

REGULAR SESSION OF THE ASHTABULA COUNTY BOARD OF COMMISSIONERS

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

September 17, 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 2019-312 ORDERING PUBLICATION AND BIDS FOR HOT MIX ASPHALT RESURFACING PROJECT ON BROWN ROAD, DENMARK TWP., ENGINEER'S DEPT.

The Board of County Commissioners of Ashtabula County, Ohio, met on the 17th day of September, 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, Tom Partridge, Chief Deputy Engineer of the Engineer's Department, has submitted a request to this Board for the publication and solicitation of competitive bids during the 2018 season, as follows:

HOT MIX ASPHALT RESURFACING:

Brown Road, (CH 2 A-B) 2.20 miles

Total Engineer's Estimate: \$278,247.50

Publication: September 20, 2019

Bid Opening: October 4, 2019 10:00 a.m.

THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Ashtabula County, Ohio, that the bid for Hot Mix Asphalt Resurfacing be ordered, with the bid opening being held at the office of the Ashtabula County Engineer at the date and time listed above. 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: Kozlowski moved the adoption, Whittington seconded. **DISCUSSION:** None

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

Whereupon the resolution was declared passed unanimously.

RESOLUTION NUMBER 2019-313 AUTHORIZING AMENDMENT TO THE COMMUNITY SERVICES BLOCK GRANT (CDBG) AGREEMENT WITH THE OHIO DEVELOPMENT SERVICES AGENCY FOR PY 2017

The Board of County Commissioners of Ashtabula County, Ohio, met on the 17th day of September, 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, Janice Switzer, Director of Community Services & Planning, has presented the following Amendment to that Agreement for the approval of this Board; to-wit:

Amendment Purpose: to extend the grant period as follows:

Work Completion Date: October 31, 2019
Draw Date: November 30, 2019
Grant Completion Date: December 31, 2019

WHEREAS, the amendment has been reviewed and it is found that such an amendment would be desirable and is necessary; now

THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Ashtabula County, Ohio that an amendment be made as outlined above in accordance with a copy of said amendment on file in this office.

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

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

Whereupon the resolution was declared passed unanimously.

RESOLUTION NUMBER 2019-314 APPROVING GRANT AGREEMENTS WITH THE OHIO DEVELOPMENT SERVICES AGENCY FOR COMMUNITY HOUSING IMPROVEMENT PROGRAMS (CHIP)- LOW AND MODERATE INCOME (LMI) HOUSING TRUST FUND; HOME INVESTMENT PARTNERSHIPS PROGRAM; AND STATE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG), COMMUNITY SERVICES & PLANNING DEPARTMENT

The Board of County Commissioners of Ashtabula County, Ohio, met on the 17th day of September, 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, Janice Switzer, Director of the Community Services and Planning Department has presented three (3) grant agreements for the Community Housing Improvement Program for the approval of the board, to-wit:

Program: Community Housing Improvement Program,
Low and Moderate Income (LMI) Housing Trust Fund
Award Amount: \$100,000.00

Program: Community Housing Improvement Program
Home Investment Partnerships Program
Award Amount: \$784,000.00

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Program: Community Housing Improvement Program
State Community Development Block Grant (CDBG) Program
Award Amount: \$466,000.00

Provider: Ohio Development Services Agency, 77 S. High ST., PO Box 1001, Columbus, OH 43216

Description: Ashtabula County will assist 30 households; Rental Home Repair assisting 2 households; and Private Rehabilitation assisting 18 households. Total of \$1,350,000

Term: Retroactive to September 1, 2019 ending December 31, 2021

WHEREAS, The grant agreements have been reviewed by this Board and are deemed to be beneficial to low/moderate income residents of Ashtabula County; now

THEREFORE, BE IT RESOLVED, By the Board of Commissioners of Ashtabula County, Ohio, that the grant agreements with the Ohio Development Services Agency for the Community Housing Improvement Program are approved in accordance with the copies of said grant agreement now on file in this office.

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

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

Whereupon the resolution was declared passed unanimously.

RESOLUTION NUMBER 2019-315 APPROVING QUARTERLY SCHEDULE FOR REGIONAL EVENING MEETINGS OF THE ASHTABULA COUNTY BOARD OF COMMISSIONERS

The Board of County Commissioners of Ashtabula County, Ohio, met on the 17th day of September, 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 August 5, 1998, Section 305.06 of the Ohio Revised Code was changed to allow the Board of Commissioners to hold regular sessions of the Board at a location in the county other than the office provided for the Board in the County Seat; and

WHEREAS, since that change in the law, the Board of Commissioners has decided to hold regular meetings in various locations throughout the county in order to be more accessible to all citizens; and

WHEREAS, below is a list of the place, time and date for the 4th quarter meetings for calendar year 2019:

| | |
|--------------------------|--|
| October 29, 2019 | N. Kingsville Village, 3541 E. Center St., Kingsville, OH 44030 |
| November 19, 2019 | Denmark Twp. @ Bulah Calvary United Methodist Church, 2070 SR 19 North, Jefferson, OH 44047 |
| December 17, 2019 | Hartsgrove Twp., 5321 SR 534 South, Rome, OH 44085 |

WHEREAS, all meetings will begin at 6:30 p.m. with a public comment period, and the Agenda portion of the meeting will begin promptly at 7:00 p. m.; and

WHEREAS, the Board welcomes and strongly encourages members of the general public to attend these meetings; now

THEREFORE, BE IT RESOLVED, By the Board of Commissioners of Ashtabula County, Ohio that we do hereby approve the schedule for the fourth quarter of regional evening meetings for calendar year 2019.

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

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

Whereupon the resolution was declared passed unanimously.

RESOLUTION NUMBER 2019-316 APPROVING PROPOSAL WITH CLEMANS, NELSON & ASSOCIATES, INC. FOR REVISIONS TO ASHTABULA COUNTY'S PERSONNEL POLICY AND PROCEDURES MANUAL

The Board of County Commissioners of Ashtabula County, Ohio, met on the 17th day of September, 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, a Proposal has been presented for the approval of the Board, to-wit:

Scope: Revise the Ashtabula County's Personnel Policy and Procedures Manual

Provider: Clemans, Nelson & Associates, Inc., 485 Metro Place S., Ste. 200, Dublin OH 43017-5333

Term: begins upon signing

Cost: **Not to Exceed:** \$6,500.00; now

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

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

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

Whereupon the resolution was declared passed unanimously.

RESOLUTION NUMBER 2019-317 APPROVING EQUIPMENT PURCHASE AND MAINTENANCE AGREEMENT WITH XEROX CORPORATION FOR COPIER FOR ASHTABULA COUNTY LAW LIBRARY

The Board of County Commissioners of Ashtabula County, Ohio, met on the 17th day of September, 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, Shara Parkomaki, Law Library Director, has presented a purchase agreement for the Board's approval, to-wit:

Provider: Northeast Office Equipment, Inc. DBA NE Ofeq Jkc
1520 West 13th Street Ashtabula, OH 44004

Equipment: 1 copier, Model No. C7020S2

Cost: \$4,619.00 for copier and \$780 for 60 months of maintenance, beginning upon signing

WHEREAS, The Board has reviewed and concurs with the purchase of the copier for the Ashtabula County Law Library; now

THEREFORE, BE IT RESOLVED, By the Board of Commissioners of Ashtabula County, Ohio, that the purchase of copier and the Maintenance Agreement are approved in accordance with the copy of said agreement now on file.

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

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

RESOLUTION NUMBER 2019-318 CONTINUING HEARING ON THE PROPOSED ESTABLISHMENT AND VACATION OF A PORTION OF AIRPORT ROAD, DENMARK TOWNSHIP

The Board of County Commissioners of Ashtabula County, Ohio, met on the 17th day of September, 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, this being the date set by resolution No. 2019-296 adopted August 27, 2019 for the public hearing on the proposed establishment and vacation of a portion of Airport Road in Denmark Township; and

WHEREAS, The Board of Commissioners acting under ORC Section 5553.04, can initiate the establishment and vacation of a road and is of the opinion that it will be for the public convenience and welfare to establish and vacate the portions of Airport Road, described as follows:

Denmark Township, Airport Road Establishment:

Extension of the 60-foot wide right of way, from its point of termination, 1,650 feet to the east with a 30-foot loop to the south on the end encompassing 2.60 acres.

Denmark Township, Airport Road Vacated:

Section of the 30-foot right of way loop at the end of the 60-foot right of way encompassing 0.53 acres over the existing parking lot at the Northeast Ohio Regional Airport.

WHEREAS, the Board of Commissioners received a proposed re-plat from the Engineers office on Monday, September 16, 2019, said replat pending Planning Commission approval, and hereby continues the public hearing regarding the establishment and vacation of those portions of Airport Road as outlined above to October 22, 2019 at 1:45p.m.; now

THEREFORE, BE IT RESOLVED, By the Board of Commissioners of Ashtabula County, Ohio, that the hearing in the matter of the proposed establishment and vacation of a portion of Airport Road in the Township of Denmark is hereby declared continued.

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

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

Whereupon the resolution was declared passed unanimously.

RESOLUTION NUMBER 2019-65FINA APPROVING FINANCIAL TRANSACTIONS FOR THE COUNTY

The Board of County Commissioners of Ashtabula County, Ohio, met on the 17th day of September, 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:

TRAVEL REQUESTS:

Alissa Drees
 Ronald Smith CFIS User Conf. Columbus 9/15-17 \$1,231.28

PAYROLL CHANGES:

Neal Norris Asst. Water Superintendent retirement effective 11/6/19

ACDJFS- 9/1/19 thru 9/14/19:

| EMPLOYEE NAME | CLASS TITLE | HOURLY RATE | REASON |
|------------------------|------------------------|-------------|--|
| St. Amand, Kathy | Service Representative | 14.96 | New Employee 9/3/2019 |
| Wagner, Jennifer | Service Representative | 14.96 | New Employee 9/3/2019 |
| Bowden, Kyanna | Service Representative | 15.75 | Promotion from Case Aide to Service Rep. |
| Shiflet, Donna | Service Representative | 19.24 | LOA - Unpaid Status |
| Walters-Young, Lee Ann | Asst. Program Admin. | 24.40 | Longevity Increase (17 years) |

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 38TN

QUARTERLY USE OF COUNTY CREDIT CARD:

Oct/Nov/Dec Engineer xxxx xxxx xxxx 7240, 1239 and 1024 \$2,700.00

| Appropriations | Fund | Total | Personal Svcs | Comment |
|--|--------------|--------------|---------------|---|
| Family and Children First | 9590.206 | \$ 26,925.00 | \$ - | additional appropriations for contract services |
| Purchasing | 1001.001.105 | \$ 15,000.00 | \$ - | additional appropriation for postage |
| Transfer | | | | |
| Public Assistance Fund 2006 to Child Support Fund 2213 | \$113,530.43 | | | |

DIRECT RELIEF BILLS:

Vouchers #2019-002853 thru 2019-002883 for Public Assistance; #2019-20382 thru 2019-20383 for Child Support; and #2019-248 thru 2019-250 for WIA Invoices

BILLS:

COUNTY FUNDS SCHEDULE 38
 ENGINEERS SCHEDULE 38E; 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: Kozlowski moved the adoption, Whittington seconded. **DISCUSSION:** None

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

Whereupon the resolution was declared passed unanimously.

Work sessions:

September 17, 2019 10:00a.m. Topic: General Matters/Agenda Items

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

CCAO Regional Mtg. on 9/27- Casey will attend CCAO.

Clemans Nelson- ok for agenda.

Cebco renewal- received renewal rates. The first year we will receive 2 different rates, one for wellness and one for non-wellness for the 5a we pick up 90% of, the 3a we pick up 90% of base rate and employee picks up the difference. The premium rates show a differential, total difference per year for the employee contribution of \$600 from a wellness rate to a non-wellness rate. Decision: approved unanimously.

Port Authority lease-waiting on Port to sign off on lease.

Spire- attending school board meeting, there is a transfer agreement by potential new buyers. Allow for a 15 day cure or grace period on payment of pilot agreement taxes beyond the due date to allow to cure the payment, rather than immediately in default, allows the bank to make a payment. The school board is not a party to the agreement, but requires approval, the Spire agreement will be on next week's agenda for approval by the board. Board appointments- ACTS has 5 appointments as of 12/31/19; Community Corrections as of 11/19; Law Library Resources Board- one opening 12/31/19; Senior Levy reappointments;

Lodging Tax Software-reviewed 2, there is a 3rd vendor to review. CVB will help financially.

September 12, 2019 3:30p.m. Topic: Pierpont Township Sewers

In Attendance: J. P. Ducro IV, Casey Kozlowski, Kathryn Whittington, Lisa Hawkins, Ray Saporito, Janice Switzer, Nick Sanford, Catherine Colgan

The Board of Commissioners received Resolution 2019-35 from Pierpont Township requesting the Board to move forward regarding the proposed downtown Pierpont sewer system and to develop a Memorandum of Understanding. The Township has received \$750,000 from the \$1.5 million allocated by the state of Ohio under the Capital budget. The Ashtabula County Health Dept. has received some complaints. They do not have widespread documentation to prove failing sewer systems. There may be evidence of a sewage nuisance, without more testing, it is unsure if that is from one party or more. They are not saying there isn't a problem, because of the swampy like conditions there is a wetland where mother nature treats sewage. Visual from a sanitarian with samples of bacteria, ammonia or high ecoli high amounts of ammonia along with visual. The question could be posed do we have a problem or a documented issue? The answer would be that further testing is necessary. If they want to do replacement systems, will they be permitted, cost is estimated \$20,000. The discharging systems are cheaper than mound systems. NPDES systems are being done within Ashtabula County, they must be inspected annually by a 3rd party service provider who is licensed.

The process begins that a resolution of necessity must be adopted and for public purpose. An assessment on an improvement has to prove 3 things- necessity of improvement including whether the cost will exceed the benefits, boundaries of the assessment district and apportionment. You do get the presumption of validity, could only be overturned in court. Filing is in probate court and you can split assessments in 2 parts- proceed with project and incur preliminary expenses for surveys or testing, or if project is abandoned because you have determined there is no necessity, you can have the costs paid. Does the cost exceed the benefit, dollar valuation is the property worth more with sewers than without. The cost without the \$\$ from the state would be substantially higher.

There is a report on these 84 properties that could be used as evidence, it would be the individual property owner. This forces them in to a spending situation. There are HSTS, CDBG and/or CHIP rental repair funds available to assist with costs to collapse systems. The issue is the benefit being conveyed to the parcel in line with what the property owner has to spend. All 84 properties need to be analyzed individually to determine benefit. The Board of Commissioners resolution of necessity has to declare a necessity exists. To put a system in, is subject to EPA review.

The original estimate was 2.7, they have \$1.5, potential of another \$750,000, estimated project cost of \$450,000. Excluding connection and collapsing current systems. Collapsing costs from \$3,900 to \$8,000- there is a potential for grants or property owner. They will have to provide a report, would have to talk to Health Dept. as expert testimony, would be a potential health hazard, need evidence. Viable alternatives to replace systems, law considers this. The benefits of the property, not who the owner is. That needs addressed in resolution alternatives are cost- prohibitive. Weigh cost of systems versus sewer system, has to be record. Any time frame? Clarity on using the appropriation through a grant program to spend the money and details of the appropriation? Is there a time schedule. Nick Sanford to ask the EPA in writing. Catherine to review information regarding benefit. Schedule the meeting with Pierpont Twp. Invite Ray Saporito, Janice Switzer, Nick Sanford and Catherine Colgan. Make a statement there will be no discussion on that subject at the evening meeting on September 24, 2019, as Commissioner Ducro has a conflict.

ADJOURNMENT:

The President and Clerk of the Board hereby certify that this is a true and accurate record of the minutes of the September 17, 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

COMMISSIONERS

OF

ASHTABULA COUNTY