

RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE ASHTABULA COUNTY BOARD OF COMMISSIONERS AND THE ASHTABULA COUNTY HUMANE SOCIETY

WHEREAS, the Board recognizes the need of Ashtabula County to be served by humane society agents with the authority to act and prosecute offenses for the protection of animals within the County; and

WHEREAS, the Board employs two duly licensed and trained dog wardens, namely Ben Berry and David Britton, who are presently without the authority to act as agents in good standing of a county humane society; and

WHEREAS, the Board has determined it desirable to seek Mr. Berry's and Mr. Britton's instatement as agents in good standing of a county humane society, as they are qualified in accordance with O.R.C. § 1717.061 and can help meet the need expressed above; and

WHEREAS, the Humane Society has expressed a willingness to appoint Mr. Berry and Mr. Britton as agents in accordance with O.R.C. § 1717.06 to the benefit of the Parties, the County, and the animals therein.

THEREFORE, BE IT RESOLVED, by the Board of Commissioners do hereby approve the Memorandum of Understanding with the Ashtabula County Humane Society and agree to the following:

1. The Board shall make a yearly appropriation at the end of each year to the Humane Society from the general fund of the County in accordance with O.R.C. § 1717.15. The amount of this yearly appropriation shall be three thousand dollars (\$3,000).

2. The Humane Society shall, in accordance with O.R.C. § 1717.06, present the appointments of Mr. Berry and Mr. Britton as humane agents in good standing with the Humane Society to the probate judge of the County for approval. If the probate judge's approval is provided for a set term, the Humane Society shall renew Mr. Berry's and Mr. Britton's humane agent status for as long as this MOU remains in effect so that there is no lapse in the status. The Board shall reimburse the Humane Society for any filing fees incurred through these filings. Should either Mr. Berry or Mr. Britton no longer be employed by the Board as dog warden, the obligation for renewal shall no longer apply.

3. The Humane Society shall not seek to remove Mr. Berry or Mr. Britton as humane society agents unless for just cause as outlined in O.R.C. § 1717.17 or for lack of qualification as outlined in O.R.C. § 1717.062.

4. The Humane Society, in conjunction with Mr. Berry and Mr. Britton, shall annually submit enforcement activity reports to the county sheriff in accordance with O.R.C. § 1717.16.

5. The effective date of this MOU shall be retroactive to December 31, 2025, and it shall be effective until December 30, 2028. From that date, this MOU shall renew automatically for up to two subsequent one-year periods unless otherwise terminated by agreement of the Parties.

6. This MOU shall only be amended by mutual agreement of the Parties in writing.

7. Either Party may terminate this MOU by providing sixty (60) days' notice to the other.

BE IT FURTHER RESOLVED, the Board authorizes the execution of the Memorandum of Understanding and all related documents.

**ASHTABULA COUNTY COMMISSIONERS
CERTIFICATION PAGE**

Resolution No. 2026-133

March 03, 2026

**RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN
THE ASHTABULA COUNTY BOARD OF COMMISSIONERS AND THE ASHTABULA
COUNTY HUMANE SOCIETY**

Upon the motion of Kathryn L. Whittington, seconded by J.P. Ducro IV.

VOTE:

Casey R. Kozlowski

Aye

Kathryn L. Whittington

Aye

J.P. Ducro IV

Aye

CERTIFICATE OF CLERK

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution acted upon and duly passed by the Board of County Commissioners of Ashtabula County, Ohio, on the date noted above.



Lisa Hawkins, Clerk of the Board
Board of County Commissioners
Ashtabula County, Ohio

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (“MOU”) is entered by and among the ASHTABULA COUNTY BOARD OF COUNTY COMMISSIONERS (the “Board”) and the HUMANE SOCIETY OF ASHTABULA COUNTY (the “Humane Society”) (collectively, the “Parties” or each separately as a “Party”).

WHEREAS, the Board recognizes the need of Ashtabula County to be served by humane society agents with the authority to act and prosecute offenses for the protection of animals within the County; and

WHEREAS, the Board employs two duly licensed and trained dog wardens, namely Ben Berry and David Britton, who are presently without the authority to act as agents in good standing of a county humane society; and

WHEREAS, the Board has determined it desirable to seek Mr. Berry’s and Mr. Britton’s instatement as agents in good standing of a county humane society, as they are qualified in accordance with O.R.C. § 1717.061 and can help meet the need expressed above; and

WHEREAS, the Humane Society has expressed a willingness to appoint Mr. Berry and Mr. Britton as agents in accordance with O.R.C. § 1717.06 to the benefit of the Parties, the County, and the animals therein.

NOW, THEREFORE, the Parties agree to the following:

1. The Humane Society shall, in accordance with O.R.C. § 1717.06, present the appointments of Mr. Berry and Mr. Britton as humane agents in good standing with the Humane Society to the probate judge of the County for approval. If the probate judge’s approval is provided for a set term, the Humane Society shall renew Mr. Berry’s and Mr. Britton’s humane agent status for as long as this MOU remains in effect so that there is no lapse in the status. The Board shall reimburse the Humane Society for any filing fees incurred through these filings. Should either Mr. Berry or Mr. Britton no longer be employed by the Board as dog warden, the obligation for renewal shall no longer apply.

2. The Humane Society shall not seek to remove Mr. Berry or Mr. Britton as humane society agents unless for just cause as outlined in O.R.C. § 1717.17 or for lack of qualification as outlined in O.R.C. § 1717.062.

3. The Humane Society, in conjunction with Mr. Berry and Mr. Britton, shall annually submit enforcement activity reports to the county sheriff in accordance with O.R.C. § 1717.16.

4. The effective date of this MOU shall be the last signed date below, and it shall be effective until December 31, 2028. From that date, this MOU shall renew automatically for up to two subsequent one-year periods unless otherwise terminated by agreement of the Parties.

5. This MOU shall only be amended by mutual agreement of the Parties in writing.

6. Either Party may terminate this MOU by providing sixty (60) days' notice to the other.

IN WITNESS WHEREOF, the Parties approve and agree to this MOU.

ASHTABULA COUNTY BOARD OF COUNTY COMMISSIONERS

J.P. Ducro DATE: 3-3-20

J.P. DUCRO, IV, Commissioner

Kathryn Whittington DATE: 3-3-20

KATHRYN WHITTINGTON, Commissioner

Casey Kozlowski DATE: 3-3-20

CASEY KOZLOWSKI, Commissioner

HUMANE SOCIETY OF ASHTABULA COUNTY

Nancy Fager DATE: 3-2-2006

APPROVED AS TO LEGAL FORM

_____ DATE: _____

APRIL GRABMAN, Ashtabula County Prosecutor