

REGULAR SESSION OF THE ASHTABULA COUNTY BOARD OF COMMISSIONERS

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

July 23, 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 2019-255 AUTHORIZING THE FILING OF AN APPLICATION TO THE BUREAU OF WORKERS COMPENSATION FOR INCLUSION IN THE RETROSPECTIVE RATING PLAN, POLICY YEAR EFFECTIVE 2020

The Board of County Commissioners of Ashtabula County, Ohio, met on the 23rd day of July, 2019, 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: J. P. Ducro IV, Casey R. Kozlowski, Kathryn L. Whittington.

WHEREAS, The Bureau of Workers Compensation offers a program to employers known as The Retrospective Rating Plan which allows an employer to assume a portion of the financial claim liabilities (risk) for on-the-job injuries in return for a possible reduction in Workers Compensation premiums; and

WHEREAS, the Plan is designed to allow employers to customize the Plan to control the amount of risk assumed and the potential savings by selecting a maximum premium and maximum claims costs the employer is willing to pay. The greater the assumed risk, the greater the potential reduction in premiums; and

WHEREAS, Ashtabula County desires to apply to the Bureau of Workers Compensation for inclusion in the Retrospective Rating Plan establishing a claim limit of \$300,000 per claim and a 200% maximum premium; and

WHEREAS, Ashtabula County was included in the Retrospective Rating Plan since the year 2005 and has demonstrated consistent claims history and implemented proven safety practices which has greatly benefited Ashtabula County; now

THEREFORE, BE IT RESOLVED, By the Board of County Commissioners of Ashtabula County, Ohio, that the Board authorizes itself to make application to the Ohio Bureau of Workers Compensation for inclusion in the Retrospective Rating Plan for Ashtabula County for the policy year effective 2020.

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

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

Whereupon the resolution was declared passed unanimously.

RESOLUTION NUMBER 2019-256 APPROVING AMENDMENT TO RESOLUTION 2018-123 FOR ASSIGNED COUNSEL FEES FOR CRIMINAL WORK FOR INDIGENT DEFENDANTS, ASHTABULA COUNTY

The Board of County Commissioners of Ashtabula County, Ohio, met on the 23rd day of July, 2019, 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: J. P. Ducro IV, Casey R. Kozlowski, Kathryn L. Whittington.

WHEREAS, On January 12, 1976 the Board of Ashtabula County Commissioners adopted a resolution to pay assigned counsel for criminal work for indigent defendants in Ashtabula County; and

WHEREAS, Subsequently, said Board did amend this resolution on January 27, 1986 by Resolution No. 86-102, on December 18, 1995 by Resolution No. 95-1688; on May 23, 1996 by Resolution No. 96-667 and on October 4, 2005 by Resolution No. 2005-801; on August 23, 2016 by Resolution No. 2016-2017; on September 20, 2016 by Resolution No. 2016-241; on August 8, 2017 by Resolution No.2017-225; and on April 17, 2018 by Resolution No. 2018-123; and

WHEREAS, the Resolution needs to be amended to decrease the submission date from 6 months to 60 days and remove the penalty section; and

WHEREAS, all other terms and conditions outlined in the resolution remain unchanged and in effect; and

1. Timely Submission:

- a. All fee schedules must be submitted to the Commissioners' Office along with all required documentation no later than 30 days after the disposal date and/or in pending cases, 30 days from the last date of service. If the necessary documentation is not received within the 30 day time frame, it will be considered late and the County will not be reimbursed by the State of Ohio. Any amounts not reimbursed by the State of Ohio for the reasons listed above, will be deducted from amounts payable to the Assigned Counsel.
- b. Necessary documentation includes: completed Assigned Counsel form- (including signatures of all interested parties), the most recent Affidavit of Indigency form- (must be signed by Judge or notarized) all forms pertaining to case, (i.e. Judgment Entry form, if case is over maximum fees allowed) and any incurred expenses with copies of receipts or invoices attached.
- c. When an attorney withdraws or is removed from a case, the fee schedule must be submitted to the Commissioners' Office along with all required documentation no later than 30 days after the date the attorney withdrew or was removed.
- d. Any and all submissions for payment made **60 days** after the case closing date shall not be reimbursed by the County. **All decisions are final.**

2. General Provisions:

Reimbursement to the Assigned Counsel will be based on the most serious offense with which the defendant is charged. This must be clearly marked on the Assigned Counsel form when submitted. **There will need to be one (1) copy of the Assigned Counsel form included with the original form and submitted to the Ashtabula County Commissioners for processing.** If a copy of the original form is not attached, the original Assigned Counsel form will be returned, resulting in a delay of processing.

3. Trial Level Proceedings:

- a. Reimbursement for representation will be made based on the maximum rate of \$50.00 per hour for out-of-court services and \$60.00 per hour for in-court services.
- b. Reimbursement for social workers (non-attorneys) appointed as guardian ad litem in juvenile proceedings will be made based on the maximum of \$25.00 per hour for both out-of-court and in-court proceedings.
- c. Maximum fees permitted in trial level proceedings are:

Offense/Proceeding

Fee Maximum

Aggravated Murder (w/specs) as per O.R.C. 2929.04(A) and 2941.14(B)	\$75,000*
--	-----------

*Ohio Supreme Court Rule 65 of the Rules of Superintendence of the Common Pleas Courts requires the appointment of two (2) attorneys in capital cases. This is the maximum fee that will be paid on the combined bills of both attorneys appointed in the case.

Aggravated Murder (w/o specs)	\$8,000/1 attorney \$10,000/2 attorneys
-------------------------------	--

Murder	\$5,000
--------	---------

Felonies (degrees 1-3)	\$3,000
------------------------	---------

Felonies (degrees 1-4)	\$2,500
------------------------	---------

Misdemeanors (degrees 1-4)	\$1,000
----------------------------	---------

Parole, Probation, and all other proceedings not elsewhere classified	\$500
--	-------

Contempt of Court	\$300
-------------------	-------

Effective 7/1/96:

Felonies (degrees 1-3)	\$2,000
------------------------	---------

Felonies (degrees 4 & 5)	\$1,500
--------------------------	---------

- d. Reimbursement for guilty or no contest pleas will be made based on the maximum rate of \$50.00 per hour for out-of-court services and \$60.00 per hour for in-court services up to the prescribed maximums for each classification.

4. Juvenile Proceedings

- a. Reimbursement for representation of juvenile proceedings will be made based on the maximum rate of \$50.00 per hour for out-of-court services and \$60.00 per hour for in-court services.
- b. Reimbursement for social workers (non-attorneys) appointed as guardian ad litem in juvenile proceedings will be made based on the maximum rate of \$25.00 per hour for both out-of-court and in-court services.
- c. In abuse, dependency, and neglect cases, both the attorney and the guardian ad litem are entitled to bill the maximum fee allowed by the county for the initial disposition hearing and each subsequent review hearing before the court.
- d. The prescribed maximum fees permitted in juvenile proceedings:

<u>Offense/Proceeding</u>	<u>Fee Maximum</u>
All proceedings, including guardian ad litem	\$1,000

5. Appellate Level Proceedings

- a. Reimbursement for representation in appellate level proceedings not involving a death sentence shall be made based on the maximum rate of \$50.00 per hour for out-of-court and \$60.00 in-court services.
- b. Reimbursement for representation of appellate level proceedings involving a death sentence will be made based on the maximum rate of \$95.00 per hours for **both** out-of-court and in-court services.
- c. The prescribed maximum fees permitted in appellate level proceedings are listed below. The rate applies to each level of appeal.

<u>Offense/Proceeding</u>	<u>Fee Maximum</u>
Aggravated Murder (death penalty imposed)	\$25,000*

Aggravated Murder (sentence other than death)	\$5,000
---	---------

Murder	\$3,000
--------	---------

Felonies	\$1,500
Misdemeanors	\$1,000
Other/Juvenile	\$1,000

Ohio Supreme Court Rule 65 of the Rules of Superintendence of the Common Pleas Courts required the appointment of two (20 attorneys in capital cases. This fee is the maximum that will be paid on the combined bills of both attorneys appointed in the case.

6. Post-Conviction and Habeas Corpus Proceedings

- a. Reimbursement for post-conviction and state habeas corpus proceedings not involving a death sentence will be made based on the maximum rate of \$50.00 per hour for out-of-court and \$60.00 per hour for in-court services.
- b. The prescribed maximum fees permitted in post-conviction and habeas corpus proceedings not involving a death sentence are:

<u>Offense/Proceeding</u>	<u>Fee Maximum</u>
Post-Conviction Proceeding with Evidentiary Hearing	\$1,500
Post-Conviction Proceeding without Evidentiary Hearing	\$750
Habeas Corpus with Evidentiary Hearing	\$1,500
Habeas Corpus without Evidentiary Hearing	\$750

- c. Reimbursement for post-conviction and state habeas corpus proceedings involving a death sentence shall be made based on the maximum rate of \$95.00 per hour for both out-of-court and in-court services to a maximum of \$25,000 for each stage of the post-conviction or habeas corpus proceeding.

7. Extraordinary Fees

Cases eligible for extraordinary fees are cases which, because of extraordinarily complex issues, multiple offenses, lengthy trials, or other reasons, warrant compensation at a rate which exceeds the maximums established above. In such cases, the county will authorize such fees only under the following conditions:

- a. Such extraordinary fees must be clearly documented in the appropriate sections on the Motion, Entry and Certification form.
- b. The Judge presiding over the case must indicate approval of the extraordinary fees by checking the appropriate box on the Motion, Entry and Certification form and attaching a journal entry certifying the appropriateness of such fees and the amount of such fees to be paid.

8. Expenses

Ashtabula County will reimburse certain expenses reasonably related and necessary to the defense of an indigent client pursuant to Ohio Revised Code Section 120.04(B)(10). These expenses include travel, transcripts, expert services, and certain other miscellaneous expenses. All expense reimbursement is subject to the following general rules:

- a. Expenses must be approved by the appointing court.
- b. All expenses must be itemized on the proper form. Expenses which exceed \$1.00 must be accompanied by a receipt, except for road tolls, bus, boat, ferry and subway service.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Commissioners of Ashtabula County, Ohio, that the above amended fee schedule for assigned counsel for criminal work for indigent defendants in Ashtabula County, is hereby adopted, as outlined above; and

BE IT FURTHER RESOLVED, That said resolution supersedes and nullifies any previous resolution setting forth such fees and regulation of same; and

BE IT FURTHER RESOLVED, That a certified copy of this Resolution be forwarded to the Office of the Ohio Public Defender, all courts within Ashtabula County, the Ashtabula County Bar Association, and the Ashtabula County Public Defender.

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

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

RESOLUTION NUMBER 2019-257 REMOVING AND APPOINTING MEMBERS TO THE ASHTABULA COUNTY LOCAL EMERGENCY PLANNING COMMITTEE (LEPC)

The Board of County Commissioners of Ashtabula County, Ohio, met on the 23rd day of July, 2019, 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: J. P. Ducro IV, Casey R. Kozlowski, Kathryn L. Whittington.

WHEREAS, In accordance with Ohio Revised Code Section 3750.03, the Board of Commissioners shall appoint members to serve on the Local Emergency Planning Committee (LEPC); and

WHEREAS, the following persons need to be removed:

Dale Arkenburg, Keith Buell

WHEREAS, the following persons need to be appointed:

<u>Name</u>	<u>Category</u>	<u>Name</u>	<u>Category</u>
Tim Parks	Fire Dept.	J.P. Ducro IV	Elected Official
Melissa Papini	Community Group	Will Shields	Safety/Environmental
Tim Settles	EMA	Kurt Kollar	Environmental
Don Zimmerman	Hospital	Alicen Limestoll	EMA
Larry Lindrose Jr	Industry	Dennis Madorma	Industry
Tom Steele	Fire	Anthony Bernato	Fire
Ron Fenton	Law	Mike Fitchet	EMA
Debbie Riley	EMA	Richard Mongell	Coroner
Raymond Saporito	Health	Jennifer Cleveland	Health
Renee Palagyi	Community Group	Steve Hayes	Industry
Fred Leitert	Other	Chad Kendzerski	Other
Tim Zee	Other	Kenna Coltman	Other
Shawn Gruber	Fire	Tom Steib	Industry
Joseph Flahiff	Other	Doug Starkey	Other

WHEREAS, LEPC for a term commencing August 1, 2019 and continuing until August 1, 2021; now

THEREFORE, BE IT RESOLVED, By the Board of Commissioners of Ashtabula County, Ohio, that the persons listed above are hereby removed and appointed to the Ashtabula County Local Emergency Planning Committee as outlined above.

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

RESOLUTION NUMBER 2019-49FINA APPROVING FINANCIAL TRANSACTIONS FOR THE COUNTY

The Board of County Commissioners of Ashtabula County, Ohio, met on the 23rd day of July, 2019, 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: J. P. Ducro IV, Casey R. Kozlowski, Kathryn L. Whittington.

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- BUILDING DEPT.:

Stephen B. Miller Certified Inspector 1 Hired: 7/22/19 \$25.17 replacement hire

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 30TN

<u>Appropriations</u>	<u>Fund</u>	<u>Total</u>	<u>Personal Svcs</u>	<u>Comment</u>
Northern Border Grant	2651.008	\$ 7,390.00	\$ 6,151.00	appropriations for grant
WCC Special Projects	2105.014	\$ 1,000.00	\$ -	appropriations for equipment
Permanent Improvements	4002.001	\$ 30,000.00	\$ -	appropriations for contract repairs

DIRECT RELIEF BILLS:

Vouchers #2019-02592 thru 2019-02620 for Public Assistance and #2019-20349 thru 2019-20350 for Child Support Invoices

BILLS:

COUNTY FUNDS SCHEDULE 30
ENGINEERS SCHEDULE 30E; 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: Whittington moved the adoption, Kozlowski seconded. **DISCUSSION:** None

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

Whereupon the resolution was declared passed unanimously.

RESOLUTION NUMBER 2019-50FINA OF NECESSITY FOR THE RENEWAL OF AN EXISTING 0.6 MILL LEVY AND REQUESTING THE ASHTABULA COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION, ASHTABULA COUNTY BOARD OF MENTAL HEALTH AND RECOVERY SERVICES, PURSUANT TO OHIO REVISED CODE §5705.03

The Board of County Commissioners of Ashtabula County, Ohio, met on the 23rd day of July, 2019, 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: J. P. Ducro IV, Casey R. Kozlowski, Kathryn L. Whittington.

WHEREAS, the Board of County Commissioners of Ashtabula County, Ohio, determines that it is necessary to levy a tax outside the ten-mill limitation; and

WHEREAS, before seeking to have a levy approved by the electors of Ashtabula County, the Board of County Commissioners must seek the certification of the Ashtabula County Auditor in compliance with Section 5705.03 of the Ohio Revised Code, submitted for the General election held on November 5, 2019.

THEREFORE, BE IT RESOLVED, that the Ashtabula County Auditor is hereby requested to certify to the Board of County Commissioners:

1. The total current tax valuation of Ashtabula County, and
2. The dollar amount of revenue that would be generated by 0.6 mills.

BE IT FURTHER RESOLVED that the purpose of the proposed tax is current operating expenses of the Ashtabula County Mental Health and Recovery Services Board and is for five years commencing and appearing on the tax list for the years 2020 through 2024 first due in calendar year 2021.

Such tax is authorized to be submitted to a vote of the electors of Ashtabula County, pursuant to Ohio Revised Code Section 5705.19, 5705.192, and 5705.221, and which shall be:

A renewal of an existing levy of 0.6 mills.

BE IT FURTHER RESOLVED that the Ashtabula County Auditor is requested to issue the certification within ten days after receiving this Resolution.

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

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

RESOLUTION NUMBER 2019-51 FINA OF NECESSITY FOR THE RENEWAL OF AN EXISTING 2-MILL LEVY AND REQUESTING THE ASHTABULA COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION, ASHTABULA COUNTY DEVELOPMENTAL DISABILITIES BOARD (DD), PURSUANT TO OHIO REVISED CODE §5705.03

The Board of County Commissioners of Ashtabula County, Ohio, met on the 23rd day of July, 2019, 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: J. P. Ducro IV, Casey R. Kozlowski, Kathryn L. Whittington.

WHEREAS, the Board of County Commissioners of Ashtabula County, Ohio, determines that it is necessary to levy a tax outside the ten-mill limitation; and

WHEREAS, before seeking to have a levy approved by the electors of Ashtabula County, the Board of County Commissioners must seek the certification of the Ashtabula County Auditor in compliance with Section 5705.03 of the Ohio Revised Code, submitted for the General election held on November 5, 2019.

THEREFORE, BE IT RESOLVED, that the Ashtabula County Auditor is hereby requested to certify to the Board of County Commissioners:

1. The total current tax valuation of Ashtabula County, and
2. The dollar amount of revenue that would be generated by 2.00 mills.

BE IT FURTHER RESOLVED that the purpose of the proposed tax is for current operating expenses of the Ashtabula County Board of Developmental Disabilities and is for seven years commencing and appearing on the tax list for the years 2019 through 2025 first due in calendar year 2020.

Such tax is authorized to be submitted to a vote of the electors of Ashtabula County, pursuant to Ohio Revised Code Section 5705.19 and 5705.222, and which shall be:

A renewal of an existing levy of 2.00 mills.

BE IT FURTHER RESOLVED that the Ashtabula County Auditor is requested to issue the certification within ten days after receiving this Resolution.

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

RESOLUTION NUMBER 2019-52FINA REQUESTING THE BOARD OF ELECTIONS TO SUBMIT TO THE ELECTORS OF THE LIBRARY DISTRICT OF THE ASHTABULA COUNTY DISTRICT LIBRARY THE QUESTION OF AN ADDITIONAL TAX IN EXCESS OF THE TEN MILL LIMITATION

The Board of County Commissioners of Ashtabula County, Ohio, met on the 23rd day of July, 2019, 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: J. P. Ducro IV, Casey R. Kozlowski, Kathryn L. Whittington.

WHEREAS, the Board of Trustees of the Ashtabula County District Library, Ashtabula, Ohio (the "Library"), is a board of library trustees appointed and described pursuant to Section 3375.22 of the Ohio Revised Code, subject to the jurisdiction of the Board of Commissioners, Ashtabula County, Ohio, (the "Library Taxing Authority"), and has passed a resolution requesting this Board, as the taxing authority for said Library, to place the question of an additional tax levy for a continuing period at a rate not exceeding 0.25 mills for each one dollar of valuation for the purpose of technology upgrades, constructing, repairing, maintain and furnishing library buildings of the Ashtabula County District Library on the ballot at the November 5, 2019 General Election; and

WHEREAS, the Ashtabula County Auditor has certified that such tax will generate \$222,239 during the first year of collection, based on the current assessed valuation of the Ashtabula County District Library Service Area of \$935,743,870; and

WHEREAS, the amount of taxes which may be raised within the ten mill limitation will be insufficient for the purpose of technology upgrades, constructing, repairing, maintaining and furnishing library buildings; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of the County of Ashtabula, State of Ohio, that hereby levy an additional tax under Ohio Revised Code, Section 5705.03 and 5705.23, two-thirds of all members elected thereto concurring:

Section 1. The amount of taxes which may be raised within the ten-mill limitation by levies on the current tax duplicate will be insufficient to provide an adequate amount for the necessary requirements of the Library and it is necessary to levy an additional 0.25 mill tax in excess of such limitation for the purpose of technology upgrades, constructing, repairing, maintain and furnishing library buildings.

Section 2. The question of such tax levy shall be submitted to the electors of the Ashtabula County Library District at the election to be held therein on November 5, 2019.

Section 3. Such tax levy shall be for a continuing period of time at a rate not exceeding 0.25 mills for each one dollar of valuation, which amounts to \$0.25 for each one hundred dollars of valuation.

Section 4. Such tax levy shall be placed upon the tax list and duplicate for the current tax year, beginning 2020 for a continuing period of time, if a majority of the electors voting thereon vote in favor thereof.

Section 5. This Board finds, determines and declares that the levy of the tax, if approved by the electors, is necessary to the proper furnishing and rendering of free public library services in the Ashtabula County District Library for the residents of the Ashtabula County District Library service area.

Section 6. That the Clerk of the Board of Commissioners of Ashtabula County, acting on behalf of the Board, is hereby directed to certify a copy of this resolution to Board of Elections of Ashtabula County, Ohio not later than August 7, 2019.

Section 7. This Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of this resolution were taken in an open meeting of this Board and of any of its committees that resulted in such formal action were in meetings that were open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

MOTION: Kozlowski moved the adoption, Whittington seconded. **DISCUSSION:** None
VOTE: Yeas: Ducro, Kozlowski, Whittington Nays: None Abstained: None Absent: None

Whereupon the resolution was declared passed unanimously.

Public Participation:

Nopec rep attended to present Lisa Hawkins, Clerk the Nopec Recognition Program Honor Award. Tom Underwood attended to discuss projects with Ashtabula County and outside areas. He stated the gas line will be a big boost in this area with gas lines and Lake Erie.

Work sessions:

July 22, 2019 10:30 a.m. Topic: County Home

In Attendance: J. P. Ducro IV, Casey Kozlowski, Kathryn Whittington, Lisa Hawkins, Phil Coury, Connie Eyman, Bob Nedrich

Received 3 quotes for parking lot improvements. Koski Construction Co., Wilkinson Paving & Excavating, Inc. and Pro Paving as the lowest at \$15,100. Phil will ask Pro Paving to state which part is the common driveway, so Commissioner Kozlowski can reach to AMHA to see if they will contribute.

Census is strong. Will look at increasing private pay rates, as it has been some time since that has happened. Working on agreement with Kent State for RN's to do clinical's there in September. Knoedler students are there. Internally are doing an employee recognition program. Pins- "I make a Difference". John Mead is working 2 days a week. The County Home like to have 3 days. Set up Executive Session for pending litigation as soon as possible. August 19 is the family picnic. Landscaper has started work removed fencing. There is an idea for concrete walkway to be leveled. A-1 can raise the concrete pads at a cost of \$9,000. The vehicles have been removed. Admission/Marketing position is open. Resident Council meets weekly with Connie Eyman to address issues. There will be a feedback card when persons are discharged.

Need to set up an Executive Session regarding Pending Litigation.

July 23, 2019 10:00 a.m. Topic: General Matters/Agenda Items

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

- ❖ Dawn Gates- CHIP Release of Lien, Audry Brooks passed away, the 20% left is being paid back by her heirs. Subordination agreement for Ann Stevens, has medical issues which require home improvements, which requires a loan on her home, and requires subordination.
- ❖ Airport Road Establishing and Vacating: received a letter from Engineer stating the vacation would adversely motor vehicle traffic. Decision: begin the process.
- ❖ Miscellaneous
 - Case Ave. Road viewing on Thursday- reminder
 - Indigent Defense amendment (on today's agenda)
 - 3 levies on today's agenda
- ❖ Schedule:
 - Drainage/Ditching- work session w/Janice & Tom Partridge 7/30-move to 2nd week in august
 - Exec Session w/Nursing Home? -try to schedule on 7/30
- ❖ Old Business
 - Fair Board lease
- ❖ Committee Reports: none

July 25, 2019 11:00 a.m. Topic: Ashtabula Co. Department of Job and Family Services

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

- a. Budget:
- i. As of today, ODJFS has awarded allocations for APS, Child, Family & Adult (line 533) and Social Services Operating in the amount of \$260,636 (an increase of \$17,987); and \$232,067 in the CSEA Fund for State Match (a decrease of \$286). They have not yet awarded amounts for Medicaid Enhanced State Match and Income Maintenance/Medicaid Income Maintenance.
- ii. Gallia County transfer has not yet been completed.
- b. Transit:
- i. Richmond Transportation made a complaint they were not getting the correct amount of rides. The agency feels they are. Patrick to wait for further comments.
- ii. Discussion and thoughts on addendum
 - The Clemans Nelson study is underway. The Director is in the process of reviewing and signing-off on all of them.
- c. Income Maintenance:
- i. The Federal government has put pressure on the State to clean up the Medicaid backlog. We in turn are now being pressured to do the same. The Director has authorized OT to get it cleaned up quickly. The agency incurred a backlog of Medicaid cases from the creation of the Ohio Benefits system and the Medicaid expansion in 2014.

- d. APS: Received a complaint from the ACCOA regarding handyman services at a gentleman's home. He doesn't want assistance.
- i. Senior Levy: The Board voted, and I agreed, to spend part of our carry-over funds to eliminate client wait lists; specifically, the home delivered meals program with CNP (\$23k) and to investigate personal care with ARHH (\$23k). I directed CNP to bill us under their current contract. We should expect a larger request from them for next year at least; analyzed on a year-to-year basis after that. The ARHH issue warrants further discussion in September. Additionally, we voted to give Feed the Hope \$10k.
- ii. We are still good for a May 2020 levy date.
- e. The CSEA coloring contest is in full-swing. I anticipate knowing who the winners are by 8/14. Thank you for donating bikes again.
- f. Items of interest:
- i. Reminder: ODJFS State Director Kimberly Hall has confirmed attendance at our NorthCoast Director's meeting on August 16th @ the Geneva Lodge, 11 am. Any of you are welcome to attend if interested; KLV is confirmed. Agenda will go out soon.
- g. Monthly Division/Contract reports were attached in email.

July 25, 2019 10:00 a.m. Topic: Water/Sewer

In Attendance: J. P. Ducro IV, Casey Kozlowski, Kathryn Whittington, Janet Discher, Nick Sanford, Leslie Gordon, Phil Tate

Department Administration

1. Forthcoming Resolution Requests

- a. (Pending) Easement Agreement for a private sanitary sewer to become public, Austinburg Twp.

2. Ashtabula County Regional Water & Sewer Initiative

- a. Awaiting confirmation of date/time to meet with Ashtabula City
- b. Suggest exploring formation of regional district with southern entities

3. Meadowood Allotment Sanitary Sewer Extension – Progress

- a. Ongoing issues with final site restoration; Engineer is drafting enforcement action correspondence to be referred to the Prosecutor's office.
- b. Tie-ins are ongoing
- c. Final Assessments: \$3,750.01 per lot; 2% maintenance fee by Auditor's office

4. Coffee Creek WWTP Improvements

- a. Design loan agreement through Ohio EPA pending review by Ohio Water Development Authority
- b. Estimated cost: \$2,775,000; \$1,000,000 committed by OPWC effective 7/1 pending execution of funding agreement.
- c. Project outcome: increase capacity of existing plant by a factor of 1.8 to accommodate increased development in Austinburg area.

5. Pierpont Township Sewer Planning

- a. State Biennial budget has appropriated \$1.5M to Pierpont Township for water/sewer activities
- b. Meeting with chair of revitalization committee with Director Switzer on 7/26 to discuss next steps
- c. ACDES to ascertain how the funding is to be conveyed to the County for administration of the proposed project, if the Board determines a necessity.
- d. ACDES likewise to distribute interest surveys to the proposed affected property owners.
- e. General Plan document submitted to the Ohio EPA in June; district office has technical questions with respect to proposed effluent quality and the East Branch of the Ashtabula River pending written submission.

6. Ashtabula County Port Authority – Plant C

- a. Continue to assist ACPA and their contractors in any advisory capacity relative to watermain replacement.
- b. Contract to expire at end of year; ACPA and ACDES seek to forge a new agreement moving forward.
- c. Anticipate integrating mainline distribution system maintenance into new scope of services.

Construction Projects

- 1. OPWC Round 32: 2018

- a. Harpersfield – SR-534 System Valve Replacement at I-90 Interchange. Funding Agreement executed in July 2018, ACDES in process of procuring materials (valves and appurtenances) and will issue an RFP for labor services by local contractors.
 - b. Saybrook – Lift Station Improvements: Submitted list of items to be publicly bid by trade (i.e. mechanical, electrical, structural)
2. 2” Waterline Replacement Projects (ongoing)
- a. Locust Drive, Saybrook
 - b. Chestnut Drive, Saybrook (both connected to the recent Country Club Allotment Waterline Project)
 - c. Linwood Drive, Saybrook
3. Roof Replacement Projects (ongoing)
- a. Holiday Camplands WWTP, Andover
 - b. Northern Beach Water Booster Station, Saybrook
 - c. Mineral Springs Water Booster Station, Plymouth

July 25, 2019 3:00 P.m. Topic: Case Avenue Road Viewing in Andover Township

In Attendance: J. P. Ducro IV, Casey Kozlowski, Kathryn Whittington, Lisa Hawkins, Glenn Day, Joe Dibell, Bill Groff (Trustee), Julie Day, Bill French (Trustee), Tom Partridge, Curt Williams

The Board viewed the area proposed to be established. Two small maps of the area were presented to the Board for the record. There will be a public hearing held on August 20, 2019 at 2:00p.m. in the Commissioners Conference Room.

ADJOURNMENT:

The President and Clerk of the Board hereby certify that this is a true and accurate record of the minutes of the July 23, 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

COMMISSIONERS

OF

CLERK

ASHTABULA COUNTY