delinquent taxes are taxes that remain unpaid on the latest day prescribed for payment without penalty under the chapter of the Revised Code governing payment of those taxes.
11. Wholesale Imprints, Inc., and the COUNTY acknowledge that this agreement must be approved by formal action of the legislative authority of Ashtabula County as a condition for the agreement to take effect. This agreement takes effect upon such approval.
12. The COUNTY has developed a policy to ensure recipients of Enterprise Zone tax benefits practice non-discriminating hiring in its operations. By executing this agreement, Wholesale Imprints, Inc. is committing to following non-discriminating hiring practices acknowledging that no individual may be denied employment solely on the basis of race, religion, sex, disability, color, national origin, or ancestry.
13. Exemptions from taxation granted under this agreement shall be revoked if it is determined that Wholesale Imprints, Inc., any successor enterprise, or any related members (as those terms are defined in Section 5709.61 of the Ohio Revised Code) has violated the prohibition against entering into this agreement under Division (E) of Section 3735.671, or section 5709.62, 5709.63, or 5709.632 of the Ohio Revised Code prior to the time prescribed by that division or either of those sections.
14. In any three-year period during which this agreement is in effect, if the actual number of employee positions created or retained by Wholesale Imprints, Inc. is not equal to or greater than seventy-five percent (75%) of the number of employee positions estimated to be created or retained under this agreement during that three-year period, Wholesale Imprints, Inc. shall repay the amount of taxes on property that would have been payable had the property not been exempted from taxation under this agreement during that three-year period. In addition, the County may terminate or modify the exemptions from taxation granted under this agreement.
15. This agreement is not transferable or assignable without the express, written approval of Ashtabula County.

THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Ashtabula County, Ohio, that the above Enterprise Zone agreement with **Wholesale Imprints, Inc.** for tax abatement is hereby approved in accordance with a copy of said agreement 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 2020-143 RECEIVING BIDS AND LAYING ON THE TABLE FOR COPIER MACHINE EQUIPMENT TO BE LOCATED AT THE ASHTABULA COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES (ACDJFS)

The Board of County Commissioners of Ashtabula County, Ohio, met on the 7th day of April, 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, Kathryn L. Whittington, J. P. Ducro IV.

WHEREAS, on March 16, 2020 by Resolution No. 2020-109, bids were ordered for copiers to be located at the Ashtabula County Department of Job and Family Services; and

WHEREAS, on April 2, 2020 bids were received as follows:

Bidder	Address	Address	Amount	Alternate Amount	Additional Monthly Charge
Maverick Office Solutions, Inc.	7632 Tyler Blvd.	Mentor, OH 44060	\$1,800.71		
ABC American Business Center, Inc.	7677 South Ave.	Youngstown, OH 44512	\$2,475.00		
Richoh USA, Inc.	646 Poland Ave.	Struthers, OH 44471	\$2,015.18	\$2,199.89	
Konica Minolta Business Solutions, USA, Inc.	9150 South Hills Blvd., Ste. 125	Broadview Hts., OH 44147	\$1,010.09	\$1,275.00	\$55.25
ComDoc	9100 South Hills Blvd.	Broadview Hts., OH 44147	\$1,638.55		\$250.00
Toshiba Business Solutions	7850 Hub Parkway	Cleveland, OH 44125	\$1,246.22		\$302.88
Quality Imaging Solutions	43 E. Main St.	Geneva, OH 44041	\$1,781.44		

WHEREAS, It is the opinion of the Board that the bids be laid on the table for further examination and recommendation; now

THEREFORE, BE IT RESOLVED, By the Board of Commissioners of Ashtabula County, Ohio, that the bids, as outlined above, are laid on the table until further notice.

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 2020-144 RECEIVING PROPOSAL AND LAYING ON THE TABLE FOR TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) FUNDING FOR SUMMER YOUTH EMPLOYMENT PROGRAM FOR 2020, ASHTABULA COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES (ACDJFS)

The Board of County Commissioners of Ashtabula County, Ohio, met on the 7th day of April, 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, Kathryn L. Whittington, J. P. Ducro IV.

WHEREAS, on March 16, 2020 by Resolution No. 2020-110, proposals were ordered for TANF funding for the Summer Youth Employment Program for 2020 for the Ashtabula County Department of Job and Family Services; and

WHEREAS, on April 3, 2020 one proposal was received, as follows:

Ashtabula County Technical & Career Center, SR 167, Jefferson, OH 44047

WHEREAS, It is the opinion of the Board that the proposal be laid on the table for further examination and recommendation; now

THEREFORE, BE IT RESOLVED, By the Board of Commissioners of Ashtabula County, Ohio, that the proposal, as outlined above, is laid on the table until further notice.

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 2020-145 APPROVING THE ANNEXATION OF CERTAIN 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 7th day of April, 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, Kathryn L. Whittington, J. P. Ducro IV.

WHEREAS, a public hearing was held March 10, 2020, by Resolution No. 2020-108 in the matter of the proposed annexation of certain territory in the Township of Orwell to the Village of Orwell (Kennametal, Inc. property); and

WHEREAS, Kennametal has designated Frank Constantine as agent for the property currently situated in the Township of Orwell containing 27.904 acres of land; and

WHEREAS, The Board of Commissioners now comes to determine the approval or disapproval of said petition; and

WHEREAS, In accordance with the Ohio Revised Code, Section 709.023, the Board of Commissioners finds as follows:

- (A) The petition asks the Board to follow ORC 709.02 (Regular Annexation Petition);
- (B) The petition includes signatures of all property owners in the area to be annexed. (ORC 709.021[B])
- (C) All signatures are of 'owners' as defined in ORC 709.02 (E)
- (D) Each signature includes a date it was obtained, and no signature was obtained more than 180 days before petition was filed
- (E) Petition includes an accurate map or plat;
- (F) Petition includes the name of an Agent;
- (G) A list of parcels in the area to be annexed and adjacent territory that includes the name of owner, mailing address of owner, and permanent parcel number was submitted with petition;
- (H) The real estate is contiguous to municipality to which annexation is proposed;

- (I) Petition includes statutory disclosure statement in bold face, capital letters regarding waiver of appeal rights;
- (J) Territory does not exceed 500 acres;
- (K) Territory shares a contiguous boundary with municipality for a contiguous boundary with municipality for a continuous length of at least 5% of the perimeter;
- (L) The annexation will not create an unincorporated area completely surrounded by territory to be annexed;
- (M) Petition was entered on the journal at the regular session of the board on December 30, 2020;
- (N) Agent has filed proof of service that notices to governmental bodies has been completed; now

THEREFORE, BE IT RESOLVED, By the Board of Commissioners of Ashtabula County, Ohio, that the territory located in the Township of Orwell as described in the petition filed by Frank Constantine, Agent for the Petitioner; is hereby approved for annexation to the Village of Orwell, County of Ashtabula, State of Ohio; and

BE IT FURTHER RESOLVED, That upon favorable action by the Village of Orwell upon the annexation of said territory, monumentation shall be had to accurately define the boundaries of the Village of Orwell; and

BE IT FURTHER RESOLVED, That the Clerk of the Board of Commissioners is hereby instructed to file a final transcript of the proceedings, map, and petition, and the Engineer's Report with the Clerk of the Village of Orwell, with the Fiscal Officer of the Township of Orwell, and to the Agent for the Petitioners.

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 2020-146 RECEIVING AND AWARDING BID TO KOSKI CONSTRUCTION CO. FOR HOT MIX ASPHALT RESURFACING PROJECTS, QUOTATION NO. 289, ENGINEER'S DEPT.

The Board of County Commissioners of Ashtabula County, Ohio, met on the 7th day of April, 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, Kathryn L. Whittington, J. P. Ducro IV.

WHEREAS, on March 18, 2020 by Resolution No. 2020-116, bids for Hot Mix Asphalt Resurfacing Projects (County Line Rd, CH 1 A-B and Eagleville Jefferson Rd. CH 14 N, Graham Rd. CH 343 A, Jefferson Rd. 150, State Rd. CH 25 G) with Hot Mix Asphalt were ordered; and

WHEREAS, on April 2, 2020 bids were received as follows:

Koski Construction Co., Ashtabula, OH	\$696,814.40
Ronyak Paving, Inc., Newbury, OH	\$730,986.40
Karvo Paving Company, Stow, OH	\$781,640.10
Chagrin Valley Paving, Inc. Chagrin Falls, OH	\$775,897.00
Cunningham Paving, Aurora, OH	\$813,950.75
Lindy Paving, New Galilee, PA	\$856,698.00

Engineer's estimate is \$727,387.50

WHEREAS, It is the opinion of the Board that the bid be awarded to Koski Construction, Co., 5841 Woodman Ave., Ashtabula, OH 44004 as the lowest and best bid received in the amount of \$696,814.40; now

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

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 2020-147 DELEGATING CERTAIN DUTIES TO THE ASHTABULA COUNTY ADMINISTRATOR, PURSUANT TO OHIO REVISED CODE 305.30

The Board of County Commissioners of Ashtabula County, Ohio, met on the 31st day of March, 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, Kathryn L. Whittington, J. P. Ducro IV.

WHEREAS, pursuant to Ohio Revised Code 305.29, the Ashtabula County Board of Commissioners has appointed a County Administrator to perform various duties; and

WHEREAS, pursuant to Ohio Revised Code 305.30, the Board may thereafter confer upon a County Administrator the authority to perform various duties; and

WHEREAS, pursuant to this policy, will be in effect during only the period of the State of Ohio Emergency issued on March 9, 2020 or until December 1, 2020, if the period of the emergency continues beyond that date; and

WHEREAS, that pursuant to Ohio Revised Code Section 305.30, the County Administrator shall have the authority, without formal resolution of the Board, only when a quorum of the Board cannot be assembled or made available in a timely manner, as follows:

Contracts that involve expenditures of \$5,000 or less:

The County Administrator shall have full authority to execute any agreement, contract, lease, bid, or similar document not exceeding this monetary threshold without formal resolution of the Board, provided that all of the following apply:

- Does not run contrary to a formal resolution of the Board on the specific expenditure;
- Does not involve the purchase/handling of hazardous materials of a type not routinely handled by county personnel (e.g. asbestos, etc.);
- Represents an expenditure of a nature that was historically, customarily, or routinely presented to the Board;
- The necessary funds are available to complete the contract

Contracts that involve expenditures of more than \$5,000 but less than \$100,000:

The County Administrator shall have full authority to execute any agreement, contract, lease, bid, or similar document within this monetary range provided that all of the following apply:

- It involves an "urgent" matter requiring immediate attention, even though the situation may not rise to the level of a "disaster" or "emergency" as set out in divisions (E) and (F) of Revised Code Section 5502.21;
- Complies with competitive bidding as required by law;
- It is requested to be addressed as an urgent matter by a Department Head under the authority of this Board or a County Elected Official;
- For purposes of this section, an "urgent" matter is one that requires attention and action prior to the next regularly-scheduled meeting of the Board at which a quorum is likely to be available, and one that entails risk to individual or public safety if action is delayed;
- It does not run contrary to a formal resolution of the Board on the specific expenditure;
- The necessary funds are available to complete the contract;
- All necessary competitive bidding requirements have been met, as applicable.

Goods or services, not to exceed \$100,000:

The County Administrator shall have full authority to execute any agreement, contract, lease, bid, or similar document within this monetary range provided that all of the following apply:

- It involves an "urgent" matter requiring immediate attention, even though the situation may not rise to the level of a "disaster" or "emergency" as defined in divisions (E) and (F) of Revised Code Section 5502.21;

- It is requested to be addressed as an urgent matter by a Department Head under the authority of this Board, or a County Elected Official;
 - For purposes of this section, an "urgent" matter is one that requires attention and action prior to the next regularly-scheduled meeting of the Board at which a quorum is likely to be available, and one that entails risk to individual or public safety if action is delayed;
- It does not run contrary to a formal resolution of the Board on the specific expenditure;
- Complies with competitive bidding as required by law;
- The necessary funds are available to complete the payment as certified by the County Auditor;
- All competitive bidding requirements have been met, as applicable.

Specific personnel actions

The County Administrator shall have full authority to do all of the following:

- To, after consultation with the Human Resources Department, place employees under the employ of the Board on administrative leave when deemed advisable when the county administrator determines it is in the interest of public health and safety;
- To complete all documents necessary to the hiring, discipline, and/or the voluntary or involuntary termination of employees under the employ of the Board as may be necessary or consistent with a Board's decision/resolution on such matter.

Case of a "disaster" or "emergency", as defined in divisions (E) and (F) of Revised Code Section 5502.21:

The County Administrator shall have full authority to do all of the following:

- To enter into any contract, bid, lease or agreement of any nature, including for payment for goods received or services rendered if the cost of such contract does not exceed \$100,000 and is otherwise not prohibited by law when such a disaster or emergency exists; provided further that the action:
 - Is requested to be addressed in such manner by a Department Head under the authority of this Board, or a County Elected Official;
 - Does not run contrary to a formal resolution of the Board on the specific expenditure;
 - The necessary funds are available to complete the transaction/contract/payment.
- To order the evacuation and/or closing of any county building (s) or property, or portions thereof even when a "disaster" or "emergency" as defined in divisions (E) and (F) of Revised Code Section 5502.21, is not present when the Administrator determines it is in the interest of public health and safety
- To suspend access to any county building (s) or property to any or all county employees even when a "disaster" or "emergency" as defined in divisions (E) and (F) of Revised Code Section 5502.21, is not present when the Administrator determines it is in the interest of public health and safety

Miscellaneous Duties:

The County Administrator shall have full authority to do all of the following:

- To make budgetary adjustments, transfers, etc.
- Not to exceed \$100,000:
 - The Administrator shall have full authority to make any budgetary adjustments, transfers, certifications, advancements or funds, reimbursements and the like within this monetary range
 - Provided that:
 - It does not run contrary to a formal resolution of the Board on the specific matter;
 - It represents an adjustment, transfer, certification, advancement or funds, reimbursement or the like of a nature that was historically, customarily, or routinely presented to the Board;
 - It is requested to be addressed as an urgent matter by a Department Head under the authority of this Board or a County Elected Official;
 - For purposes of this section, an "urgent" matter is one that requires attention and action prior to the next

regularly scheduled meeting of the board at which a quorum is likely to be available, but poses imminent danger to individual or public safety if action is delayed;

- The necessary funds are available to complete the transaction, as determined by the Administrator.
- All competitive bidding requirements have been met, as applicable.

WHEREAS, the County Administrator shall, at the next meeting of the Board of Commissioners, give a report to the board which shall contain all of the following:

- The reasons necessary for declaring a disaster or that real or present emergency exists;
- All actions taken by the County Administrator;
- All contracts let with or without competitive bidding and the reasons for letting the contracts;
- All mutual aid rendered to or given by the employees of the Board;
- That the report of the County Administrator shall be entered into the minutes of the Board of County Commissioners.
- The Commissioners shall then approve or disapprove the actions taken by the County Administrator

THEREFORE, BE IT RESOLVED, By the Board of Commissioners of Ashtabula County, Ohio, that pursuant to Ohio Revised Code Section 305.30, the County Administrator shall have the authority, without formal resolution of the Board, only when a quorum of the Board cannot be assembled or made available in a timely manner, as outlined above.

BE IT FURTHER RESOLVED that the authority of the County Administrator to act under this resolution shall be suspended when a majority of the Board declares itself present and elects to assume and exercise the powers otherwise conferred upon the County Administrator. The suspension of this authority to act shall cease, and the County Administrator is again empowered to act, when a majority of the Board County Commissioners is no longer present and able to assume and exercise such powers.

BE IT FURTHER RESOLVED, this policy is in effect until the end of the State of Ohio Emergency issued on March 9, 2020 or until December 1, 2020, whichever occurs first.

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 2020-24FINA APPROVING FINANCIAL TRANSACTIONS FOR THE COUNTY

The Board of County Commissioners of Ashtabula County, Ohio, met on the 7th day of April, 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, 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:

PAYROLL CHANGES:

Rebecca L. Becker Administrative Assistant Grade: 5 Hourly: \$16.02
Eff. 4/8/20 Administrative Leave and 4/14/20 Lay Off

Appropriations	Fund	Total	Personal Svcs	Comment
Youth Services Grant	2371.011	\$ 799.00	\$ -	additional appropriation for workers comp
Common Pleas Special Projects	2131.009	\$24,663.00	\$ -	appropriation of tech grant
Sheriff	1001.008	\$ 4,585.00	\$ -	balance of insurance payment for car repair
Juvenile Court Special Projects	2133.011	\$10,934.00	\$ -	Appropriation of tech grant

DIRECT RELIEF BILLS:

Vouchers #2020-0000478 thru 2020-0000484 for Public Assistance and #2020-300020 thru 2020-300021 for WIA Invoices

BILLS:

COUNTY FUNDS SCHEDULE 14
ENGINEERS SCHEDULE 14E; 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 2020-23SEWA APPROVING SEWER AND WATER BUILDERS LICENSE FOR NORTH EAST SITE DEVELOPMENT, ACDES

The Board of County Commissioners of Ashtabula County, Ohio, met on the 7th day of April, 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, Kathryn L. Whittington, J. P. Ducro IV.

WHEREAS, In accordance with the Ashtabula County Sewer and Water regulations, the following Sewer and Water Builders' License has been presented to the Board for approval, to-wit:

- Purpose:** Constructing all sanitary sewer mains and appurtenances, sanitary laterals, water mains and appurtenances and water services thereto in the Ashtabula County Sewer and Water District.
- Bond:** \$10,000.00
- Bond Term:** March 10, 2020 thru December 31, 2020
- Contractor:** North East Site Development, 5718 N. Richmond Rd., Pierpont, OH 44082

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

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

RESOLUTION NUMBER 2020-24SEWA ORDERING BID FOR CLAY STREET WATERLINE IMPROVEMENTS, ARC FUNDED PROJECT, ACDES

The Board of County Commissioners of Ashtabula County, Ohio, met on the 7th day of April, 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, Kathryn L. Whittington, J. P. Ducro IV.

WHEREAS, a request has been submitted to the Board to order a Bid for the Clay Street Waterline Improvement Project; and

WHEREAS, the Engineers estimate for the project is \$570,000 for the base bid and \$840,000 for base and alternates; and

WHEREAS, Because the above request is estimated to be in excess of \$50,000.00, it is necessary to advertise for bids as required by Section 307.86 of the Ohio Revised Code in accordance with specifications now on file in this office; now

THEREFORE, BE IT RESOLVED, By the Board of Commissioners of Ashtabula County, Ohio, that a bid opening will be held on the 6th day of May, 2020 at 2:00 p.m. at the office of the Ashtabula County Commissioners and the Clerk of the Board is hereby ordered to advertise in the newspapers and post notice of said bid on the bulletin board as outlined above.

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.

Work sessions:

April 6, 2020 12:00 p.m. Topic: 2020 Budget via GoToMeeting

In Attendance: Casey Kozlowski, Kathryn Whittington, J. P. Ducro IV, Lisa Hawkins, Janet Discher, David Thomas, Tami Pentek, Cecilia Cooper, Barb Schaab, William Johnson, Dawn Cragon, David Schroeder, Dennis Bowman, Janice Switzer, Jake Brand, Richard Mongell, Andrew Misiak, Nathan Paskey, Jenna Hoyt, Andrew Holden, Dwight Bowden, Kate Rosales, Bill Anderson, Mike Fitchet, Jamie Ortiz, Lauren Davis, Lori Larson, Kathy Thompson, Brian Haytcher, Stephanie Wessell Invited but not in attendance: *Gary Yost, Thomas Harris, Pamela Lancaster, Harold Specht, Tim Martin, Charlie Frye, Debbie Newcomb, Kyle Butcher, Albert Camplese, Suzanne Westlake, Pam Bloom*

Lisa Hawkins, Clerk called the role, with attendees being stated above. Those in red were invited, but were not on the call or were not able to be heard. Commissioner Kozlowski opened the meeting and welcomed everyone. He stated the purpose of the meeting was to discuss the 2020 budget projected shortfall. Commissioner Whittington and Commissioner Ducro stated their appreciation for everyone's cooperation during this pandemic. The Commissioners are the budgeting authority and generally appropriate between \$22 to \$24 million, annually. The Commissioners fully appropriated the budget last month, prior to the COVID-19 crisis. Revenues to support the budget include: sales tax, property tax, casino revenues, among other revenues including interest income, revenue from services and grants. The County Administrator sent an email asking for new revenue projections from departments. A budget discussion was held last week where budget reduction options were discussed. The Auditor and Treasurer have both forecasted significant reductions in revenue. We will continue to monitor revenues, plan for the worst and hope for the best. There is no indication of funding from state or federal. Ms. Discher is interested to hear any feedback or questions from elected officials and department heads. The Commissioners will be reaching out to Elected Officials to have conversations about their individual budgets. Departments are asked to forward any budget thoughts to Janet Discher. The Board will make every effort to advocate state support to help local governments, including county, townships, villages, cities. He encourages your respective associations to do the same. The next step will be the Commissioners to meet individually with departments to have a budget conversation. Meeting adjourned at 12:29 p.m.

April 7, 2020 10:00 a.m. Topic: General Matters/Agenda Items

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

- ❖ Treasurer- the Treasurer has asked to be prepared to waive the fees for payments by financial transaction device for her department. An opinion has been received by the County Prosecutor relating to this matter. Decision: move forward with the Treasurer's request for her office only, with a time limit of the December 31, 2020. Lisa to check which departments are currently accepting.

❖ Miscellaneous

Resolution delegating Emergency authority to County Administrator. Lisa made the changes suggested by the County Prosecutor. Decision: ok for today's agenda.

Orwell Annexation- the process has been followed. Decision: yes to approve the annexation on today's agenda.

APL board- Edith Jonas asked if the Comrs. would send a letter of support to her being appointed to the Animal Protective League board. She would complete the APL board requirements after the fact. 813-6757. Kathryn will reach out to her.

Commissioner's office budget- reductions to the Commissioner's office budget are necessary to reach the required savings for this department. This would include a layoff of the Administrative Assistant effective 4/14/2020, and being on a paid administrative leave beginning April 8, 2020 to April 14, 2020. HR and her Supervisor to meet with them today. Decision: ok for today's agenda.

The Board is meeting with other officials and department heads. At next week's meeting, will start reducing the appropriations by the determined amounts.

❖ New/Old Business

Spire TIF- outside counsel

Ash. Growth CIC update- Larry Johnson – see proposal

Community Corrections/Jail Project

Pierpont Sewers

Financial Transaction payments – extended proposal date to May 29, 2020

Committee Reports: none

ADJOURNMENT:

The President and Clerk of the Board hereby certify that this is a true and accurate record of the minutes of the April 7, 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

OF

CLERK

ASHTABULA COUNTY