

Week Beginning July 12, 2021

Meeting of July 14, 2021

The Board of Commissioners presented 4-H Club Members with a Resolution recognizing their achievements.

Several 4-H Members gave a small presentation about their 2021 4-H Projects.

The Board of County Commissioners, Trumbull County, Ohio, met for a Regular Meeting on the 14th day of July 2021, at the Historical Stage at the Trumbull County Fairgrounds with the following members present:

- Mauro Cantalamessa, Commissioner
- Niki Frenchko, Commissioner
- Frank S, Fuda, Commissioner

**THE FOLLOWING MOTION MADE FROM THE FLOOR:
AMEND *DISPENSING WITH READING THE MINUTES OF THE COMMISSIONERS' MEETING*
DATED JULY 8, 2021**

MOTION: Made by Ms. Frenchko, to Amend *Dispensing with reading the Minutes of the Commissioners' Regular Meeting dated July 8, 2021.*
MOTION DIED FOR LACK OF SECOND

**THE FOLLOWING MOTION MADE FROM THE FLOOR:
TABLE *DISPENSING WITH READING THE MINUTES OF THE COMMISSIONERS' MEETING* DATED
JULY 8, 2021**

MOTION: Made by Mr. Cantalamessa, seconded by Commissioner Frenchko, to TABLE ITEM NO. 1, to dispense with reading the Minutes of the Regular Meeting dated July 8, 2021.

Yeas: Cantalamessa, Frenchko, Fuda
Nays: None

**RE: ITEM TABLED
 MINUTES**

#1. MOTION: Made by Mr. Cantalamessa, seconded by Ms. Frenchko, TO TABLE ITEM #1 WHICH READS AS FOLLOWS:

To dispense with reading the minutes of the Workshop Session dated July 7, 2021 and the Regular Meeting dated July 8, 2021.

Yeas: Cantalamessa, Frenchko, Fuda
Nays: None

**RE: AUTHORIZE/EXECUTE 2021 APPLICATION –
 CERTIFICATE OF COVERAGE ANNUAL FEE ASSESSMENT
 STATEMENT FOR TRUMBULL COUNTY'S PETROLEUM
 UNDERGROUND STORAGE TANKS**

2. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko, to authorize Mauro Cantalamessa, President of the Board of Trumbull County Commissioners, to execute the 2021 Application for Certificate of Coverage Annual Fee Assessment Statement for Trumbull County's PETROLEUM UNDERGROUND STORAGE TANKS for the term of July 1, 2021 through June 30, 2022; AND to authorize the Commissioners' Office to forward said Application to the Petroleum Underground Storage Tank Release Compensation Board, P.O. Box 163188, Columbus, OH 43216-3188.

NOTE: The Petroleum Underground Storage Tank System for which a Certificate of Coverage is being sought is in compliance with applicable rules adopted by the State Fire Marshall under the Ohio Revised Code Section 3737.88.

Yeas: Fuda, Frenchko, Cantalamessa
Nays: None

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RE: ACCEPT RESIGNATION-MR. JOHN CRACIUN
MAINTENANCE WORKER-SANITARY ENGINEER

3. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko, to accept the resignation of MR. JOHN CRACIUN from his position of MAINTENANCE WORKER with the TRUMBULL COUNTY SANITARY ENGINEERS DEPARTMENT, effective July 16, 2021. Mr. Craciun's resignation letter shall be recorded onto the Journal for record purposes; this action per the recommendation of the Sanitary Engineers Department in conjunction with the Human Resources Department.

Yeas: Fuda, Frenchko, Cantalamessa
Nays: None

Document(s) recorded on Journal Page(s)_____.)

RE: EMPLOYMENT PROMOTION-MS. NICOLE WHITE
FROM POSITION OF LABORER TO POSITION OF
SEWER LINE MAINTENANCE ASSISTANT
SANITARY ENGINEER

4. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko, to approve the personnel action for the employment promotion of MS. NICOLE WHITE from the position of, LABORER, Pay Range 1 (0 year) to the position of SEWER LINE MAINTENANCE ASSISTANT, Pay Range 4, (0 year) with the Trumbull County Sanitary Engineers Department, effective Monday, July 19, 2021, pursuant to the authorized job posting of June 15 through June 23, 2021; this action per the recommendation of the Sanitary Engineers Department in conjunction with the Human Resources Department.

NOTE: This vacancy is due to an employee promotion. Ms. White holds a Class B CDL permit and has been given 90 days to obtain her license.

Yeas: Fuda, Frenchko, Cantalamessa
Nays: None

RE: ACKNOWLEDGE RETIREMENT
MR. JEFFREY WISEMAN FROM POSITION OF
TV-INSPECTOR-GROUTING CREW LEADER
SANITARY ENGINEER

5. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko, to acknowledge the retirement of MR. JEFFREY WISEMAN from his position of TV INSPECTOR-GROUTING CREW LEADER at the Mosquito Creek Wastewater Treatment Plant with the Trumbull County Sanitary Engineers Department, effective July 2, 2021. Jeff will be retiring after 25 years of faithful service to the citizens of Trumbull County. The Board of Commissioners joins the staff of the Sanitary Engineers Department in congratulating JEFF for his hard work and dedication while wishing him an enjoyable, healthy and long retirement.

Yeas: Fuda, Frenchko, Cantalamessa
Nays: None

RE: ACKNOWLEDGE RETIREMENT
MR. JERRY MYERS FROM POSITION OF
PACKAGE PLANT OPERATOR
SANITARY ENGINEER

6. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko, to acknowledge the retirement of MR. JERRY MYERS from his position of PACKAGE PLANT OPERATOR at the Mosquito Creek Wastewater Treatment Plant with the Trumbull County Sanitary Engineers Department, effective June 30, 2021. Jerry will be retiring after 32 years of faithful service to the citizens of Trumbull County. The Board of Commissioners joins the staff of the Sanitary Engineers Department in congratulating JERRY for his hard work and dedication while wishing him an enjoyable, healthy and long retirement.

Yeas: Fuda, Frenchko, Cantalamessa
Nays: None

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RE: CLOSE ROAD-COUNTY ENGINEER

7. MOTION: Made by Ms. Frenchko, seconded by Mr. Fuda, to grant permission to the County Engineer to Close the Road listed.

- **DOTY EAST ROAD located in Southington Township;** closing location between State Route 534 and Phalanx Mills Herner Road (C.H. 127) for a bridge replacement.

Closing Dates: Wednesday, July 14, 2021 through Friday, July 30, 2021

RECOMMENDED DETOUR: *South on State Route 534; West on State Route 305; West on US-422; and North on Phalanx Mills Herner Rd. (C.H. 127)*

Yeas: Frenchko, Fuda, Cantalamessa

Nays: None

RE: RIGHT-OF-WAY PERMITS-COUNTY ENGINEER

8. MOTION: Made by Ms. Frenchko, seconded by Mr. Fuda, to concur with the Trumbull County Engineer to grant the Right-of-Way Permits requested by the companies listed. The necessary permit fee has been submitted and approval is subject to the conditions listed on the permit.

- **SHAWN WEST, 4957 Hoffman Norton Road,** to work in the right-of-way of Hoffman Norton Road, (C.H. 213A), in order to replace a driveway culvert and add approximately 70 feet of 18 inch HDPE conduit. This will be located approximately 2,000 feet north of G.P. Easterly Rd. (C.H. 198) located in Farmington Township.
- **OLD AMERICAN MASONARY, 3613 Merrilyn Rd., Ravenna, Ohio 44266,** to work in the right-of-way of Austintown Warren Road at Address No. 2169 in order to replace a driveway culvert. This will be located approximately 150 feet north of Garland Dr, (T.H. 910) in Weathersfield Township.

Yeas: Frenchko, Fuda, Cantalamessa

Nays: None

RE: SPECIAL HAULING PERMITS TO MOVE OVERWEIGHT EQUIPMENT -COUNTY ENGINEER

9. MOTION: Made by Ms. Frenchko, seconded by Mr. Fuda, to concur with the Trumbull County Engineer to grant the Special Hauling Permits to Move Overweight Equipment over Trumbull County roadways, requested by the companies listed. The necessary permit fee, bond and insurance have been submitted and approval is subject to the conditions listed on each permit.

- **DIAMOND HEAVY HAUL, INC.**
P.O. Box 146, Shandon, OH 45063
Permit No.: 1113
Permit Effective: July 7, 2021 through July 11, 2021
To haul or move overweight equipment over Larchmont Ave. (C.H. 1469) in Bazetta and Howland Townships.
- **DIAMOND STEEL CONSTRUCTION**
P.O. Box 156, North Lima, OH 44452
Permit No.: 1114
Permit Effective: July 6, 2021 through July 10, 2021
To haul or move overweight equipment over Warren Sharon Rd. (C.H. 329A) in Howland Township

Yeas: Fuda, Frenchko, Cantalamessa

Nays: None

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RE: SPECIAL HAULING PERMIT TO HAUL STEEL COILS
-COUNTY ENGINEER

10. MOTION: Made by Ms. Frenchko, seconded by Mr. Fuda, to concur with the Trumbull County Engineer to grant the Special Hauling Permit to Haul Steel Coils on Trumbull County roadways, requested by the company listed. The necessary permit fee has been submitted and approval is subject to the conditions listed on the permit.

- JARO TRANSPORTATION SERVICES, INC.
975 Post Road NW, Warren, OH 44483
Permit No.: 2021-037
Permit Effective: July 1, 2021 through July1, 2022

Yeas: Frenchko, Fuda, Cantalamessa
Nays: None

RE: CHANGE ORDER NO. 1
KIRILA CONTRACTORS, INC.
TRU-PHOENIX ROAD IMPROVEMENTS PROJECT

11. MOTION: Made by Ms. Frenchko, seconded by Mr. Fuda, to approve Change Order No. 1 with KIRILA CONTRACTORS, INC., 505 Bedford Road, Brookfield, OH 44403 for the TRU-PHOENIX ROAD IMPROVEMENTS PROJECT. Change Order No. 1 is for an increase of \$150,099.75 for additional quantities related to the waterline replacement revising the contract amount to \$597,218.65. The costs associated with Change Order No. 1 are being funded by the City of Warren Water Department, which is in addition to their original commitment. The project is being partially funded by a \$250,000.00 PY2019 Appalachian Development Program Grant; \$98,000.00 from the City of Warren Water Department; a \$100,000.00 ODOT Jobs and Commerce Economic Development Grant; and In-Kind Engineering provided by the Trumbull County Engineer, with the balance being provided by Trumbull County Engineer Fund #002-030-1700-1700-1-505548—no General Revenue Funds are required; this action per the recommendation of the Trumbull County Engineer and is subject to review and approval of the Prosecutor’s Office.

NOTE: The Board of Commissioners approved the original contract with Kirila Contractors, Inc. in the amount of \$447,118.90 on March 3, 2021, duly recorded in Journal Volume 153, Page 23802.

Yeas: Frenchko, Fuda, Cantalamessa
Nays: None

Document(s) recorded on Journal Page(s)_____.)

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**RE: APPROVE MEMORANDUM OR UNDERSTANDING
HOFFMAN CONSTRUCTION SERVICES, LLC.
COUNTY ENGINEER**

12. MOTION: Made by Ms. Frenchko, seconded by Mr. Fuda, to approve a Memorandum of Understanding with HOFFMAN CONSTRUCTION SERVICES, LLC, 326 Cycle Road, Portersville, PA 16051. Hoffman Construction Services, LLC. will be transferring soil and aggregate across County Highway 69 (Niles Warren River Rd.) in Howland Township; this action per the recommendation of the Trumbull County Engineer and subject to review and approval of the Prosecutor’s Office.

➤ **HOFFMAN CONSTRUCTION SERVICES, LLC has provided the following:**

1. A signed Memorandum of Understanding.
2. Certificates of Liability Insurance in the amount of \$2,000,000.00 with Trumbull County named as additional insured.
3. A road bond in the amount of \$50,000.00 which binds Hoffman Construction Services LLC unto Trumbull County.

Yeas: Frenchko, Fuda, Cantalamessa
Nays: None

Document(s) recorded on Journal Page(s)_____.)

**RE: RECEIVE/FILE MONTHLY ACTIVITIES REPORT
JUNE 2021-DOG KENNEL**

13. MOTION: Made by Ms. Frenchko, seconded by Mr. Fuda, to receive and place on file the Monthly Activities Report for the TRUMBULL COUNTY DOG KENNEL for the month of JUNE 2021; as submitted by Michelle Goss, Chief Executive Dog Warden.
NOTE: Monthly Report shall be recorded on the Journal for record purposes.

Yeas: Frenchko, Fuda, Cantalamessa
Nays: None

Document(s) recorded on Journal Page(s)_____.)

**RE: ACCEPT RESIGNATION-MS. DEIDRE BRISTER
CHIEF DEPUTY DOG WARDEN-DOG KENNEL**

14. MOTION: Made by Ms. Frenchko, seconded by Mr. Fuda, to accept the resignation of MS. DEIDRE BRISTER from her position of CHIEF DEPUTY DOG WARDEN with the TRUMBULL COUNTY DOG KENNEL, effective July 16, 2021. *Ms. Brister’s resignation letter shall be recorded onto the Journal for record purposes;* this action per the recommendation of the Trumbull County Dog Kennel in conjunction with the Human Resources Department.

Yeas: Frenchko, Fuda, Cantalamessa
Nays: None

Document(s) recorded on Journal Page(s)_____.)

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**RE: NOTICE TO PROCEED
YOHO ACTION SEPTIC TANK & SUPPLY
FIVE HOME SEWAGE REPLACEMENT SYSTEMS**

15. MOTION: Made by Ms. Frenchko, seconded by Mr. Fuda, to authorize Mauro Cantalamessa, President of the Board of Trumbull County Commissioners, to execute the ‘Notice to Proceed’ to YOHO ACTION SEPTIC TANK & SUPPLY, 5982 Risher Road, Leavittsburg, OH 44430 for five (5) Home Sewage Replacement Systems for income-eligible homeowners PY20 and PY21 Home Sewage Treatment System (OEPA WPCLF Principal Forgiveness) Reserve Programs Grant was awarded on June 16, 2021, and duly recorded in the Journal Volume 153, Page(s) 24064. *The ‘Notice to Proceed’ shall be recorded onto the Journal for record purposes;* this action per the recommendation of the Trumbull County Planning Commission.

Yeas: Frenchko, Fuda, Cantalamessa
Nays: None

Document(s) recorded on Journal Page(s)_____.)

**RE: CHANGE ORDER NO. 1
FOUST CONSTRUCTION, INC.
MASURY SE NEIGHBORHOOD REVITALIZATION
GRANT PROGRAM; PROJECT 2, ACTIVITY 1**

16. MOTION: Made by Ms. Frenchko, seconded by Mr. Fuda, to approve Change Order 1 - Final Adjustment of Quantities and Time Extension for FOUST CONSTRUCTION, INC., 1700 Wilson Avenue, Girard, Ohio 44420, for the Masury SE Neighborhood Revitalization Grant Program; Project 2, Activity 1 – Flood & Drainage Facilities – Brookfield Township, Ohio, and Authorize Mauro Cantalamessa, President to sign Change Order 1 – Final. This activity is funded through the PY2019 CDBG Community Development Block Grant Allocation Grant Program; B-F-19-1CS-1 and the CDBG RLF. Change Order 1-Final REDUCES the contract amount by \$4,528.31 from \$98,491.35 to \$93,963.04 and revises the completion date from May 18, 2021, to June 17, 2021. Based on the ratio set by the amended grant agreement the final amount to be paid from the PY2019 CDBG Community Development Block Grant Allocation Grant Program; B-F-19-1CS-1 is \$76,920.50 and \$17,042.54 from the CDBG RLF; this action per the recommendation of the project consultant, GPD Group, and is subject to the review and approval of the Prosecutor’s Office.

NOTE: The Board of Commissioners approved the original contract with Foust Construction, Inc. in the amount of \$98,491.35 on December 23, 2020, duly recorded in Journal Volume 152, Page 23661.

Yeas: Frenchko, Fuda, Cantalamessa
Nays: None

Document(s) recorded on Journal Page(s)_____.)

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RE: AWARD BID
KIRILA CONTRACTORS, INC.
TRU-FIFTH AVENUE PROJECT (PID) 112639

17. MOTION: Made by Ms. Frenchko, seconded by Mr. Fuda, to award the lowest and best bid as submitted by KIRILA CONTRACTORS, INC., 505 Bedford Road, SE, P.O. Box 179, Brookfield, OH 44403 for TRU-FIFTH AVENUE PROJECT (PID 112639) located in Liberty Township, in the amount of \$262,797.00—to be paid partially by an 80% Surface Transportation Block Grant (STBG) received by Liberty Township through Eastgate Regional Council of Governments, which will be direct pay. The 20% local match will be paid by Liberty Township, per Memorandum of Understanding dated May 20, 2021-- No General Funds are required, AND to enter into a contract with KIRILA CONTRACTORS, INC. for said project; this action per the recommendation of the County Engineer and is subject to review and approval of the Prosecutor’s Office.

NOTE: Engineer’s Estimate = \$283,712.00

OTHER BID SUBMITTED

Table with 2 columns: COMPANY, AMOUNT. Rows include CHAGRIN VALLEY (17290 Munn Road, Chagrins Falls, OH 44023) with amount \$297,235.04 and BARBICAS CONSTRUCTION CO., INC. (124 Darrow Road, Akron, OH 44305) with amount \$336,371.80.

Yeas: Frenchko, Fuda, Cantalamessa
Nays: None

RE: AWARD PROPOSAL
AMERICAN PAYROLL SERVICES, LLC & AFFILIATES
EMPLOYER OF RECORD FOR THE OPIOID
EMERGENCY AND RECOVERY GRANT
WORKFORCE DEVELOPMENT BOARD

18. MOTION: Made by Ms. Frenchko, seconded by Mr. Fuda, to award the lowest and best (ONLY) proposal as submitted by AMERICAN PAYROLL SERVICES, LLC and AFFILIATES, 755 Boardman Canfield Rd., Boardman, OH 44512, as the “EMPLOYER OF RECORD” for the OPIOID EMERGENCY AND RECOVERY GRANT (OERG). Funding will be derived from the Workforce Innovation and Opportunity Act, (WIOA) and Special Grants—no County General Revenue Funds will be requested; this action per the recommendation of William J. Turner, Executive Director of the Workforce Development Board of Trumbull County and is subject to review and approval of the Prosecutor’s Office.

Yeas: Frenchko, Fuda, Cantalamessa
Nays: None

Document(s) recorded on Journal Page(s) _____.)

RE: ADVERTISE FOR SEALED PROPOSALS
TO PROVIDE YOUTH SERVICES FOR THE
COMPREHENSIVE CASE MANAGEMENT
EMPLOYMENT PROGRAM-WORKFORCE
DEVELOPMENT BOARD

19. MOTION: Made by Ms. Frenchko, seconded by Mr. Fuda, to authorize the Clerk of the Board of Trumbull County Commissioners to advertise for sealed proposals from interested parties to provide youth services for the Comprehensive Case Management Employment Program/Workforce Innovation and Opportunity Act Youth Program to be operated by the Trumbull County Department of Job and Family Services, under Temporary Assistance to Needy Families (TANF) and Workforce Innovation and Opportunity Act (WIOA) funding; this action per the recommendation of William J. Turner, Executive Director of The Workforce Development Board of Trumbull County.

NOTE: Interested parties must submit proposals by August 6, 2021, at 3:00 p.m.

Yeas: Frenchko, Fuda, Cantalamessa
Nays: None

Document(s) recorded on Journal Page(s) _____.)

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RE: ADOPT RESOLUTION
ACQUIRE REAL PROPERTY FOR
INCLUSION IN PHASE 4 OF WESTERN RESERVE
GREENWAY BIKE TRAIL

20. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko, to adopt the following Resolution Authorizing the Board of Trumbull County Commissioners to consummate and complete all acquisition transactions as may be necessary to acquire the Real Property contemplated for inclusion in Phase 4 of the Western Reserve Greenway Bike Trail.

RESOLUTION

WHEREAS, the Trumbull County Commissioners approved and adopted a Resolution on June 5, 2013 that authorized it to apply for Federal Congestion Mitigation/Air Quality (CMAQ) Funds programed by the Eastgate Council of Governments to construct the Final Phase of 25 miles of bike trail of the Western Reserve Greenway Bike Trial in Trumbull County, Ohio (Phase 4) to connect the bike path to 45 miles of bike trail in Trumbull and Ashtabula Counties with 15 miles of bike trial in Southern Trumbull County and Mahoning County; and

WHEREAS, the application for Federal CMAQ Funds programed by the Eastgate Council of Governments to construct (Phase 4) was successful and was approved to proceed; and

WHEREAS, since the approval of the application, the Trumbull County Commissioners have completed preliminary steps in furtherance of Phase 4, including programming and securing funding for project planning, studies, surveying, real property appraisals, site visits, and conducting individual meetings with property owners along Phase 4; further, the Commissioners have engaged consultants to assist in the completion of the various phases of Phase 4 of the project; and

WHEREAS, the Trumbull County Commissioners have diligently evaluated the Phase 4 project, and desire to hereby affirm and memorialize their authorization to complete Phase 4 of the project; and

BE IT RESOLVED by the Trumbull County Commissioners that we deem it necessary and in the best public interest that the Trumbull County Commissioners and its representatives be and hereby are authorized to complete Phase 4 of the project; and

BE IT FURTHER RESOLVED by the Trumbull County Commissioners that the Trumbull County Commissioners be and hereby are authorized to consummate and complete all acquisition transactions as may be necessary to acquire the real property contemplated for inclusion in Phase 4 of the project or, in instances where agreement cannot be reached with the landowner, the Trumbull County Commissioners and its legal counsel hereby are authorized to appropriate such property by power of eminent domain and initiate legal proceedings pursuant to Ohio Revised Code Chapter 163; and

BE IT FURTHER RESOLVED by the Trumbull County Commissioners that Mauro Cantalamessa, President Board of Trumbull County Commissioners be and hereby is authorized to enter into and execute agreements on behalf of the Trumbull County Commissioners to consummate Phase 4 of the project.

NOTE: This for the Western Reserve Greenway Bike Trail Phase IV, PID 99804, located in Howland and Weathersfield Townships and Warren and Niles Cities. Outside Legal Counsel for the project Roth Blair, Roberts, Strasfeld and Lodge, have drafted and approved the resolution. It is also recommended by Julie Green, Director with the Trumbull County Planning Commission.

Yeas: Fuda, Frenchko, Cantalamessa

Nays: None

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**RE: ADOPT RESOLUTION
DECLARING IT NECESSARY FOR A PUBLIC USE TO
APPROPRIATE ALL RIGHT, TITLE AND INTEREST IN FEE
SIMPLE AND/OR ACQUIRE PERMANENT EASEMENTS AND
TEMPORARY CONSTRUCTION EASEMENTS FOR PHASE 4
OF WESTERN RESERVE GREENWAY BIKE TRAIL**

21. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko, to adopt a Resolution Declaring It Necessary for a Public Use to Appropriate All Right, Title, and Interest in Fee Simple and/or Acquire Permanent Easements and Temporary Construction Easements for Certain Parcels of Property for the making, constructing, and continued use and maintenance of Trumbull County Phase 4 of the Western Reserve Greenway Bike Trail in Trumbull County, Ohio.

RESOLUTION

Appropriating certain real property and acquiring permanent easements and temporary construction easements, including structures thereon, if any, for the making, constructing, and continued use and maintenance of Trumbull County Phase 4 of the Western Reserve Greenway Bike Trail in Trumbull County, Ohio and directing legal counsel to proceed with the acquisition of the land and/or permanent easements and temporary construction easements required for public highway purposes; authorizing Trumbull County Auditor to prepare the necessary vouchers and checks payable to the Clerk of Common Pleas Court of Trumbull County.

WHEREAS, the Board of Trumbull County Commissioners has ordered the preparation of detailed plans, specifications and tentative assessments for the making and constructing of Trumbull County Phase 4 of the Western Reserve Greenway Bike Trail in Trumbull County, Ohio; and

WHEREAS, the Board of Trumbull County Commissioners determines and says that it is a public agency within the meaning of Chapter 163 of the Ohio Revised Code, and that it is qualified pursuant to, inter alia, Section 19, Article I of the Constitution of Ohio, and Chapter 163 of the Ohio Revised Code to appropriate private property for a public use; and

WHEREAS, the Board of Trumbull County Commissioners declares it necessary for a public use to appropriate and acquire all right, title, and interest in fee simple and/or acquire permanent easements and temporary construction easements for certain parcels of property for the making constructing, and continued use and maintenance of Trumbull County Phase 4 of the Western Reserve Greenway Bike Trail in Trumbull County, Ohio, which road shall be open to the public, without charge; and

WHEREAS, it is necessary for the public interest, convenience, and welfare to acquire for highway purposes said right, title, and interest in fee simple and/or acquire permanent easements and temporary construction easements, including structures thereon, if any; and

WHEREAS, the Board of Trumbull County Commissioners, pursuant to Ohio Revised Code Sections 163.04 and 163.041, has provided the Notice of Intent to Acquire and Good Faith Offer to Purchase and appraisal, when possible; and

WHEREAS, the Board of Trumbull County Commissioners has been unable to agree on a conveyance or the terms of a conveyance, for any reason, with any owner of the guardian or trustee of any owner unless each owner is incapable of contracting in person or by agent to convey the property and has no guardian or trustee, each owner is unknown, or the residence of each owners is unknown to the agency and the residence of no owner can with reasonable diligence be ascertained with respect to the following parcels attached hereto as exhibits and incorporated herein by reference:

Phase 4 of the Western Reserve Greenway Bike Trail continued on next page

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Phase 4 of the Western Reserve Greenway Bike Trail (Continued)

<u>Parcel No.</u>	<u>Attached Exhibit</u>	<u>Owners</u>	<u>Value of Property Appropriated and Damages, if any, to the Residue</u>
8-T	Exhibit A	ANJ Rentals	\$300.00
10-SH,T	Exhibit A	Hunter-Morgan, LLC	\$23,110.00

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Trumbull County, Ohio that it is necessary for a public use to appropriate the property and all rights, title interests, and estates therein and permanent easements and temporary construction easements, including structures thereon, if any, which are specifically described in the Exhibits attached hereto and incorporated herein, for the purpose of making, constructing, improving, and continued use and maintenance of Phase 4 of the Western Reserve Greenway Bike Trail in Trumbull County, Ohio, which road shall be open to the public, without charge.

BE IT FURTHER RESOLVED, that the Board of Trumbull County Commissioners, in accordance with R.C. 163.06(B), declares it necessary and it is our intention to forthwith obtain and take possession of and enter upon and occupy the property appropriated.

BE IT FURTHER RESOLVED, that the Board's legal counsel be and is hereby directed to proceed with the acquisition of said right, title and interest and acquiring permanent easements and temporary construction easements, including structures thereon, if any, of the property described herein.

BE IT FURTHER RESOLVED, that at the time of filing this action to appropriate property, the sums described herein, which the Board of Trumbull County Commissioners has determined to be the value of the property appropriated and damages, if any, to the residue, shall be deposited with the Clerk of Common Pleas Court of Trumbull County.

BE IT FURTHER RESOLVED, that the County Auditor is authorized to prepare the necessary vouchers and/or checks in the amount described herein payable to the Clerk of Common Pleas Court of Trumbull County.

BE IT FURTHER RESOLVED, the Clerk of the Board is hereby instructed to transmit a copy of this Resolution to:

Adrian Biviano, Trumbull County Auditor and Sam Lamancusa, Trumbull County Treasurer.

***NOTE:** This for the Western Reserve Greenway Bike Trail Phase IV, PID 99804, located in Howland and Weathersfield Townships and Warren and Niles Cities. Outside Legal Counsel for the project Roth Blair, Roberts, Strasfeld and Lodge, have drafted and approved the resolution; also recommended by Julie Green, Director with the Trumbull County Planning Commission.*

Yeas: Fuda, Frenchko, Cantalamessa
Nays: None

Week Beginning July 12, 2021

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RE: PURCHASE EASEMENT AND TEMPORARY EASEMENT FROM ST. STEPHEN PARISH FOR FOR PHASE 4 OF THE WESTERN RESERVE GREENWAY BIKE TRAIL AND SIGN ADMINISTRATIVE SETTLEMENT

22. MOTION: Made by Ms. Frenchko, seconded by Mr. Fuda, to approve the purchase of the Easement and temporary Easement from St. Stephen Parish in the amount of \$20,000.00 AND allow Mauro Cantalamessa, President of the Trumbull County Commissioners to sign the Administrative Settlement, please find a copy of the signed Standard Highway Easement and a Temporary Easement regarding Parcel 17 for the Western Reserve Greenway Bike Trial in Trumbull County, Ohio (Phase 4). The total cost of the Standard Highway Easement and the Temporary Easement is \$20,000.00; to be paid from the Funds No. 983-060-5600-5610-3-506880, subject to Federal and State reimbursement.

All right-of-way acquisitions have followed the guidelines set forth in ODOT’s Real Estate Policy and Procedures Manual and those in the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

NOTE: This for the Western Reserve Greenway Bike Trail Phase IV, PID 99804, located in Howland and Weathersfield Townships and Warren and Niles Cities. Outside Legal Counsel for the project Roth Blair, Roberts, Strasfeld and Lodge, has reviewed the acquisition. It is also recommended by Julie Green, Director with the Trumbull County Planning Commission.

Yeas: Frenchko, Fuda, Cantalamessa
Nays: None

Document(s) recorded on Journal Page(s) _____.)

RE: APPROVE REIMBURSEMENT TO THE TRUMBULL COUNTY DRUG TASK FORCE BY THE FBI TASK FORCE FOR PURCHASE OF CELLPHONE ANTENNAS AND BOOSTERS FROM DATACOM, INC.

23. MOTION: Made by Mr. Fuda, seconded by Mr. Frenchko, to approve the reimbursement to the Trumbull County Drug Task Force by the FBI Task Force for the purchase of cellphone antennas and boosters to be purchased from DATACOM, INC., 1157 Market Street, North Lima, OH 44452. Cellphone antennas and boosters were installed in 2013 and need to be updated to be compatible with newer technology as the TAG office has been experiencing a lack of cellphone reception. The Trumbull County Sheriff’s Office has partnered with the FBI’s Mahoning Valley Violent Crimes Task Force in 2019 to combat the overdose epidemic. The FBI Task Force is federally funded by the State Streets Task Force Initiative. The total cost of the project will be \$14,815.90—to be paid from Fund # 001-020-1400-1400-1-505417.

NOTE: The FBI Task Force has an MOU with the Trumbull County Sheriff’s Office to be reimbursed for approved expenses. The FBI Task Force has approved to reimburse Trumbull County for this project.

Yeas: Fuda, Frenchko, Cantalamessa
Nays: None

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**RE: EXECUTE CERTIFICATE OF CONFIDENTIAL FUNDS
FOR SUBGRANT NO. 2020-DL-LEF-5800
TRUMBULL COUNTY SHERIFF (TAG LAW ENFORCEMENT
TASK FORCE)**

24. MOTION: Made by Ms. Fuda, seconded by Ms. Frenchko, to authorize Mauro Cantalamessa, President of the Board of Trumbull County Commissioners, to execute on behalf of Trumbull County, the Certificate of Confidential Funds for Subgrant No. 2020-DL-LEF-5800 for use by the Trumbull County Sheriff’s Office (TAG Law Enforcement Task Force).

Yeas: Fuda, Frenchko, Cantalamessa
Nays: None

Document(s) recorded on Journal Page(s)_____.)

**RE: ADVERTISE FOR REQUEST FOR STATEMENT OF
QUALIFICATIONS FOR PROFESSIONAL DESIGN
FIRMS- HVAC UPGRADES TO TRUMBULL
COUNTY COURTHOUSE**

25. MOTION: Made by Ms. Frenchko, seconded by Mr. Fuda, to authorize the Clerk of the Board of Trumbull County Commissioners to advertise for “Request for Statement of Qualifications” for Professional Design Firms for the purpose of upgrading the Heating, Ventilation, and Air Conditioning of the Trumbull County Courthouse. Preliminary evaluation of the existing HVAC system has been completed and a construction budget of \$800,000.00 for phase I and \$800,000.00 for phase II is estimated. Successful Consultant would be required to provide a complete detailed design including specifications for the Trumbull County Courthouse based upon the preliminary HVAC evaluation completed; this action per the recommendation of Trumbull County Chief Building Official, Michael J. Sliwinski, P.E., and is subject to review and approval of the Prosecutor’s Office.

Yeas: Frenchko, Fuda, Cantalamessa
Nays: None

Legal Notice recorded on Journal Page(s)_____.)

Week Beginning July 12, 2021

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RE: ADOPT A RESOLUTION AUTHORIZING THE FILING OF A PROJECT PROPOSAL APPLICATION TO THE WESTERN RESERVE TRANSIT AUTHORITY FOR GRANT FUNDING THROUGH THE WESTERN RESERVE TRANSIT AUTHORITY FOR THE US DOT FEDERAL TRANSIT ADMINISTRATION (FTA) SECTION 5310 FUNDING, AS AUTHORIZED UNDER FEDERAL TRANSIT LAWS, AS CODIFIED, 49 USC CHAPTER 53, AND EXECUTING A CONTRACT WITH WRTA UPON PROJECT APPROVAL. THIS APPLICATION IS A COLLABORATIVE PROJECT BETWEEN TRUMBULL COUNTY TRANSIT, TRUMBULL COUNTY SENIOR LEVY, TRUMBULL COUNTY OF DEVELOPMENTAL DISABLED TO PROVIDE PURCHASE TRANSPORTATION FOR SENIORS AND DISABLED CITIZENS IN TRUMBULL COUNTY.

26. MOTION: Made by Ms, Frenchko, seconded by Mr. Fuda, to Adopt a Resolution authorizing the filing of a project proposal application to the Western Reserve Transit Authority for grant funding through the Western Reserve Transit Authority for the US DOT Federal Transit Administration (FTA) Section 5310 funding, as authorized under Federal Transit Laws, as codified, 49 USC Chapter 53, and executing a contract with WRTA upon project approval. This application is a collaborative project between Trumbull County Transit, Trumbull County Senior Levy, Trumbull County of Developmental Disabled to provide purchase transportation for seniors and disabled citizens in Trumbull County.

WHEREAS, WRTA is authorized to make grants for public bodies, private nonprofit organizations and other eligible entities;

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of the project costs in the program;

WHEREAS, it is required by the U.S. Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under 49 USC Section 53 the applicant gives an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the applicant that disadvantaged business enterprise be used to the fullest extent possible in connection with this/these project(s), and that definite procedures shall be established and administered to ensure that disadvantaged businesses shall have the maximum construction contracts, supplies, equipment contracts, or consultant and other services.

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS TRUMBULL COUNTY

1. That the President is authorized to execute and file (an) application(s) on behalf of Trumbull County Board of Commissioners with the Western Reserve Transit Authority to aid in the financing of capital, and operating assistance projects.
2. The President is authorized to execute and file with such applications and assurance or any other document required by the U.S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964.
3. That President is authorized to furnish such additional information as WRTA may require in connection with the proposal for the program of projects submitted to FTA.
4. That President is authorized to set forth and execute affirmative disadvantaged business policies in connection to any procurement made as part of the project.
5. That President is authorized to execute grant agreements on behalf of Trumbull County Board of Commissioners with WRTA for aid in the financing of operating, planning and capital assistance projects.

Commissioner Cantalamessa asked Mike Salamone to explain in greater detail Item No. 26

There was a discussion amongst the commissioners and Mike Salamone regarding transit issues.

Yeas: Frenchko, Fuda, Cantalamessa
Nays: None

Week Beginning July 12, 2021

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RE: APPROVE THE BILLS

27. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko, to approve the bills, as per the individual departmental purchase orders/invoices forwarded to the Trumbull County Auditor for payment, providing all procedures of State law have been followed.

Yeas: Fuda, Frenchko, Cantalamessa
Nays: None

RE: TRANSFER MONIES

28. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko, to Pursuant to Ohio Revised Code Section 5705.14, to transfer monies as submitted to the Trumbull County Auditor's Office between the dates of July 5, 2021 through July 9, 2021. Complete list of money transfers shall be recorded onto the Journal for record purposes.

❖ Departments/Offices requesting to transfer monies:

- Auditor \$ 153,747.14 Fund 921
Sanitary Engineers \$ 515,567.56 Fund 487
\$ 2,335.14 Fund 484
\$ 102,335.14 Fund 48

Yeas: Fuda, Frenchko, Cantalamessa
Nays: None

Document(s) recorded on Journal Page(s)_____.)

RE: ADDITIONAL APPROPRIATIONS

29. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko, to approve additional appropriations, as submitted to the Trumbull County Auditor's Office between the dates of July 5, 2021 through July 9, 2021. Complete list of additional appropriations shall be recorded onto the Journal for record purposes.

❖ Departments/Offices requesting additional appropriations:

- Juvenile Court \$ 3,000.00 Fund 033

Yeas: Fuda, Frenchko, Cantalamessa
Nays: None

Document(s) recorded on Journal Page(s)_____.)

Week Beginning July 12, 2021

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RE: TRANSFER APPROPRIATIONS

30. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko, to transfer appropriations, as submitted to the Trumbull County Auditor’s Office between the dates of July 5, 2021 through July 9, 2021. Complete list of appropriation transfers shall be recorded onto the Journal for record purposes.

❖ Departments/Offices requesting to transfer appropriations:

• NEOCAP	\$ 3,388.75	Fund 990
	\$ 17,076.78	Fund 990
• Health Board	\$ 2,880.00	Fund 951
	\$ 10,000.00	Fund 972
• Prosecutor	\$ 250.00	Fund 001
• JFS	\$ 174,000.00	Fund 003
	\$ 3,000.00	Fund 218
• Juvenile Court	\$ 2,500.00	Fund 068
• Children’s Services	\$ 20,000.00	Fund 012
• 911	\$ 4,959.00	Fund 039
• Dog Kennel	\$ 1,000.00	Fund 010
• Sanitary Engineer	\$ 5,000.00	Fund 484
	\$ 105,000.00	Fund 482

Yeas: Fuda, Frenchko, Cantalamessa
Nays: None

Document(s) recorded on Journal Page(s)_____.)

RE: AMENDED CERTIFICATE NO. 15-2021
COUNTY BUDGET COMMISSION

31. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko, to receive the Amended Certificate of the County Budget Commission No. 15-2021, for the fiscal year beginning January 1, 2021, dated July 14, 2021, increasing estimated resources in the funds listed:

- Fund 077 -- AM Rescue

Yeas: Fuda, Frenchko, Cantalamessa
Nays: None

The Commissioners had a discussion regarding Gary Newbough becoming the Trumbull County Sanitary Engineer as he has been the Interim Sanitary Engineer for quite some time. The Board collectively agreed that Gary Newbough has been a stellar employee, has been instrumental in several millions of dollars of sewer projects within Trumbull County.

There was also a discussion amongst the Commissioners and Richard Jackson about if advertising for the position would be the correct thing to do. They will revisit this issue at a later time.

Week Beginning July 12, 2021

Meeting of July 14, 2021

RE: ADJOURN

MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko to adjourn the Regular Meeting of July 14, 2021, and to meet again in Regular Session on July 21, 2021.

Yeas: Fuda, Frenchko, Cantalamessa

Nays: None

WE CERTIFY THAT EACH AND ALL OF THE FOREGOING TO BE CORRECT.

MAURO CANTALAMESSA, PRESIDENT

NIKI FRENCHKO, COMMISSIONER

FRANK S. FUDA, COMMISSIONER

ATTEST:

PAULA J. VIVODA-KLOTZ, INTERIM CLERK