

Rider's Inn Affair:

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The Lake County Port Authority had scheduled their quarterly meetings at the Rider's Inn, owned by Ms. Elaine Craine, and located at 792 Mentor Avenue, Painesville, OH 44077. Ms. Craine, exercising her first amendment rights, permitted three campaign signs to be displayed on her property. There were two signs for Mr. Troy's opponent, Mr. Ron Young, for the Commissioner's race, and one sign for Mr. Pat Condon, candidate for Common Pleas Court judge.

Commissioner Troy took exception to the Port Authority conducting their meeting in a Lake County establishment that promotes the candidacy of his opponent, as detailed in the following email to Mr. Mark Rantala, Director of the Lake County Port Authority.

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From: "Troy, Daniel" <Daniel.Troy@lakecountyohio.gov>
 Date: September 9, 2018 at 12:27:43 AM EDT
 To: "Rantala, Mark" <MRantala@lcport.org>, "alindrose@boltonpratt.com" <alindrose@boltonpratt.com>
 Cc: "Boyd, Jason" <Jason.Boyd@lakecountyohio.gov>, "Matas, Michael" <Michael.Matas@lakecountyohio.gov>
 Subject: Port Authority Events

It is my humble suggestion that the Port Authority cease having events at commercial establishments that are openly promoting political candidates through clearly visible signage displayed on their property. As a member of the Port's primary funding authority, and as a target of such political promotion, I find this personally insulting and totally lacking in acceptable protocol. I expect the Lake County Port Authority to act accordingly in cancelling any future usage of this establishment for future activities.

Sincerely, Commissioner Daniel P. Troy
 Sent from my iPad

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The following is the email response, dated September 10, 2018, from Lake County Port Authority Director, Mr. Mark Rantala, to Commissioner Dan Troy's September 9, 2018 email demanding the Port Authority cease doing business with Rider's Inn.

From: "Rantala, Mark" <MRantala@lcport.org>
Date: September 10, 2018 at 1:27:08 PM EDT
To: "Troy, Daniel" <Daniel.Troy@lakecountyohio.gov>
Cc: Art Lindrose <alindrose@boltonpratt.com>
Subject: RE: Port Authority Events

Dan - thanks for bringing this to our attention. Your point is well taken. The Port Authority does try to maintain a neutral position. This is the first time this has come up related to a Port Authority event. We are going to try to change the venue for our Quarterly luncheon. And it is something we will do our best to avoid in the future - especially during election season. It was not an intentional choice, we just didn't consider the politics of the facilities owner.

Mark Rantala
Executive Director
Lake County Ohio Port and Economic Development Authority
Shaping the Future of Lake County
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There is legal precedence, covering Commissioner Troy's actions, set in the U.S. Supreme Court case #94-1654 decided on June 28, 1996 – Board of Commissioners of Wabaunsee County, Kansas versus Umbehr. In this court case, the US Supreme Court held that the First Amendment prohibits the termination of government contracts (even at-will contracts) in retaliation for their exercise of freedom of speech. Certainly, displaying a candidate's campaign sign is an expressive act, and we believe is protected by the First Amendment.

It is our opinion that Commissioner Troy exceeded his authority as a Lake County Commissioner, and appears to be out of control when conducting his duties as Lake County Commissioner.

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1. He used his government email account to communicate with Mr. Rantala about political matters during an election period. Although no crime was committed, it is a matter that could be investigated by the Ohio Ethics Commission.
2. He violated the first amendment rights of a Lake County taxpayer, Ms. Elaine Craine, and has put Lake County in a precarious position should Ms. Craine decide to sue the County using the U.S. Supreme Court case #94-1654 as her argument that her rights were violated.
3. He used a, not so veiled, threat by using the language “As a member of the Port’s primary funding authority”, suggesting that future funding for the Port may be restricted, or eliminated, and thereby putting Mr. Rantala’s position in jeopardy, if Troy’s orders are not followed.
4. Commissioner Troy demonstrated that he is not beyond using “bullying tactics” by wielding the power of his office on what is purported to be an apolitical entity that tries to remain neutral.