

Week Beginning May 14, 2018

Meeting of May 16, 2018

The Board of County Commissioners, Trumbull County, Ohio, met for a Regular Meeting on the 16th day of May, 2018, in the office of said Board, with the following members present:

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

RE: MINUTES

1. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to dispense with reading the minutes of the Regular Meeting dated May 9, 2018.

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

RE: APPROVE BILLS

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

**RE: RECEIVE/FILE MONTHLY ACTIVITIES REPORT
TOURISM BUREAU – APRIL 2018**

3. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to receive and place on file the APRIL 2018 Monthly Financial Report for the TRUMBULL COUNTY TOURISM BUREAU, as submitted by Stephanie L. Sferra, Executive Director.

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

**RE: RESCIND JOURNAL ACTION TAKEN 04/04/2018
APPROVING TRANSFER OF NOAH GILGER
FROM SANITARY ENGINEERS TO DOG KENNEL**

4. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to rescind the Journal Action taken by the Board of Trumbull County Commissioners on April 4, 2018, duly recorded in Journal Volume 148, Page 21531 approving the personnel action for the employment transfer of NOAH GILGER from the position of Laborer with the Trumbull County Sanitary Engineers Department, Pay Range 2 (0 years) to the position of Deputy Dog Warden with the Dog Kennel Department, Pay Range 4 (0 years), effective April 9, 2018. This action is being rescinded since Trumbull County chose to return Mr. Gilger to his previous position with the Trumbull County Sanitary Engineers Department, effective May 21, 2018; this action per the recommendation of the Trumbull County Human Resources Department.

NOTE: Under the terms of Article 8, Section 3, of the Collective Bargaining Agreement between the Trumbull County Commissioners and AFSCME Local 2493, Mr. Gilger is exercising his right to return to his previous position.

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

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RE: EXECUTE FEE AGREEMENT AND LETTER OF INTENT WITH MANCHESTER, NEWMAN & BENNET TO PROVIDE LEGAL COUNSEL FOR WORKERS COMPENSATION CASE FOR TIM MORGAN

5. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to authorize Daniel E. Polivka, President of the Board of Trumbull County Commissioners, to execute a Fee Agreement and Letter of Engagement with the Law Firm of MANCHESTER, NEWMAN & BENNETT with representation by Attorney Thomas F. Hull, II or Attorney Scott Lanz, Atrium Level Two, 201 East Commerce Street, Youngstown, OH 44503-1641, at the rate of \$200.00 per hour, for a total amount not to exceed \$6,000.00. Said legal representation is necessary to provide advice and legal counsel to the Board of Commissioners regarding the Workers Compensation Case No. 2018-CV-00667, TIM MORGAN VS TRUMBULL COUNTY, ET AL in the Trumbull County Court of Common Pleas—and all proceedings related to this matter; this action per the request and recommendation of Richard Jackson, Trumbull County Human Resources Director, and is subject to review and approval of the Prosecutor’s Office.

NOTE: Mr. Morgan is a former employee of the Trumbull County Dog Kennel.

Yeas: Fuda, Cantalamessa, Polivka

Nays: None

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

RE: ESTABLISH INSTALLMENT PAYMENT PLAN FINANCING TAP-IN FEES CONCERNING LOW TO MODERATE INCOME HOUSEHOLDS WITHIN SCOPE OF THE SANITARY LATERAL ASSISTANCE PROGRAM

6. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to establish an installment payment plan for the purpose of financing tap-in fees concerning low-to-moderate (LMI) household connections within the scope of the Sanitary Lateral Assistance Program (SLAP) administered by the Trumbull County Grants Manager. Installment payments are to be certified by the Trumbull County Auditor and placed upon the real property tax list and duplicate against the property served by the connection, identified by parcel number. Upon collection of the installment payments, the funds are to be transferred to the Trumbull County Sanitary Sewer Fund. The current tap-in fee is \$1,800.00 per single residency equivalent. The installment payment plan will be over a five (5) year term at a fixed zero percent (0%) annual percentage rate—with an annual payment of \$360.00 plus a statutory three percent (3%) Auditor/Treasurer collection fee. The affected low-to-moderate property owner has been given the option to pay the tap-in-fee in its entirety in lieu of paying in installments; this action per the recommendation of the Trumbull County Sanitary Engineers Department and is subject to review and approval of the Prosecutor’s Office.

NOTE: This action is necessary due to the non-qualification of the home Sewage Treatment System (HSTS) Reserve Program and the Community Development Block Grant (CDBG) funds to pay tap-in fees for LMI households. HSTS and CDBG funding requires each owner occupied LMI household to be connected to the project. HSTS and CDBG pays all costs associated with the LMI lateral construction, the lateral construction inspection fee of \$50.00, the Trumbull County Combined Health District plumbing inspection fee of \$75.00, the Trumbull County Combined Health District septic abandonment fee of \$50.00 and the cost of any necessary plumbing modifications that result from the plumbing inspection. Since the Board of Trumbull County Commissioners must enter into a contract for construction of all qualified LMI house connections, per HSTS and CDBG requirements, a method must be established for the payment of tap-in fees pursuant to Section 6117.02 of the Ohio Revised Code.

Yeas: Fuda, Cantalamessa, Polivka

Nays: None

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

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Commissioner Polivka commented on holding item #7 until Officials from Trumbull County and the City of Warren could meet to continue negotiations and hopefully come to an agreement in the spirit of cooperation.

Randy Smith commented on the previous cooperation between the city and county and that he hopes to keep a good relationship. He commented on some documents previously requested from the City of Warren and that in order to proceed with negotiations positively Warren would need to furnish them.

Commissioner Fuda commented on how these agreements would affect many people throughout Trumbull County and that it needed to be decided upon as quickly as possible without incurring additional costs and time involved with hiring attorneys.

ITEM HELD

RE: GIVE NOTICE TO CANCEL AGREEMENT BETWEEN COMMISSIONERS AND CITY OF WARREN, OHIO FOR SEWER SERVICE CHARGES FOR CITY RESIDENTS IN AREAS NOT SPECIFICALLY COVERED BY PRIOR AGREEMENTS WHOSE WASTEWATER IS TRIBUTARY TO COUNTY OWNED TREATMENT FACILITIES

ITEM #7 WAS HELD, WHICH MOTION READS AS FOLLOWS:

To give notice to the City of Warren to cancel the Agreement entered into between the Board of Commissioners of Trumbull County and the City of Warren, Ohio for Sewer Service Charges for City Residents in Areas not Specifically Covered by Prior Agreements Whose Wastewater is Tributary to County-Owned Treatment Facilities. In accordance with the terms of said Agreement, either party may cancel this Agreement upon 180 days written notice; this action per the recommendation of the Trumbull County Sanitary Engineers Department and is subject to review and approval of the Prosecutor's Office.

NOTE: The Board of Trumbull County Commissioners approved the original Agreement on August 5, 1982, duly recorded in Journal Volume 76, Page(s) 151-153.

RE: NON-REIMBURSABLE EXTENSION AGREEMENT REPLACEMENT OF A WATER LINE WITH THE CITY OF GIRARD FOR THE EAST DRIVE WATER LINE REPLACEMENT COUNTY PROJECT NO. 4-W-16

8. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to enter into a Non-Reimbursable Extension Agreement for the Replacement of a Water Line with the CITY OF GIRARD for the East Drive Water Line Replacement Project, Liberty Township, Girard Water District, known as County Project No. 4-W-16; 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: Fuda, Cantalamessa, Polivka

Nays: None

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

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**RE: DETAILED WATER DRAWINGS - CITY OF GIRARD
FOR THE EAST DRIVE WATER LINE REPLACEMENT
COUNTY PROJECT NO. 4-W-16**

9. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to approve the Detailed Water Drawings for the CITY OF GIRARD for the East Drive Water Line Replacement Project, Liberty Township, Girard Water District, known as County Project No. 4-W-16; this action per the recommendation of the Trumbull County Sanitary Engineers Department.

NOTE: An Ohio EPA Permit To Install (PTI) was not necessary due to the fact that this is a water line replacement project.

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

**RE: AWARD BID – FOUST CONSTRUCTION, INC.
TRU-NORTH ROAD/NORTH RIVER ROAD
IMPROVEMENTS PROJECT**

10. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to award the lowest and best bid as submitted by FOUST CONSTRUCTION, INC., 1700 Wilson Avenue, Girard, OH 44420 TRU – NORTH ROAD / NORTH RIVER ROAD IMPROVEMENTS PROJECT, in the amount of \$375,387.15—to be funded by an 80% County Engineer’s Association of Ohio (CEAO) grant with a local match provided from the Trumbull County Engineer’s Fund No. 002-030-1700-1700-1-505548—*no County General Revenue Funds are required*; AND to enter into a contract with FOUST CONSTRUCTION, INC. for said project. Improvements to the intersection include the installation of northbound and southbound left turn lanes on North Road; adjustment of existing lane widths to meet current design standards; and new traffic signal and equipment with video detection on North Road approaches, pavement markings, and signage; this action per the recommendation of the Trumbull County Engineer and is subject to review and approval of the Prosecutor’s Office.

NOTE: Engineer’s Estimate = \$423,365.97

OTHER BIDS SUBMITTED

COMPANY	AMOUNT
SHELLY & SANDS, INC. 1450 N. Bailey Road North Jackson, OH 44451	\$455,448.00 (corrected amount) \$458,448.50 (submitted amount)
AMERICAN CONTRACTING, INC. 3651 Leharps Road Youngstown, OH 44515	\$459,727.25 (corrected amount) \$460,434.00 (submitted amount)
S.E.T., INC. 235 E. Water Street Lowellville, OH 44436	\$602,829.20

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

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RE: GRANT QUARTERLY OPERATOR FLEET PERMIT – COUNTY ENGINEER

11. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to concur with the Trumbull County Engineer to grant the Quarterly Operator Fleet Permit to travel upon load posted Trumbull County roadways (*not to exceed 80,000 lbs. gross vehicle weight*), requested by the company listed. The necessary permit fees and insurance information have been submitted and approval is subject to the conditions listed on the permit.

- **Permit No.: QF-011-2018**
- Permit Effective: May 7, 2018 through May 7, 2019**
- NORTH EAGLE, LLC, P.O. BOX 499, Chardon, OH 44024**

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

RE: MODIFICATION NO. 30721-1 TO AGREEMENT WITH PALMER ENGINEERING COMPANY FOR PROFESSIONAL ENGINEERING SERVICES FOR TRU-NORTH ROAD/REEVES ROAD INTERSECTION IMPROVEMENT PROJECT

12. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to approve Modification No. 30721-1 to the Agreement with PALMER ENGINEERING COMPANY, 460 White Pond Drive, Suite #300, Akron, OH 44320 to provide professional engineering services for the TRU-NORTH ROAD/REEVES ROAD INTERSECTION IMPROVEMENT PROJECT, located in Howland Township and the City of Warren. The Modification serves to increase Part 1: PL thru EE Phase by \$11,052.00; increase Part 2: Right of Way Including Pinning Phase by \$4,886.00; and decrease Part 3: FE Phase by \$15,938.00. *This Modification is necessary to move required work from Part 3 to Part 1 and Part 2 of the Agreement—there are no monetary changes*; 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 Agreement with Palmer Engineering Company on May 24, 2017, duly recorded in Journal Volume 146, Page 20782 in the amount of \$130,961.00. On September 27, 2017, duly recorded in Journal Volume 147, Page 21109, the Commissioners amended the original action to include additional federal funding to offset local funds which were committed as part of the original Agreement revising the 80% payment from \$71,900.00 up to a maximum federal share of \$104,768.80 and the 20% local share from \$59,061.00 to \$26,192.20.

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

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

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**RE: GRANT SPECIAL HAULING PERMITS TO MOVE
OVERWEIGHT EQUIPMENT – COUNTY ENGINEER**

13. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, 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.

- **Permit No.: 933**
DIAMOND STEEL CONSTRUCTION COMPANY, P.O. Box 156, North Lima, OH 44452, to haul or move overweight equipment over Elm Road (C.H. 328) in Bazetta and Howland Townships.

- **Permit No.: 934**
SOUTHERN PINES TRUCKING, INC., 4200 Industrial Boulevard, Aliquippa, PA 15001, to haul or move overweight equipment over Hubbard Masury Road (Standard Avenue) (C.H. 311) in Brookfield and Hubbard Townships.

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

**RE: GRANT SPECIAL ANNUAL SUPPLIER FLEET
PERMITS – COUNTY ENGINEER**

14. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to concur with the Trumbull County Engineer to grant the Special Annual Supplier Fleet Permits 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 companies listed. The necessary permit fee and insurance information have been submitted and approval is subject to the conditions listed on each permit.

- **Permit No.: AF-013-2018**
Permit Effective: May 8, 2018 through May 8, 2019
SCD MANAGEMENT, INC., 8084 Ravenna Road, Concord Township, OH 44077

- **Permit No.: AF-014-2018**
Permit Effective: May 8, 2018 through May 8, 2019
CIRKE C, LLC / McCALLISTER PUMPING, 7458 Leon Road, Andover, OH 44003

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

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**RE: GRANT RIGHT OF WAY PERMITS
COUNTY ENGINEER**

15. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, 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 each permit.

- **DOMINION EAST OHIO**, 320 Springside Drive, Akron, OH 44333, to work in the right-of-way of Champion Avenue, East (C.H. 200B), in order to install a gas service line for address #142. This will be located 500 feet east of SR 45 in Champion Township.
- **JAMES PALMER**, 626 Geneva Avenue, Struthers, OH 44471, to work in the right-of-way of Sodom Hutchings Road (C.H. 45B), in order to install 40 feet of 15” conduit for a driveway access for address #1155. This will be located approximately 1.2 miles south of SR 82 in Vienna Township.
- **DAVE JENKINS**, 962 Bristol Champion Townline Road, Bristolville, OH 44402, to work in the right-of-way of Bristol Champion Townline Road (C.H. 198E), in order to install one (1) catch basin and approximately 120 feet of 15” conduit for a driveway and ditch enclosure. This will be located approximately 0.2 miles east of Shaffer Road in Champion Township.
- **CENTURYLINK**, 203 W. 9th Street, Lorain, OH 44052, to bore under and work in the right-of-way of Girdle Road (C.H. 223D), in order to place buried cable for address #7075. This will be located approximately 1,000 feet north of Larson West Road in Farmington Township.

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

**RE: RENEW CONTRACT BETWEEN COMMISSIONERS AND
AREA AGENCY ON AGING 11, INC. FOR ACCESS TO
THE SOCIAL ASSISTANCE MANAGEMENT SYSTEM**

16. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to concur with the Senior Services Advisory Council’s recommendation to exercise Trumbull County's option to renew the contract by and between the BOARD OF TRUMBULL COUNTY COMMISSIONERS and AREA AGENCY ON AGING 11, INC., 5555 Youngstown-Warren Road, Suite 2685, 2nd Floor, Niles, OH 44446 for access to the Area Agency on Aging 11, Inc.’s SOCIAL ASSISTANCE MANAGEMENT SYSTEM (the “SAMS”) for an additional one (1) year period, effective March 1, 2018 through February 28, 2019. The base cost for this program is \$5,000.00 annually. The renewal of license fees for providers is \$367.20 per license. Eight (8) licenses are needed at this time for a total amount of \$7,937.60—to be paid for from Senior Levy Fund No. 065-050-1000-1000-1-505551--*no General Revenue Funds will be utilized*; this action per the recommendation of the Senior Services Advisory Council and Diane M. Siskowic-Jurkovic, CPA, Senior Levy Administrator, and is subject to review and approval of the Prosecutor’s Office.

NOTE: The Board of Commissioners approved the original contract with Area Agency on Aging 11, Inc. for the SAMS Program on January 20, 2011, duly recorded in Journal Volume 136, Page 15674. The Board of Commissioners approved renewal of the contract on May 31, 2012, duly recorded in Journal Volume 138, Page 16742—with the Modification of Rates being approved on September 20, 2012, duly recorded in Journal Volume 138, Page 16972. The Board of Commissioners approved renewal of the contract on February 6, 2013, duly recorded in Journal Volume 139, Page 17277. The Board of Commissioners approved renewal of the contract on April 28, 2014, duly recorded in Journal Volume 141, Page 18222. The Board of Commissioners approved renewal of the contract on April 22, 2015, duly recorded in Journal Volume 143, Page 19025. The Board of Commissioners approved renewal of the contract on April 20, 2016, duly recorded in Journal Volume 144, Page 19830. The Board of Commissioners approved renewal of the contract on April 26, 2017, duly recorded in Journal Volume 146, Page 20700.

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

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RE: AUTHORIZE PAYMENT TO AREA AGENCY ON AGING 11, INC. FOR SERVICES DURING THE 2018 YEAR

17. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to authorize payment to the AREA AGENCY ON AGING 11, INC., 5555 Youngstown-Warren Road, Suite 2685, 2nd Floor, Niles, OH 44446, for services rendered during the 2018 year—\$1,250.00 to be paid quarterly for a total amount not to exceed \$5,000.00—to be paid for from the Senior Levy Fund No. 065-050-1000-1000-1-505824. The AREA AGENCY ON AGING 11, INC. will provide referral services for seniors and copies of the ‘Older Adults Resource Guide’; this action per the recommendation of Diane M. Siskowic-Jurkovic, CPA, Senior Levy Administrator.

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

RE: ADVERTISE FOR BIDS TRANSPORTATION SERVICES TO BE PROVIDED TO SENIOR CITIZENS RESIDING IN TRUMBULL COUNTY

18. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to authorize the Board of Trumbull County Commissioners’ Clerk to advertise for sealed proposals for TRANSPORTATION SERVICES, to be provided to SENIOR CITIZENS (individuals 60 years or older) residing in Trumbull County. The service contracts will be for a twelve (12) month period beginning as early as July 1, 2018 and ending June 30, 2019.

SPECIAL NOTE: The Senior Services Advisory Council’s charge is to recommend to the Commissioners the distribution of levy funds. It will also review monitoring and evaluation material prepared by Diane M. Siskowic-Jurkovic, CPA, Senior Levy Administrator. Upon Approval, the Board of Commissioners will enter into a contract with each provider, and the Senior Levy Administrator will monitor and evaluate the successes or shortcomings, and report to the Commissioners and the Senior Services Advisory Council.

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

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

RE: CONCUR WITH SENIOR SERVICES RECOMMENDATION TO REALLOCATE FUNDS USED BY SCOPE SENIOR SERVICES FOR THE HOWLAND AND NILES SCOPE CENTERS

19. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to concur with the Senior Services Advisory Council’s recommendation to reallocate funds used by Family and Community Services, Inc., d/b/a SCOPE Senior Services for the Howland and Niles SCOPE Centers. The revision will allow proper reimbursement per the intentions of the Senior Levy bid specifications for the contract ending June 30, 2018. *There will be no monetary additions to the actual contract;* this action per the recommendation of the Senior Services Advisory Council and Diane M. Siskowic-Jurkovic, CPA, Senior Levy Administrator, and is subject to review and approval of the Prosecutor’s Office.

NOTE: This amendment to the contract is necessary due to a misunderstanding of terminology within the bid specifications for the AARP Tax Program provided to the seniors at SCOPE.

(Continued)

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RE: CONCUR WITH SENIOR SERVICES RECOMMENDATION TO REALLOCATE FUNDS USED BY SCOPE SENIOR SERVICES FOR THE HOWLAND AND NILES SCOPE CENTERS (Cont'd)

❖ Contract Revisions Include:

Service	Current Contract	Revised Contract
Niles Supportive Service	\$23,520.00	\$20,000.00
Volunteer Supportive Service	\$ 600.00	\$ 4,120.00
Howland Supportive Service	\$ 23,716.00	\$ 18,750.00
Volunteer Supportive Service	\$ 600.00	\$ 2,100.00
Socialization	\$ 30,992.00	\$ 34,458.00

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

RE: EXECUTE/SUBMIT FY2019 "JUVENILE COURT FUNDING APPLICATION UPDATE" TO OHIO DEPT. OF YOUTH SERVICES

20. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to authorize Daniel E. Polivka, President of the Board of Trumbull County Commissioners, to execute the FY 2019 Ohio Department of Youth Services Subsidy Grant "JUVENILE COURT FUNDING APPLICATION UPDATE"; AND to authorize the Trumbull County Juvenile Court to submit the Application Update to the Ohio Department of Youth Services. The grant is for the term effective July 1, 2018 through June 30, 2019. The Court's tentative allocation for FY 2019 Youth Services Subsidy Grant is \$981,597.81. *These monies will provide for the continued implementation of a myriad of direct services to Trumbull County youth and families; this action per the recommendation of Stacy Ziska, Juvenile Court Administrator.*

NOTE: As in the past, these are self-sustaining programs which do not increase county costs, and contrarily, have contributed much to the court and county annually in the way of supplies, equipment, and vehicles.

SPECIAL NOTE: AT SUCH TIME AS TRUMBULL COUNTY DOES NOT RECEIVE FUNDING, THE BOARD OF TRUMBULL COUNTY COMMISSIONERS HAS NO OBLIGATION TO FUND THIS PROGRAM.

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

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

**RE: APPROVE FIRST EXTENSION TO
OHIO MEANS JOBS CENTER OPERATOR CONTRACT
WITH DEPT. OF JOB & FAMILY SERVICES**

21. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to approve the first extension to the OhioMeansJobsCenter Operator Contract with the TRUMBULL COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES, 280 N. Park Avenue, Warren, OH 44481. The extension is for an additional twelve (12) month period commencing July 1, 2018 through June 30, 2019—all other terms of the existing contract will remain the same. The contract will increase by an additional \$470.09—revising the total contract amount to \$39,095.65—to be paid from WIOA funds—no County General Revenue Funds will be utilized; 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.

NOTE: The Board of Commissioners awarded the original contract to the Trumbull County Department of Job and Family Services (the only bid submitted) on May 24, 2017, duly recorded in Journal Volume 146, Page 20783 in the amount of \$38,625.56.

IMPORTANT NOTE: An Ohio Means Jobs Center Operator is required by the State of Ohio.

Yeas: Fuda, Cantalamessa, Polivka

Nays: None

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

**RE: APPROVE FIRST EXTENSION TO
OHIO MEANS JOBS CENTER EMPLOYER OF RECORD
CONTRACT BETWEEN DEPT. OF JOB & FAMILY
SERVICES AND CALLOS RESOURCE, LLS**

22. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to approve the first extension to the OhioMeansJobsCenter Employer of Record Contract by and between the TRUMBULL COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES and CALLOS RESOURCE LLC AND AFFILIATES d/b/a CALLOS RESOURCE, LLC, 5803 Market Street, Youngstown, OH 44512-2190—with a remittance address of P.O. Box 74968, Cleveland, OH 44191. The extension is for an additional twelve (12) month period commencing July 1, 2018 through June 30, 2019—all other terms of the existing contract will remain the same. The contract will increase by an additional \$828.00—revising the total contract amount to \$205,556.75 (the increase is due to the rise in Workers’ Compensation rates)—to be paid from WIOA funds—no County General Revenue Funds will be utilized; 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.

NOTE: The Board of Commissioners awarded the original contract to Callos Resource LLC on August 30, 2017, duly recorded in Journal Volume 147, Page 21057 the amount of \$204,728.75.

IMPORTANT NOTE: An Ohio Means Jobs Center Operator is required by the State of Ohio.

Yeas: Fuda, Cantalamessa, Polivka

Nays: None

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

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RE: AUTHORIZE GRANTS MANAGER TO MAIL LETTERS TO LICENSED HOME SEWAGE TREATMENT SYSTEM INSTALLERS FOR PY2017 HSTS RESERVE PROGRAM

23. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to authorize Julie M. Green, Trumbull County Grants Manager, to mail letters to all of Trumbull County’s licensed Home Sewage Treatment System (HSTS) installers announcing that they can secure ‘Request for Price Proposal Packets’ for one (1) or more of the households qualified to receive financial assistance through the County’s PY2017 HSTS Reserve Program funded through the OPEA Water Pollution Control Loan Fund Principal Forgiveness Program. *Letters must be received by the Commissioners’ Office no later than 4:00 p.m. on Wednesday, June 13, 2018;* this action per the recommendation of the Trumbull County Grants Manager and is subject to the review and approval of the Prosecutor’s Office.

NOTE: *The letter shall be recorded on the Journal for record purposes.*

SPECIAL NOTE: The Commissioners authorized the application, acceptance and execution of the PY17 HSTS Agreement on January 13, 2017, duly recorded in Journal Volume 145, Page 20441.

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

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

RE: ADVANCE \$45,000.00 LOAN TO THE FAIR BOARD TOWARD CONSTRUCTION OF A NEW PAVILION PROJECT AT THE FAIR GROUNDS

24. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to advance \$45,000.00 as a loan to the Trumbull County Fair Board toward the construction of a new Pavilion Project to be built at the Trumbull County Fair Grounds, 899 Everett Hull Road, Cortland, Ohio 44410. The loan shall be payable with no interest and repaid within thirty (30) days of reimbursement to the Fair Board by the Ohio Department of Natural Resources (ODNR).

Commissioner Fuda commented that this is a great way to support the Fair Board and that they have paid back all previous advances on time.

Commissioner Cantalamessa commented that it was worthy to note that \$39,000.00 of the loan will be paid for by a grant from ODNR.

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

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

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**RE: RESOLUTION GRANTING ANNEXATION AND OF
SPECIFIC FINDINGS OF FACT ANNEXATION OF
0.8970 ACRES OF LAND FROM BAZETTA TOWNSHIP
TO THE CITY OF CORTLAND, OHIO**

25. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to adopt the following Resolution Granting Annexation and of Specific Findings of Fact in the matter of the proposed Annexation of 0.8970 acres of land from Bazetta Township to the City of Cortland; Ohio:

WHEREAS, a Petition praying for the Annexation of 0.8970 acres of land from Bazetta Township to the City of Cortland, Ohio, was filed with the Clerk on February 9, 2018; and

WHEREAS, on February 14, 2018, the Board of Trumbull County Commissioners set April 25, 2018, at 11:00 a.m., Warren, Ohio Time, in the Board of Trumbull County Commissioners' Hearing Room, 5th Floor, County Administration Building, as the date, time and place for the Public Hearing for the proposed Annexation of 0.8970 acres of land from Bazetta Township to the City of Cortland; and

WHEREAS, pursuant to a letter from Attorney Thomas C. Nader, Agent for Petitioners, a Resolution was entered upon the Board of Trumbull County Commissioners' Journal on April 25, 2018, granting a continuance of the Annexation hearing scheduled for April 25, 2018 to May 9, 2018, at 11:00 a.m., Warren, Ohio Time, per the recommendation of the Trumbull County Prosecutor's Office, said continuance was granted to allow Attorney Thomas C. Nader the opportunity to publish the legal notice in a newspaper of general circulation within Trumbull County, Ohio.

WHEREAS, pursuant to Resolution entered upon the Board of Trumbull County Commissioners' Journal on February 14, 2018, and pursuant to Ohio Revised Code Section 709.031 (A), the Board of Commissioners' Clerk referred the legal description of the perimeter and the Map of the territory proposed to be annexed to the County Engineer for a report upon the accuracy of the legal description of the perimeter and map; and

WHEREAS, pursuant to Resolution entered upon the Board of Trumbull County Commissioners' Journal on February 14, 2018, and pursuant to Ohio Revised Code Section 709.03(A), the Board of County Commissioners' Clerk notified the Agent for the Petitioners of the date, time, and place for the public hearing on said proposed Annexation; and

WHEREAS, the Board of Trumbull County Commissioners finds that a Hearing was held on May 9, 2017, in accordance with O.R.C. Chapter 709, upon the Petition for Annexation; and

WHEREAS, the Board of Trumbull County Commissioners finds that all necessary parties appeared at the hearing represented by legal counsel; that no person withdrew any signature to the Petition; that no parties requested any subpoenas for witnesses; that the Board did not subpoena any witnesses; that all witnesses were duly sworn according to law prior to testifying; that all witnesses were subject to cross-examination; that all parties were permitted to present evidence, examine and cross-examine witnesses, and given the opportunity to comment on all evidence; and

WHEREAS, pursuant to letter from the Trumbull County Auditor, dated April 11, 2018, the Board of Trumbull County Commissioners finds that the Petition for Annexation contained the name and signatures *Diane K. Ashdown* owners of the real estate of the territory proposed to be annexed, pursuant to O.R.C. 709.02; and

(Continued)

Week Beginning May 14, 2018

Meeting of May 16, 2018

RE: RESOLUTION GRANTING ANNEXATION AND OF SPECIFIC FINDINGS OF FACT ANNEXATION OF 0.8970 ACRES OF LAND FROM BAZETTA TOWNSHIP TO THE CITY OF CORTLAND, OHIO (Cont'd)

WHEREAS, *pursuant to a letter from the Trumbull County Engineer, dated February 28, 2018*, to the Board of Trumbull County Commissioners finds that the real estate and map are acceptable as noted; correction to legal description was requested by the County Engineer; provided by Attorney Thomas C. Nader on April 23, 2018.

WHEREAS, the Board of Trumbull County Commissioners finds that the Petition contained the name and address of the Agent for Petitioners, being Thomas C. Nader, 5000 E. Market Street, Suite 33, Warren, Ohio 44484; and that, *pursuant to O.R.C. 709.02(D)*, the Agent for the Petitioners filed with the clerk of the Board a list of all tracts, lots or parcels, and the name and mailing address of the owners of each tract and the permanent parcel numbers within the proposed territory to be annexed, and all tracts, lots or parcels that lie adjacent or directly across the road from the proposed territory to be annexed; and

LIST OF ADJOINING PROPERTY OWNERS

Cass Lake Recreational Park Inc. All lands to the north, south, and west
3481 Niles Cortland Rd.
Cortland, Ohio 44410

Jerry A. Carleton Trustee Land to the west across State Rt. 46
415 Cherry Hill
Cortland, OH 44410

WHEREAS, *pursuant to O.R.C. 709.033*, the Board of Trumbull County Commissioners further finds that the persons who signed the Petition are the owners of the real estate located in the territory proposed to be annexed in the Petition and, as of the time the Petition was filed with the Board of County Commissioners, the number of valid signatures on the Petition constitutes a majority of the owners of real estate in that territory—*pursuant to the Trumbull County Auditor's letter, the owners of the property are:*

Diane K. Ashdown
3413 Niles-Cortland Road
Cortland, Ohio 44410

All property owners signed the Petition, so a majority does exist; and

WHEREAS, the Board of Trumbull County Commissioners finds that the signatures of the owners of real estate located in the territory proposed to be annexed in the Petition were not obtained more than 180 days before the date the Petition and Map were filed; and

WHEREAS, the Board of Trumbull County Commissioners finds that the municipal corporation (City of Cortland) to which the territory is proposed to be annexed has complied with Ohio Revised Code Section 709.03(D)—the requirement to adopt by ordinance or resolution a statement indicating what services will be provided upon Annexation, and an approximate date the services will be provided; the City of Cortland adopted Resolution No. R-12-18 on March 19, 2018, regarding the Services to be provided for Certain Territory Proposed for Annexation, Resolution indicates that the Services to be provided will include water and sewer *upon its Annexation—an approximate date as required by the Ohio Revised Code*; said Resolution received by the Board of Trumbull County Commissioners on March 23, 2018, for the record; and

WHEREAS, the Board of Trumbull County Commissioners finds that the Agent has provided evidence of notifications required to be made by the Agent to the Fiscal Officer of Bazetta Township and the Clerk of the City of Cortland, *pursuant to O.R.C. 709.03(B)(1)* the property owners and landowners adjacent to the area sought to be annexed, *pursuant to O.R.C. 709.03(B)(2)*; Notices by Agent delivered on February 21, 2018 and February 22, 2018—Agent filed Proof of Delivery with the Board on April 23, 2018; and

(Continued)

Week Beginning May 14, 2018

Meeting of May 16, 2018

RE: RESOLUTION GRANTING ANNEXATION AND OF SPECIFIC FINDINGS OF FACT ANNEXATION OF 0.8970 ACRES OF LAND FROM BAZETTA TOWNSHIP TO THE CITY OF CORTLAND, OHIO (Cont'd)

WHEREAS, the Board of Trumbull County Commissioners finds that the Agent has provided evidence of additional notifications regarding the continuance granted on April 25, 2018 to the Fiscal Officer of Bazetta Township and the Clerk of the City of Cortland, *pursuant to O.R.C. 709.03(B)(1)* the property owners and landowners adjacent to the area sought to be annexed, *pursuant to O.R.C. 709.03(B)(2)*; Notices by Agent delivered on April 28, 2018 and April 30, 2018—Agent filed Proof of Delivery with the Board on May 9, 2018; and

WHEREAS, *pursuant to O.R.C. 709.03(B)(3)*, the Board of Trumbull County Commissioners finds that Proof of Publication was filed with the Board on May 7, 2018. Notice appeared in the Trumbull County Legal News on May 3, 2018; and

WHEREAS, *pursuant to O.R.C. 709.033*, and pursuant to letter from the Trumbull County Engineer, dated February 28, 2018, the Board of Trumbull County Commissioners finds that based upon a preponderance of the substantial, reliable, and probable evidence of the record as a whole that the territory to be annexed is not unreasonably large; that the total area to be annexed is 0.8970 acres; and

WHEREAS, the Board of Trumbull County Commissioners finds that, on balance, the general good of the territory proposed to be annexed will be served, and the benefits to the territory proposed to be annexed and the surrounding area will outweigh the detriments to the territory proposed to be annexed.

THEREFORE, BE IT RESOLVED, that the Board of Trumbull County Commissioners hereby finds that the Petition meets all the requirements set forth in, and was filed in the manner provided in Section 709.02 of the Ohio Revised Code; AND hereby, based upon the preponderance of the substantial reliable probable evidence on the whole record that the requirements of O.R.C. Section 709.02 and 709.03 have been met, AND hereby grants that the territory described in said Petition, and heretofore described be Annexed to the City of Cortland, Ohio:

Situated in the Township of Bazetta, County of Trumbull and State of Ohio and being described as follows: Beginning at a point being the centerline of Niles Cortland Rd. and the southern boundry line of the subject parcel, said centerline also being the boundary between the City of Cortland and the Township of Bazetta; thence N. 87° 55' W. 375 feet to a point; thence N. 2° 15' E. to a point; thence S. 87° 55' E. 75 feet to a point, thence N. 2° 15' E. 24 feet to a point; thence S. 87° 55' E. to a point, said point being the centerline of Niles Cortland Rd.; thence S. 2° 15' W. 109 feet to a point being the place of beginning and containing 0.8970 acres.

THEREFORE, BE IT FURTHER RESOLVED, that a certified copy of the Resolution be sent to the Agent for the Petitioners, Clerk of the Legislative Authority of the Municipality, and the Clerk of each Township in which territory proposed to be annexed is located.

Upon roll call, the vote resulted as follows:

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

Adopted: May 16, 2018

Week Beginning May 14, 2018

Meeting of May 16, 2018

**RE: REAPPOINT MARGIE ALEXANDER AS A
“COUNTY PREVENTION SPECIALIST” ON THE
OHIO CHILDREN’S TRUST FUND REGIONAL
PREVENTION COUNCIL**

26. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to reappoint MS. MARGIE ALEXANDER, Trumbull County Family and Children First Coordinator, to serve as a “County Prevention Specialist” on the OHIO CHILDREN’S TRUST FUND Regional Prevention Council for an additional two (2) year term commencing March 1, 2018 through February 28, 2020. Pursuant to Ohio Revised Code Section 3109.172, Ms. Alexander can be reappointed for two (2) consecutive terms.

NOTE: The Board of County Commissioners appointed Ms. Alexander on November 25, 2015, duly recorded in Journal Volume 144, Page 19512.

Yeas: Fuda, Cantalamessa, Polivka

Nays: None

**RE: ADOPT RESOLUTION PROCLAIMING MAY 13-19, 2018
AS POLICE WEEK AND MAY 15, 2018 AS PEACE
OFFICERS MEMORIAL DAY IN TRUMBULL COUNTY**

27. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to adopt a Resolution proclaiming the week of May 13 through May 19, 2018 as POLICE WEEK and May 15, 2018 as PEACE OFFICERS MEMORIAL DAY in Trumbull County, Ohio, in conjunction with the proclamation issued by the Honorable John R. Kasich, Governor of the State of Ohio. The Board of Trumbull County Commissioners commends all law enforcement officers who stand ready to defend and protect our residents. The Board of Commissioners encourages all citizens to recognize the gratitude that is due police officers who sacrificially serve to protect. We owe every law enforcement officer and their families a debt of gratitude which can never be fully repaid.

Yeas: Fuda, Cantalamessa, Polivka

Nays: None

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

The Commissioners presented a Resolution to Sherrif Paul Monroe and members of his staff in recognition Police Week. Sheriff Monroe thanked the Commissioners for their support and thanked officers for their continued work. He gave special thanks to those officers who gave their life in the line of duty.

Week Beginning May 14, 2018

Meeting of May 16, 2018

RE: LIQUOR PERMIT

28. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to notify the Ohio Department of Liquor Control that a public hearing is not requested on the Liquor Permit Application listed.

TRANSFER CLASSES D5A, D6

FROM:	BHAVYA SREE LLC d/b/a QUALITY INN AND SUITES POOL AREA & PATIO 4055 Belmont Road Liberty Township Youngstown, OH 44505
TO:	SR JALAPENOS LLC d/b/a SR JALAPENOS MEXICAN RESTAURANT POOL AREA & PATIO 4055 Belmont Road Liberty Township Youngstown, OH 44505

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

RE: TRANSFER MONIES

29. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, pursuant to Ohio Revised Code Section 5705.14, to transfer monies as submitted to the Trumbull County Auditor's Office between the dates of May 4, 2018 through May 11, 2018. *Complete list of money transfers shall be recorded onto the Journal for record purposes.*

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

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

RE: ADDITIONAL APPROPRIATIONS

30. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to approve additional appropriations, as submitted to the Trumbull County Auditor's Office between the dates of May 4, 2018 through May 11, 2018. *Complete list of additional appropriations shall be recorded onto the Journal for record purposes.*

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

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

Week Beginning May 14, 2018

Meeting of May 16, 2018

RE: TRANSFER APPROPRIATIONS

31. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to transfer appropriations, as submitted to the Trumbull County Auditor's Office between the dates of May 4, 2018 through May 11, 2018. *Complete list of appropriation transfers shall be recorded onto the Journal for record purposes.*

Yeas: Fuda, Cantalamessa, Polivka

Nays: None

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

RE: ADJOURN

MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to adjourn the Regular Meeting of May 16, 2018, and to meet again in Regular Session on May 23, 2018.

Yeas: Fuda, Cantalamessa, Polivka

Nays: None

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

DANIEL E. POLIVKA, PRESIDENT

MAURO CANTALAMESSA, COMMISSIONER

FRANK S. FUDA, COMMISSIONER

ATTEST:

PAULETTE A. GODFREY, CLERK