

Week Beginning August 21, 2017

Meeting of August 23, 2017

The Board of County Commissioners, Trumbull County, Ohio, met for a Regular Meeting on the 23rd day of August, 2017, in the office of said Board, with the following members present:

Frank S. Fuda, Commissioner
Mauro Cantalamessa, Commissioner
Daniel E. Polivka, Commissioner

RE: MINUTES

1. MOTION: Made by Mr. Polivka, seconded by Mr. Cantalamessa, to dispense with reading the minutes of the Workshop Session dated August 15, 2017 and the Regular Meeting dated August 16, 2017.

Yeas: Polivka, Cantalamessa, Fuda
Nays: None

RE: APPROVE BILLS

2. MOTION: Made by Mr. Polivka, seconded by Mr. Cantalamessa, 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: Polivka, Cantalamessa, Fuda
Nays: None

**RE: MODIFICATION NO. 2 – CONTRACT #850-17-10
DEPARTMENT OF JOB & FAMILY SERVICES
AND ALL AMERICAN USA TAXI, INC.**

3. MOTION: Made by Mr. Polivka, seconded by Mr. Cantalamessa, to approve Modification No. 2 to Contract #850-17-10 by and between the TRUMBULL COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES and ALL AMERICAN USA TAXI, INC., 1962 Tod Avenue, S.W., Warren, OH 44485. Modification No. 2 is for an additional \$50,000.00 for a total not to exceed \$750,000.00—to be paid from Federal Pass-Through Funds—*absolutely no General Revenue Funds will be utilized.* Modification is necessary to accommodate the increased requests for assistance for Non-Emergency Transportation (NET) Services. ALL AMERICAN USA TAXI, INC. shall continue to provide non-emergency transportation based on a loaded mile or additional passenger unit of reimbursement costs to provide non-emergency transportation services for eligible and approved Medicaid recipients who have no other means of transportation to and from Title XIX Medicaid Providers who provide Medicaid reimbursable services; this action per the recommendation of the Trumbull County Department of Job and Family Services and subject to the approval of the Prosecutor’s Office.

NOTE: The Board of Commissioners approved the original contract in the amount of \$500,000.00 on December 14, 2016, duly recorded in Journal Volume 145, Page 20372. On May 3, 2017, Modification No. 1 was approved for an additional 200,000.00—revising the total contract amount to \$700,000.00.

Yeas: Polivka, Cantalamessa, Fuda
Nays: None

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

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RE: ADOPT IMPROVEMENT RESOLUTION DETERMINING TO PROCEED AND ADVERTISE FOR BIDS - BROOKFIELD WASTE WATER TREATMENT PLANT GENERATOR REPLACEMENT PROJECT NO. 3-S-11

4. MOTION: Made by Mr. Polivka, seconded by Mr. Cantalamessa, to adopt an Improvement Resolution Determining to Proceed with the Construction of the BROOKFIELD WASTE WATER TREATMENT PLANT GENERATOR REPLACEMENT PROJECT, known as County Project No. 3-S-11, for the Trumbull County Metropolitan Sanitary Sewer District; AND to authorize the Board of Trumbull County Commissioners' Clerk to advertise for sealed bids for construction of said project; this action per the recommendation of the Trumbull County Sanitary Engineers Department and is subject to review and approval of the Prosecutor's Office

Yeas: Polivka, Cantalamessa, Fuda
Nays: None

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

RE: APPROVE COUNTY CAPITAL IMPROVEMENT PROGRAM FOR 32ND ROUND OF FUNDING FOR STATE CAPITAL IMPROVEMENT PROGRAM AND 30TH ROUND OF FUNDING FOR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM FOR PROGRAM YEAR 2018 AND SUBMIT APPLICATIONS TO DISTRICT 6 PUBLIC WORKS INTEGRATING COMMITTEE BY AUGUST 28, 2017

5. MOTION: Made by Mr. Polivka, seconded by Mr. Cantalamessa, to approve Trumbull County's Capital Improvement Program for the Thirty-Second (32nd) Round of Funding for the State Capital Improvement Program and the Thirtieth (30th) Round of Funding for the Local Transportation Improvement Program (Program Year 2018); AND to submit the Program Pre-applications to the District 6 Public Works Integrating Committee on or before August 28, 2017. **NOTE:** This Program includes Projects proposed by the County Engineer and the Sanitary Engineer.

****PROJECTS FOR PROGRAM YEAR 2018****

- 1. 2018 Trumbull County Road Improvement Program**
(Grant – Highway Engineer)
- 2. Heaton Chute Sanitary Sewer Improvement Project**
(Grant – Sanitary Engineer)
- 3. Huntley Drive Water Improvements**
(Grant/Loan – Sanitary Engineer)
- 4. Mineral Ridge Hydraulic Improvements**
(Loan – Sanitary Engineer)

Yeas: Polivka, Cantalamessa, Fuda
Nays: None

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

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RE: GRANT 'SPECIAL ANNUAL SUPPLIER FLEET PERMIT' – COUNTY ENGINEER

6. **MOTION:** Made by Mr. Polivka, seconded by Mr. Cantalamessa, to concur with the Trumbull County Engineer to grant the 'Special Annual Supplier Fleet Permit' for fleet vehicles to transport aggregate, concrete, construction goods or other like materials (*not to exceed 80,000 lbs. gross vehicle weight*), to sites located upon load posted Trumbull County Roadways requested by the company listed. The necessary permit fees and insurance information have been submitted and approval is subject to the conditions listed on each permit.

- **Permit No.: AF-009-2017**
BRISTOL DISPOSAL, INC., 1456 State Route 88, P.O. Box 251, Brisolville, OH 44402 to transport aggregate, concrete, construction goods or other like materials (*not to exceed 80,000 lbs. gross vehicle weight*) to sites located upon load posted County roadways.

Yeas: Polivka, Cantalamessa, Fuda
Nays: None

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

RE: CLOSE ROAD – COUNTY ENGINEER

7. **MOTION:** Made by Mr. Polivka, seconded by Mr. Cantalamessa, to grant permission to the County Engineer to Close the Road listed.

- **FIVE POINTS HARTFORD ROAD (C.H. 187) located in Hartford Township;** closing location between State Route 7 and Bushnell Campbell Road (C.H. 185) for the annual Hartford Apple Festival Parade, per the recommendation of the Hartford Township Trustees.
Closing Date: Saturday, September 16, 2017
Closing Times: 5:30 p.m. – 7:00 p.m.
SPECIAL NOTE: *The Hartford Township Police Department along with neighboring law enforcement agencies will coordinate traffic control.*

Yeas: Polivka, Cantalamessa, Fuda
Nays: None

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RE: GRANT PERMITS – COUNTY ENGINEER

8. MOTION: Made by Mr. Polivka, seconded by Mr. Cantalamessa, to concur with the Trumbull County Engineer to grant the permits requested by the companies listed. The necessary permit fees have been submitted and approval is subject to the conditions listed on the permit.

- **DOMINION EAST OHIO**, 320 Springside Drive, Akron, OH 44333, to bore under and work in the right-of-way of Hoagland Blackstub Rd. (C.H. 203C), in order to install a gas service line for address #6706. This will be located 3,000
- **DOMINION EAST OHIO**, 320 Springside Drive, Akron, OH 44333, to bore under and work in the right-of-way of Tibbets Wick Rd. (C.H. 28A), in order to relocate a gas main line due to conflict with sanitary repair. This will be located from US 422 to 900 feet easterly in Weathersfield Township.
- **VILLAGE ENERGY COOPERATIVE**, 4100 Holiday Street, N.W., Suite #201, Canton, OH 44718, to bore under and work in the right-of-way of Bushnell Campbell Road (C.H. 185 A), in order to install a 2” gas main line. This will be located approximately 1,300 feet north of Bradley Brownlee Road in Vernon Township.
- **HOLTON, INC.**, 5894 Tod Avenue, S.W., Lordstown, OH 44481, to work in the right-of-way of Newton Tomlinson Road (C.H. 99 B), in order to install 120 feet of 12” storm sewer and two (2) catch basins. This will be located approximately 900 feet west of Miller Graber Road in Newton Township.
- **W.I. MILLER & SONS**, 3389 Gardner Barclay Road, Farmdale, OH 44417, to open cut and work in the right-of-way of Davis Peck Road (C.H. 288 F), in order to install 60’ of 12” storm conduit. This will be located at the intersection with Corinth Court Road in Gustavus Township.

Yeas: Polivka, Cantalamessa, Fuda
Nays: None

RE: GRANT SPECIAL HAULING PERMIT TO HAUL STEEL COILS ON COUNTY ROADS

9. MOTION: Made by Mr. Polivka, seconded by Mr. Cantalamessa, 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.

- **Permit No.: 2017-040**
Permit Effective: August 28, 2017 through August 28, 2018
P. I. & I. MOTOR EXPRESS, INC., 908 Broadway Street Ext., Masury, OH 44438, to haul steel coils (overweight equipment) on Trumbull County roadways.

Yeas: Polivka, Cantalamessa, Fuda
Nays: None

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

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RE: APPROVE AMENDMENT TO LICENSE AND SERVICE AGREEMENT WITH TYLER TECHNOLOGIES, INC. FOR PURCHASE OF ACCOUNTING SOFTWARE PACKAGE (LICENSING AND SERVICES) FOR COUNTY ENGINEER AND EXECUTE LICENSE AND SERVICES AGREEMENT AND MUNIS AMENDMENT/DOCUMENTS

10. MOTION: Made by Mr. Polivka, seconded by Mr. Cantalamessa, to approve an Amendment to the License and Services Agreement with TYLER TECHNOLOGIES, INC., 1 Tyler Drive, Yarmouth, ME 04096 for the purchase of an ACCOUNTING SOFTWARE PACKAGE consisting of Work Order, Fleet and Facilities Management, and Inventory Software (Licensing and Services) to be used by the Trumbull County Engineer’s Office in the amount of \$166,605.00—to be paid for from Fund No. 01-002-030-1720-5500—*absolutely no County General Revenue Funs will be utilized*; AND to authorize Frank S. Fuda, President of the Board of Trumbull County Commissioners, to execute said License and Services Agreement and Munis Amendment and all other related documents on behalf of Trumbull County; this action per the recommendation of Randy J. Smith, Trumbull County Engineer, and is subject to review and approval of the Prosecutor’s Office.

IMPORTANT NOTE: Tyler Technologies, Inc. was awarded a National Joint Powers Alliance Contract numbered 110515-TTI—which negates the need for the bidding process. Trumbull County is a member of the National Joint Powers Alliance with a Membership ID #8329.

Yeas: Polivka, Cantalamessa, Fuda
Nays: None

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

RE: AUTHORIZE E. J. ROSSI & COMPANY TO SOLICIT QUOTES FOR GROUP LIFE INSURANCE FOR EMPLOYEES & RETIREES

11. MOTION: Made by Mr. Polivka, seconded by Mr. Cantalamessa, to authorize E. J. ROSSI & COMPANY, 201 E. Commerce Street, Suite #337, Youngstown, OH 44503, to solicit quotes for GROUP LIFE INSURANCE for Trumbull County Employees and Retirees. Insurance coverage will be for a minimum period of one (1) year effective January 1, 2018--with a one (1) year option to renew at the County’s discretion; this action per the recommendation of the Human Resources Department.

SPECIAL NOTE: This action is in accordance with Ohio Revised Code Section 307.86 (F) (1)(2)(3), to decrease costs of obtaining life insurance coverage, to receive proposals from life insurance companies in a format designed to best assist Trumbull County in making its determination and to negotiate for the lowest and best costs of life insurance coverage.

Yeas: Polivka, Cantalamessa, Fuda
Nays: None

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

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**RE: AMEND JOURNAL ACTION TAKEN 8/16/17
TO REVISE NOAH GILGER'S EMPLOYMENT
STARTING DATE TO SEPTEMBER 5, 2017
SANITARY ENGINEERS DEPARTMENT**

12. MOTION: Made by Mr. Polivka, seconded by Mr. Cantalamessa, to amend Journal Action taken by the Board of Trumbull County Commissioners on August 16, 2017, duly recorded in Journal Volume 146, Page 21033 regarding the personnel action for employment of NOAH GILGER, for the position of LABORER with the TRUMBULL COUNTY SANITARY DEPARTMENT; effective August 21, 2017, Pay Range 1 (0 years) for the initial six (6) months, at which time he will be raised to Pay Range 2 (0 years); *pursuant to the authorized job posting.* AMENDMENT is necessary to revise Mr. Gilger's starting date to September 5, 2017; this action per the recommendation of the Human Resources Department.

Yeas: Polivka, Cantalamessa, Fuda
Nays: None

**RE: AUTHORIZE GRANTS MANAGER TO MAIL
LETTERS TO LICENSED DRAIN LAYERS FOR
PY16 COMMUNITY BLOCK GRANT PROGRAM
SANITARY LATERAL ASSISTANCE ACTIVITY**

13. MOTION: Made by Mr. Polivka, seconded by Mr. Cantalamessa, to grant permission to Julie M. Green, Trumbull County Grants Manager, to mail letters to all Trumbull County Licensed Drain Layers announcing the timeframe for and location of the Request for Price Proposal Packets for the PY16 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM SANITARY LATERAL ASSISTANCE ACTIVITY. The Request for Price Proposals includes the connection of eleven (11) income-eligible homeowners to the existing sanitary sewer at various locations countywide with nine (9) being funded through the CDBG Program and two (2) being funded through the HSTS Reserve Program; this action per the recommendation of the Trumbull County Grants Manager and is subject to review and approval of the Prosecutor's Office.

NOTE: The letter and list of Trumbull County Licensed Drain Layers shall be recorded on the Journal for record purposes.

Yeas: Polivka, Cantalamessa, Fuda
Nays: None

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

**RE: AMEND JOURNAL ACTION TAKEN 7/12/17
PY2015 GIRARD CDBG DOWNTOWN
REVITALIZATION PROGRAM – AMENDMENT
NECESSARY TO DECREASE AWARD AMOUNT
TO HUMILITY OF MARY HOUSING, INC.**

14. MOTION: Made by Mr. Polivka, seconded by Mr. Cantalamessa, to approve Amendment No. 1 to the original award to HUMILITY OF MARY HOUSING, INC., 3250 West Market Street, #204, Akron, OH 44333, relative to the PY2015 GIRARD CDBG DOWNTOWN REVITALIZATION PROGRAM. Amendment No. 1 is necessary to decrease the award from \$12,450.00 to \$11,550.00. Amendment No. 1 is a result of a reduced contract amount of work being performed by Murphy Contracting, Inc. for Humility of Mary Housing, Inc. that includes a door/entry way replacement reduced from \$14,900.00 to \$13,100.00; this action per the recommendation of the Trumbull County Grants Manager.

NOTE: The Board of Commissioners authorized the original grant award to Humility of Mary Housing, Inc. in the amount not to exceed \$12,450.00 on July 12, 2017, duly recorded in Journal Volume 146, Page 20902.

Yeas: Polivka, Cantalamessa, Fuda
Nays: None

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

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**RE: AMEND JOURNAL ACTION TAKEN 7/20/17
PY2015 GIRARD CDBG DOWNTOWN
REVITALIZATION PROGRAM – AMENDMENT
NECESSARY TO INCREASE AWARD AMOUNT
TO BRAINARD RIVET COMPANY**

15. MOTION: Made by Mr. Polivka, seconded by Mr. Cantalamessa, to approve Amendment No. 2 to the original award to BRAINARD RIVET COMPANY, 222 Harry Street, P.O. Box 30, Girard, OH 44420 relative to the PY2015 GIRARD CDBG DOWNTOWN REVITALIZATION PROGRAM. Amendment No. 2 is necessary to increase the grant award from \$16,440.00 to \$16,640.00 for a final project cost of \$23,280.00. Amendment No. 2 is necessary for THE MURPHY CONTRACTING COMPANY, 285 Andrews Avenue, Youngstown, OH 44505, to include additional downspouts on the external gutter system; this action per the recommendation of the Trumbull County Grants Manager, and is subject to review and approval of the Prosecutor’s Office.

NOTE: The Board of Commissioners authorized the original grant award to Brainard Rivet Company in the amount of \$14,250.00 on July 20, 2017, duly recorded in Journal Volume 146, Page 20927. On August 2, 2017, Amendment No. 1 was approved for an additional \$2,190.00 revising the total contract amount to \$16,440.00

Yeas: Polivka, Cantalamessa, Fuda

Nays: None

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

**RE: APPROVE CHANGE ORDER NO. 2 (FINAL)
WITH JOSEPH PAINTING CONTRACTORS
PY2015 CDBG TRUMBULL MOBILE MEALS
NEIGHBORHOOD FACILITIES/COMMUNITY
CENTER ACTIVITY BUILDING REHABILITATION
PROJECT TO REDUCE CONTRACT AMOUNT**

16. MOTION: Made by Mr. Polivka, seconded by Mr. Cantalamessa, to approve Change Order No. 2 (Final) with JOSEPH PAINTING CONTRACTORS, 696 McClurg Road, Youngstown, OH 44512, for activities associated with the PY2015 CDBG Trumbull Mobile Meals Neighborhood Facilities/Community Center Activity Building Rehabilitation Project. Change Order No. 2 is for a reduction in the contract amount of (-)\$744.00—revising the total contract amount to \$23,676.00. Change order is a result in changes to material type utilized for the flooring portion of the project carried out at Trumbull Mobile Meals Facility; this action per the recommendation of CT Consultants, Inc., Trumbull County Grants Manager, and is subject to review and approval of the Prosecutor’s Office.

NOTE: The Board of Commissioners awarded the original contract to Joseph Painting Contractors for carpet and tile floor covering activities associated with said project in the amount of \$19,710.00 on February 1, 2017, duly recorded in Journal Volume 145, Page 20486. The Board of Commissioners approved Change Order No. 1 on March 29, 2017, duly recorded in Journal Volume 146, Page 20623. Change Order No. 1 was for an additional amount of \$4,710.00 revising the total contract amount to \$24,420.00.

Yeas: Polivka, Cantalamessa, Fuda

Nays: None

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

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**RE: APPROVE ACTION LISTED RELATIVE TO
PY2015 GIRARD CDBG DOWNTOWN
REVITALIZATION PROGRAM AWARD
GRANT TO JAMES J. MELFI**

17. MOTION: Made by Mr. Polivka, seconded by Mr. Cantalamessa, to approve the actions listed relative to the PY2015 GIRARD CDBG DOWNTOWN REVITALIZATION PROGRAM; this action per the recommendation of the Trumbull County Grants Manager and is subject to review and approval of the Prosecutor’s Office.

NOTE: Form 8A has been reviewed and approved as to form by the Prosecutor’s Office. Two bids (2) bids were received by the business/building owner(s) on August 9, 2017. James J. Melfi selected the lowest bidder, O’Neal Awnings in the amount of \$880.52 to complete the project.

- **To approve a grant in an amount not to exceed \$880.52 of the final project cost of \$880.52 to JAMES J. MELFI, 9 Mohican Drive, Girard, OH 44420 for renovation/rehabilitation work to be completed which includes installing a new awning. O’NEAL AWNINGS will complete the work at Melfi & Santangelo, 909 North State Street, Girard, OH 44420--in accordance with the Ohio Building Code “Existing Buildings and Structures”; per the technical specifications prepared by CT Consultants, Inc.**
- **To authorize the Board of Trumbull County Commissioners to execute a ‘Revised’ agreement (Form 8A) with the business/building owner(s), JAMES J. MELFI, awarding the reimbursable grant and defining the terms and conditions that the business/building owner(s) are required to meet in order to be eligible to receive the grant funds on a reimbursable basis.**

Yeas: Polivka, Cantalamessa, Fuda
Nays: None

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

RE: TRANSFER MONIES

18. MOTION: Made by Mr. Polivka, seconded by Mr. Cantalamessa, pursuant to Ohio Revised Code Section 5705.14, to transfer monies, as listed.

FROM:	TO:	AMOUNT:
01-409-080-3030-7000 Interfund Transaction Blueprint to Prosperity Waterline	01-301-1100-13010 Transfer In General Bond Retirement	\$ 12,003.00
01-420-080-3020-7000 Interfund Transaction Belmont Park Sanitary Sewer	01-301-1100-13010 Transfer In General Bond Retirement	\$ 23,838.65
01-443-080-3027-7000 Interfund Transaction Little Squaw Creek Interceptor	01-301-1100-13010 Transfer In General Bond Retirement	\$ 8,235.17
01-445-080-3020-7000 Interfund Transaction Little Squaw Crk Intrcp Phase 5	01-301-1100-13010 Transfer In General Bond Retirement	\$ 15,128.29

Yeas: Polivka, Cantalamessa, Fuda
Nays: None

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RE: ADDITIONAL APPROPRIATIONS

19. MOTION: Made by Mr. Polivka, seconded by Mr. Cantalamessa, to approve additional appropriations, as listed:

ARRA-HOME SEWAGE RESERVE PROGRAM		
01-258-070-5100-5500	Contracted Services	\$ 3,450.00
SPECIAL PROJECTS-DOMESTIC/JUVENILE		
01-056-012-2110-5500	Contracted Services	\$ 7,685.00

Yeas: Polivka, Cantalamessa, Fuda
Nays: None

RE: AMENDED CERTIFICATE NO. 21-2017
COUNTY BUDGET COMMISSION

20. MOTION: Made by Mr. Polivka, seconded by Mr. Cantalamessa, to receive the Amended Certificate of the County Budget Commission No. 21-2017, for the fiscal year beginning January 1, 2017, dated August 23, 2017, increasing appropriations in the funds listed:

- **Fund 258 – ARRA-Home Sewage Reserve Program**
- **Fund 021 – Drug Law Enforcement-Prosecutor**
- **Fund 426 – Brookfield WWT Plant Capital Improvement**
- **Fund 926 – Workers Comp. & Dwr**

Yeas: Polivka, Cantalamessa, Fuda
Nays: None

RE: TRANSFER APPROPRIATIONS

21. MOTION: Made by Mr. Polivka, seconded by Mr. Cantalamessa, to transfer appropriations, as listed:

FROM:	TO:	AMOUNT:
02-952-040-4910-5400-17 Capital Outlay Rx Overdose Prevention	02-952-040-4910-5200-17 Supplies Rx Overdose Prevention	\$ 250.01
02-952-040-4910-5500-17 Contracted Services Rx Overdose Prevention	02-952-040-4910-5200-17 Supplies Rx Overdose Prevention	\$ 5,000.00
02-952-040-4910-5600-17 Professional Service Rx Overdose Prevention	02-952-040-4910-5200-17 Supplies Rx Overdose Prevention	\$ 1,000.00
02-952-040-4910-5700-17 Travel and Expense Rx Overdose Prevention	02-952-040-4910-5200-17 Supplies Rx Overdose Prevention	\$ 1,292.44

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RE: TRANSFER APPROPRIATIONS

FROM:	TO:	AMOUNT:
02-952-040-4910-6600-17 Leases and Rentals Rx Overdose Prevention	02-952-040-4910-5200-17 Supplies Rx Overdose Prevention	\$ 100.00
01-002-030-1728-5500 Contracted Services Auto Reg & Gas Tax	01-002-030-1720-5500 Contracted Services Auto Reg & Gas Tax	\$ 27,000.00
01-002-030-1728-5500 Professional Services Auto Reg & Gas Tax	01-002-030-1720-5600 Professional Services Auto Reg & Gas Tax	\$ 23,000.00
01-001-020-1070-6315 Judgments and Damages-Claims Building Inspection	01-001-020-1070-5301 Vehicle Maintenance Building Inspection	\$ 386.00
01-001-020-1070-5203 Postage Building Inspection	01-001-020-1070-5301 Vehicle Maintenance Building Inspection	\$ 264.00
01-463-080-1000-5600 Professional Services Building & Equipment Imp.	01-463-080-1000-5500 Contracted Services Building & Equipment Imp.	\$ 9,953.00
01-463-080-1000-5600 Professional Service Building and Equipment	01-463-080-1000-5400 Capital Outlay Building and Equipment	\$ 3,279.00
01-118-020-2031-5120-18 Payroll Comm Corrections Act Gr. 408	01-118-020-2033-5120-18 Payroll Comm Corrections Act Gr. 408	\$ 22,357.00
01-118-020-2031-5200-18 Supplies Comm Corrections Act Gr. 408	01-118-020-2033-5200-18 Supplies Comm Corrections Act Gr. 408	\$ 8,474.00
01-117-020-2031-5300-18 Vehicle Maintenance Comm Corrections Act Gr. 407	01-117-020-2031-5200-18 Supplies Comm Corrections Act Gr. 407	\$ 3,800.00
01-409-080-3030-6800 Miscellaneous Blueprint to Prosperity Waterline	01-409-080-3030-7000 Interfund Transactions Blueprint to Prosperity Waterline	\$ 12,003.00
01-420-080-3020-5400 Capital Outlay Belmont Park Sanitary Sewer	01-420-080-3020-7000 Interfund Transactions Belmont Sanitary Sewer	\$ 23,838.65
01-443-080-3027-6300 Judgments and Damages Little Squaw Creek Interceptor	01-443-080-3027-7000 Interfund Transactions Little Squaw Creek Interceptor	\$ 8,235.17
01-445-080-3020-6800 Miscellaneous Little Squaw Creek Inceptor	01-445-080-3020-7000 Interfund Transactions Little Squaw Creek Interceptor	\$ 15,128.29
01-604-030-3030-5200 Supplies Four Township Water	01-604-030-3030-6500 Refunds and Reimbursements Four Township Water	\$ 2,000.00
01-001-011-1510-5510 Equipment Maintenance Recorder's Office	01-001-011-1510-5527 Destruction/Recycle Recorder's Office	\$ 1,000.00

Yeas: Polivka, Cantalamessa, Fuda

Nays: None

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Paulette Godfrey read the following statement: The Commissioners will now proceed to review the Petition for the proposed Annexation of approximately 444.903 acres of land from Newton Township and Braceville Township to the Village of the City of Newton Falls, Ohio. The Petition was filed with the Clerk of the Board of Commissioners on July 10, 2017, utilizing the Special Procedure of Ohio Revised Code Section 709.023, et seq.

Attorney Carey, representing the Board of Commissioners, presented an overview of the applicable annexation law and the history of the petition in question on this day. He mentioned the seven criteria to be evaluated regarding the petition and stated that personal opinions are by statute not to be considered. Attorney Carey announced attorneys for each party involved would have the opportunity to speak.

Attorney Catherine Cunningham, representing the Village of the City of Newton Falls, provided an overview of the procedural process. She spoke about the previous petition for a similar section of land and the reasons it was denied as well as the difference of the revised petition now under review. Attorney Cunninham commented that it was the belief of Newton Falls that all criteria for the annexation had been met and respectfully asked the Commissioners to consider granting the Annexation.

Attorney Al Schrader, representing Braceville Township, discussed his previously submitted objections to the petition and stated many objections were blanket statements and after receiving the remaining information would not be discussed. Attorney Shrader objected to the name of Newton Falls as the name was changed in the petition to ‘the Village of the City of Newton Falls’. The second objection made by Attorney Schrader was that the Commissioners did not request additional validation regarding the signatures of the petitioners or corporate resolutions in favor of the annexation. He also objected based on the method of notice given to the Township. The petition was sent certified mail to a P.O. Box and was not received within the five day period as required by law.

Attorney Cherry Poteet, representing Newton Township, stated that the petition did not meet all seven criteria required by law because the map and legal description submitted with the legal description was not correct. She spoke about several parcels that would be split by the annexation causing them to be unlawfully subdivided.

Attorney Cunningham commented that only one of the objections stated against the petition was one of the seven criteria required to be considered by statute. She stated that it was very common for parcels to be separated for tax purposes and that annexation law states the legal description of the land to be annexed must be correct, but the perimeter is not bound by parcel lines. She mentioned that procedurally the petition was filed and all parties were notified according to the law and that the name of Newton Falls was irrelevant to the petition.

RE: EXECUTIVE SESSION

MOTION: Made by Mr. Polivka, seconded by Mr. Cantalamessa, to go into Executive Session at approximately 12:55 p.m. the Petition for Annexation of 444.903 acres of land from Newton and Bracville Townships to the Village of the City of Newton Falls. In attendance were Commissioners: Fuda, Cantalamessa, Polivka, and Attorney Carey.

Yeas: Polivka, Cantalamessa, Fuda

Nays: None

RE: RECONVENE

MOTION: Made by Mr. Polivka, seconded by Mr. Cantalamessa, to reconvene from Executive Session at approximately 1:00 p.m.

Yeas: Polivka, Cantalamessa, Fuda

Nays: None

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Attorney Carey gave a short recap of the information provided to the Commissioners by Attorneys for the involved parties. He mentioned that the name of Newton Falls and the method of notice to the townships were minor procedural matters and not of importance in the process of determining if the petition meets all seven criteria. He then discussed the objection concerning the legal description and the map submitted with the petition. As the County Engineer had reviewed the map and legal description prior to the hearing and found it sufficient, Attorney Carey found the objection regarding it was not substantiated. He made a recommendation to the Commissioners to grant the annexation.

Commissioner Fuda stated that the Board of Commissioners were required to approve the petition and grant the annexation.

**RE: RESOLUTION GRANTING ANNEXATION ON
THE PETITION FOR THE ANNEXATION OF
444.903 ACRES OF LAND FROM NEWTON AND
BRACEVILLE TOWNSHIPS TO THE VILLAGE
OF THE CITY OF NEWTON FALLS, OHIO**

22. MOTION: Made by Mr. Polivka, seconded by Mr. Cantalamessa, to adopt the following Resolution.

RESOLUTION

WHEREAS, On July 10, 2017, a Petition was filed pursuant to Ohio Revised Code 709.023 seeking the annexation into the Village of the City of Newton Falls of 444.903 acres of land located in Newton Township and Braceville Township; and

WHEREAS, Ohio Revised Code Section 709.023(E) directs the Board of County Commissioners to review the Petition to determine if it meets certain criteria;

WHEREAS, the Board of Trumbull County Commissioners conducted a review of the Petition at its regular meeting on August 23, 2017.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Trumbull County as follows:

Section 1: A review was conducted of the Petition for Annexation described above.

Section 2: The Board of Commissioners has determined that the Petition meets all the requirements set forth in Ohio Revised Code Section 709.023.

Section 3: The Board of Trumbull County Commissioners hereby grants the proposed Annexation of 444.903 acres of land located in Newton Township and Braceville Township to the Village of the City of Newton Falls; *pursuant to Ohio Revised Code Section 709.023.*

Yeas: Polivka, Cantalamessa, Fuda
Nays: None

Week Beginning August 21, 2017

Meeting of August 23, 2017

RE: ADJOURN

MOTION: Made by, Mr. Polivka, seconded by Mr. Cantalamessa, to adjourn the Regular Meeting of August 24, 2017, and to meet again in Regular Session on August 30, 2017.

Yeas: Polivka, Cantalamessa, Fuda,

Nays: None

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

FRANK S. FUDA, PRESIDENT

MAURO CANTALAMESSA, COMMISSIONER

DANIEL E. POLIVKA, COMMISSIONER

ATTEST:

PAULETTE A. GODFREY, CLERK