

Week Beginning August 20, 2018

Meeting of August 22, 2018

The Board of County Commissioners, Trumbull County, Ohio, met for a Regular Meeting on the 22nd day of August, 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 Workshop Session dated August 14, 2018 and the Regular Meeting dated August 15, 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 – JULY 2018**

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

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

RE: LIQUOR PERMIT

4. 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.

CLASS D5

NEW:	PEBBLES HIDDEN HILL LLC 1811 Hyde Oakfield Road & Patio Bristol Township North Bloomfield, OH 44450
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Yeas: Fuda, Cantalamessa, Polivka
Nays: None

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RE: RECEIVE PETITIONS FOR CONSTRUCTION AND MAINTENANCE OF SANITARY SEWER LINES FOR HENN HYDE ROAD LOCATED IN HOWLAND TOWNSHIP

5. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to receive the Petitions as signed by owners of lots and lands situated on HENN HYDE ROAD beginning at East Market Street and continuing north approximately 2,850 feet, located in HOWLAND TOWNSHIP, requesting Trumbull County to provide for the construction and maintenance of SANITARY SEWER LINES to serve said lots and lands; AND to refer said Petitions to the Trumbull County Sanitary Engineer for his review and recommendations.

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

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

RE: EMPLOYMENT TRANSFER – FRANCINE DELBENE FROM UTILITY ACCOUNT CLERK II (BILLING) TO POSITON OF UTILITY ACCOUNT CLERK II (ACCOUNTING) – SANITARY ENGINEERS DEPT., WATER/SEWER ACCOUNTING DIVISION

6. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to approve the personnel action for the employment transfer of MS. FRANCINE DELBENE from the position of Utility Account Clerk II (Billing), Pay Range 5 (5 years) to the position of UTILITY ACCOUNT CLERK II (Accounting), Pay Range 5 (5 years) with the TRUMBULL COUNTY SANITARY ENGINEERS DEPARTMENT, WATER/SEWER ACCOUNTING DIVISION, effective August 27, 2018, *pursuant to the authorized job posting*; this action per the recommendation of Robert Maiorano, Controller of the Trumbull County Sanitary Engineers Department.
NOTE: This vacancy is available due to the transfer of an employee.

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

RE: AUTHORIZE ATTORNEY MATTHEW J. BLAIR TO PROVIDE PERSONNEL AND PROFESSIONAL SERVICES TO SANITARY ENGINEERS DEPT.

7. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to authorize ATTORNEY MATTHEW J. BLAIR to provide Personnel and Professional Services to the TRUMBULL COUNTY SANITARY ENGINEERS DEPARTMENT, effective August 27, 2018. Attorney Blair’s wages for these services will be \$2,000.00 per month—to be paid for from the Sanitary Engineers Fund No. 600-030-3000-3010-1-505120. Attorney Blair is an employee of the Trumbull County Engineer’s Office and will continue to provide professional services to said office; this action per the recommendation of the Trumbull County Sanitary Engineers Department.

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

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RE: APPROVE COUNTY CAPITAL IMPROVEMENT PROGRAM FOR 33RD ROUND OF FUNDING FOR STATE CAPITAL IMPROVEMENT PROGRAM AND 31ST ROUND OF FUNDING FOR THE LOCAL TRANSPORTATION IMPROVEMENT PROGRAM AND SUBMIT PROGRAM PRE-APPLICATIONS TO DISTRICT 6 PUBLIC WORKS INTEGRATING COMMITTEE

8. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to approve Trumbull County’s Capital Improvement Program for the Thirty-Third (33rd) Round of Funding for the State Capital Improvement Program and the Thirty-First (31st) Round of Funding for the Local Transportation Improvement Program (Program Year 2019); AND to submit the Program Pre-applications to the District 6 Public Works Integrating Committee on or before August 27, 2018.
NOTE: This Program includes Projects proposed by the County Engineer and the Sanitary Engineer.

****PROJECTS FOR PROGRAM YEAR 2019****

- 1. Huntley Drive Water Improvements**
(Grant – Sanitary Engineer)
- 2. 2019 Trumbull County Road Improvement Program**
(Grant – Highway Engineer)
- 3. Jacobs Road Sanitary Sewer Improvements**
(Grant – Sanitary Engineer)

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

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

9. 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.: 949**
CHADDERTON TRUCKING, INC., 40 Stewart Avenue, Sharon, PA 16146, to haul or move overweight equipment over Hubbard Masury Road (C.H. 331 A&B) in Hubbard Township.
- **Permit No.: 952**
SOUTHERN PINES TRUCKING, INC., 4200 Industrial Boulevard, Aliquippa PA 15001, to haul or move overweight equipment over Hubbard Masury Road (Standard Avenue) (C.H. 331) in Brookfield and Hubbard Townships.
- **Permit No.: 953**
CHADDERTON TRUCKING, INC., 40 Stewart Avenue, Sharon, PA 16146, to haul or move overweight equipment over Hubbard Masury Road (C.H. 331 A&B) in Hubbard Township.

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

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**RE: APPROVE MODIFICATION NO. 31288-2 WITH
TRANSYSTEMS REAL ESTATE CONSULTING, INC.
TRU-BEDFORD ROAD - ROAD WIDENING PROJECT**

10. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to approve Modification No. 31288-2 with TRANSYSTEMS REAL ESTATE CONSULTING, INC., 55 Public Square, Suite #1900, Cleveland, OH 44113 to provide professional consulting services for the TRU-BEDFORD ROAD (C.H. 175 C) ROAD WIDENING PROJECT – PID 84727 located in Brookfield Township. Modification is an increase of \$2,000.00 for the inclusion of an additional parcel--revising the total contact amount to \$34,750.00--80% federal share shall be direct pay and the 20% local share shall be paid for from the County Engineer’s Fund No. 002-030-1700-1700-1-505610—which is not federally reimbursable—*no County General Revenue Funds are requested*. This Professional Services Agreement will be subject to reimbursement from a federal grant received by the County Engineer’s Office through the Eastgate Regional Council of Governments; this action per the recommendation of the Trumbull County Engineer, the Ohio Department of Transportation (ODOT) and is subject to review and approval of the Prosecutor’s Office.

NOTE: The Board of Commissioners approved the original contract with TranSystems Real Estate Consulting, Inc. in the amount of \$29,475.00 on October 18, 2017, duly recorded in Journal Volume 147, Page 21165 for Right-of-Way Acquisition services to include Project Management, Appraisals, Title Researches, Negotiations and Closings. The Commissioners approved Modification No. 31288-1 on March 7, 2018, duly recorded in Journal Volume 147, Page 21465 for an increase of \$3,275.00 for the inclusion of an additional parcel--revising the total contact amount to \$32,750.00.

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

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

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

11. MOTION: Made by Mr. Fuda, 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 fee and insurance information have been submitted and approval is subject to the conditions listed on the permit.

- **Permit No.: AF-028-2018**
Permit Effective: August 14, 2018 through August 14, 2019
BRISTOL DISPOSAL, INC., P.O. Box 251, Bristolville, OH 44402

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

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**RE: APPROVE EMPLOYMENT – JENNA M. MILLER
POSITION OF CUSTODIAL WORKER WITH
MAINTENANCE DEPARTMENT**

12. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to approve the personnel action for the employment of MS. JENNA M. MILLER for the position of CUSTODIAL WORKER with the TRUMBULL COUNTY MAINTENANCE DEPARTMENT; effective August 27, 2018, Pay Range 1 (0 years) for the initial six (6) months, at which time she will be raised to Pay Range 2 (0 years); this action per the recommendation of the Human Resources Department.

NOTE: Ms. Miller successfully passed the pre-employment drug screen, physical examination, and background check.

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

**RE: APPROVE EMPLOYMENT – AMY STONE
POSITION OF CUSTODIAN WORKER WITH
MAINTENANCE DEPARTMENT**

13. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to approve the personnel action for the employment of MS. AMY STONE for the position of CUSTODIAL WORKER with the TRUMBULL COUNTY MAINTENANCE DEPARTMENT; effective August 27, 2018, Pay Range 2 (10 years); this action per the recommendation of the Human Resources Department.

NOTE: Ms. Stone successfully passed the pre-employment drug screen, physical examination, and background check.

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

**RE: RECEIVE RESIGNATION – HIEDI KONSOL
MEMBER OF THE MENTAL HEALTH AND
RECOVERY BOARD**

14. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to receive the Resignation Letter of MS. HIEDI KONSOL as a Member of the TRUMBULL COUNTY MENTAL HEALTH AND RECOVERY BOARD, effective immediately. *Ms. Konsol's letter shall be recorded on the Journal for record purposes.*

NOTE: The Board of Commissioners originally appointed Ms. Konsol on October 12, 2017, duly recorded in Journal Volume 147, Page 21152.

SPECIAL NOTE: The Board of Commissioners wishes to thank Ms. Konsol for her faithful service and commitment to the Trumbull County Mental Health and Recovery Board. Ms. Konsol's expertise and dedication is greatly appreciated.

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

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

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RE: EXECUTE CONTINGENT SUBGRANT AWARD AGREEMENT FOR THE TAG LAW ENFORCEMENT TASK FORCE – SUBGRANT NO. 2017-JG-A01-6446

15. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to authorize Daniel E. Polivka, President of the Board of Trumbull County Commissioners, to execute on behalf of Trumbull County, the Contingent Subgrant Award Agreement for the TAG LAW ENFORCEMENT TASK FORCE, (TRUMBULL-ASHTABULA GROUP), *Subgrant Number 2017-JG-A01-6446*—for the Grant period of January 1, 2018 through December 31, 2018. Total funding for the Edward Byrne Memorial Justice Assistance Grant, through the Ohio Office of Criminal Justice Services is in the amount of \$69,329.41. The Office of Criminal Justice will fund 75% or \$52,000.00 and the Local Cash Match required is 25% or \$17,329.41 to be paid for by the Trumbull County and Ashtabula County Sheriffs’ Departments; this action per the recommendation Captain Tony Villanueva, Commander of the TAG Law Enforcement Task Force.

NOTE: AT SUCH TIME AS TRUMBULL COUNTY DOES NOT RECEIVE FUNDING FOR THIS GRANT FROM THE OHIO OFFICE OF CRIMINAL JUSTICE SERVICES, 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: AWARD PROPOSAL
IMPERIAL GLAZING CONCEPTS FOR
REPLACEMENT OF THREE (3) WINDOWS WITH
LEVEL III RESISTANT GLASS IN THE PROBATE COURT**

MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to award the lowest and best proposal as submitted by IMPERIAL GLAZING CONCEPTS, 234 Robbins Avenue, Niles, OH 44446 for replacement of three (3) windows in the Probate Court with Level III Resistant Glass with Aluminum Closure Frames in the amount of \$11,886.00—to be paid for from Fund No. 492-080-1000-1000-1-505506—*no General Revenue Funds will be utilized*; this action per the recommendation of Probate Court Judge James A. Fredericka and is subject to review and approval of the Prosecutor’s Office.

OTHER PROPOSAL SUBMITTED

<i>COMPANY</i>	<i>AMOUNT</i>
RED’S AUTO GLASS 410 South Street, S.W. Warren, OH 44482	\$13,175.00

Yeas: Fuda, Cantalamessa, Polivka

Nays: None

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

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RE: APPROVE AMENDMENTS TO BY-LAWS OF THE WORKFORCE DEVELOPMENT BOARD AS ADOPTED ON AUGUST 16, 2018 – REVISIONS DUE TO NAME CHANGE OF PROGRAM

17. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to approve the Amendments to the By-Laws of THE WORKFORCE DEVELOPMENT BOARD OF TRUMBULL COUNTY as adopted by the Workforce Development Board of Trumbull County on August 16, 2018. The proposed revisions are due to Ohio changing the name Adult Basic Literacy Education (ABLE) to Aspire. *The By-Laws shall be recorded onto the Journal for record purposes;* this action per the recommendation of William J. Turner, Executive Director of the Workforce Development Board of Trumbull County.

➤ **The revisions are reflective in:**

- Page 2, Article III, Section 1, Paragraph C: by adding “known as Aspire” after “Adult Basic Literacy Education Program.”
- Page 3, Article III, Section 2, second Paragraph: “ABLE” replaced with “Aspire.”
(No other amendments have been made and the By-Laws remain intact and in effect).

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

RE: APPROVE EMPLOYMENT OF SEVEN (7) INDIVIDUALS LISTED AS ELIGIBILITY/REFERRAL SPECIALIST II’S DEPARTMENT OF JOB & FAMILY SERVICES

18. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to approve the personnel action for the employment of the seven (7) individuals listed as ELIGIBILITY/REFERRAL SPECIALIST II’S with the TRUMBULL COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES, effective September 10, 2018. Employees will be paid \$16.15 per hour with full County benefits and serve a nine (9) month probationary period. *The State of Ohio Personnel Action Forms shall be recorded on the Journal for record purposes;* this action per the recommendation of the Trumbull County Department of Job and Family Services.

NOTE: The applicants have completed a BCI background check and drug/alcohol screening with favorable results.

❖ **New Hire Employees Include:**

- **MS. ASHLEY AUSTIN**
- **MR. ZACHARY CUPPLES**
- **MS. JOY DORAN**
- **MS. ASHLEY DORSEY**
- **MS. CHAYLA OLIVER**
- **MR. BRADLEY SWEET**
- **MS. MARY SYLVESTER**

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

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

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**RE: APPROVE EMPLOYMENT
JENNIFER JOHNSON - UNIT SUPPORT WORKER
DEPARTMENT JOB & FAMILY SERVICES**

19. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to approve the personnel action for the employment of MS. JENNIFER JOHNSON as a UNIT SUPPORT WORKER with the TRUMBULL COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES, effective September 10, 2018. Ms. Johnson will be paid \$13.44 per hour with full County benefits and serve a nine (9) month probationary period. *The State of Ohio Personnel Action Form shall be recorded on the Journal for record purposes*; this action per the recommendation of John Gargano, Esq., Director of the Trumbull County Department of Job and Family Services.

NOTE: Ms. Johnson successfully completed a BCI background check and drug/alcohol screening with favorable results.

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

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

**RE: APPROVE PERSONNEL ACTION FOR A ONE (1)
DAY SUSPENSION OF AN EMPLOYEE OF THE
DEPARTMENT OF JOB & FAMILY SERVICES**

20. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to approve the personnel action for a one (1) working day suspension, without pay, of an employee of the DEPARTMENT OF JOB AND FAMILY SERVICES. Employee violated Section 3.9.2 and Section 4.2 of the Personnel Policy. Employee will serve the suspension on Thursday, August 23, 2018; this action per the recommendation of John Gargano, Esq., Director of the Trumbull County Department of Job and Family Services.

NOTE: *Personnel Action Form shall be recorded on the Journal for record purposes.*

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

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

**RE: ADVERTISE FOR BIDS
SUPPLYING GASOLINE AND DIESEL FUEL TO
TRUMBULL COUNTY**

21. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to authorize the Board of Trumbull County Commissioners' Clerk to advertise for sealed bids for SUPPLYING GASOLINE AND DIESEL FUEL TO TRUMBULL COUNTY; this action per the recommendation of the Trumbull County Sheriff's Department.

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

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

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RE: RELEASE OF PERSONAL GUARANTY FOR DALE H. GEBHART, LARRY MEARS AND MARK MARINI WHO WERE ASSISTED THROUGH THE CDBG REVOLVING LOAN FUND PROGRAM

22. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to approve the Release of Personal Guaranty for DALE H. GEBHART, LARRY MEARS, and MARK MARINI. Guarantors were assisted through Trumbull County’s CDBG Revolving Loan Fund Program in 2010. All terms and conditions of the Loan Agreement have been satisfied; this action per the recommendation of the Trumbull Planning Commission and is subject to review and approval of the Prosecutor’s Office.

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

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

RE: RELEASE OF CORPORATE GUARANTY FOR FLEX STRUT, INC. FOR ASSISTANCE THROUGH THE CDBG REVOLVING LOAN FUND PROGRAM

23. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to approve the Release of Corporate Guaranty for FLEX STRUT, INC. The Guarantor was assisted through Trumbull County’s CDBG Revolving Loan Fund Program in 2010. All terms and conditions of the Loan Agreement have been satisfied; this action per the recommendation of the Trumbull County Planning Commission and is subject to review and approval of the Prosecutor’s Office.

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

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

RE: APPROVE SATISFACTION OF LOAN AGREEMENT FOR FLEX STRUT, INC. FOR ASSISTANCE THROUGH THE CDBG REVOLVING LOAN FUND PROGRAM

24. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to approve a Satisfaction of Loan Agreement for FLEX STRUT, INC. Flex Strut, Inc. received a loan in the amount of \$180,000 through Trumbull County’s CDBG Revolving Loan Fund Program in 2010 for the purpose of purchasing new machinery and equipment located at 2900 Commonwealth Avenue in Howland Township—including the creation of ten (10) new full-time jobs of which 51% will be available to low-to-moderate individuals. All terms and conditions of the loan have been satisfied; this action per the recommendation of the Trumbull County Planning Commission and is subject to review and approval of the Prosecutor’s Office.

NOTE: The Board of Commissioners approved the original Loan Agreement on September 22, 2010, duly recorded in Journal Volume 135, Page(s) 15434-15435.

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

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

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RE: ACCEPT MAINTENANCE BOND NO. 63745585 FOR CONSTRUCTION OF A SANITARY LATERAL HOUSE CONNECTION AND RELATED ITEMS COMPLETED BY Z-TECH BUILDERS & EXCAVATORS, INC.

25. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to accept Maintenance Bond No. 63745585 for work completed Z-TECH BUILDERS & EXCAVATORS, INC., 3301 Bazetta Road, Cortland, OH 44410 for construction of a sanitary lateral house connection and related items for one (1) income eligible homeowner located in Howland Township for the PY2016 CDBG Sanitary Lateral Assistance Program (SLAP). The Maintenance Bond is in the amount of 20 percent (\$3,500.00) of the final project price of \$17,500.00 and is valid for two (2) years commencing July 25, 2018 and ending July 25, 2020. The completed work was approved by the Trumbull County Sanitary Engineers Department and the Project Consultant, Lynn, Kittinger & Noble, Inc.; this action per the recommendation of Julie M. Green, Trumbull County Grants Manager.

NOTE: The Board of Commissioners awarded the original contract to Z-Tech Builders & Excavators, Inc. in the amount of \$17,500.00 on April 4, 2018, duly recorded in Journal Volume 148, Page 21531.

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

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

RE: ADOPT RESOLUTION AUTHORIZING NOMINATION, APPLICATION, AND EXECUTION OF PY2019 WATER POLLUTION CONTROL LOAN FUND AGREEMENT FOR IMPLEMENTATION OF THE HOME SEWAGE TREATMENT SYSTEM RESERVE PROGRAM

26. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to adopt the following Resolution authorizing the Nomination, Application, and Execution of PY2019 Water Pollution Control Loan Fund (WPCLF) Agreement for Implementation of the Home Sewage Treatment System (HSTS) Reserve Program (Repair and Replacement of Home Sewage Treatment Systems).

RESOLUTION

WHEREAS, the County of Trumbull seeks to repair and/or replace failing home sewage treatment systems; and

WHEREAS, the County of Trumbull intends to submit a nomination for and apply for PY2019 Water Pollution Control Loan Funds (WPCLF) available as a forgivable loan through the Home Sewage Treatment System (HSTS) Program for the repair and/or replacement of failing home sewage treatment systems; and

WHEREAS, the Ohio Water Pollution Control Loan Fund requires the government authority to pass legislation for application of a loan and the execution of a WPCLF loan agreement.

NOW THEREFORE, BE IT RESOLVED by the Board of Trumbull County Commissioners, Ohio:

(Continued)

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RE: ADOPT RESOLUTION AUTHORIZING NOMINATION, APPLICATION, AND EXECUTION OF PY2019 WATER POLLUTION CONTROL LOAN FUND AGREEMENT FOR IMPLEMENTATION OF THE HOME SEWAGE TREATMENT SYSTEM RESERVE PROGRAM (Cont'd)

SECTION 1. To authorize the Grants Manager to prepare and submit the Ohio Water Pollution Control Loan Fund Program Year 2019 Home Sewage Treatment System (HSTS) Project Nomination/Application forms to the Ohio Environmental Protection Agency (EPA) that are required for receiving funding through the Home Sewage Treatment System (HSTS) Program. Trumbull County is eligible to apply in PY2019; and

SECTION 2. To authorize the President of the Board of Trumbull County Commissioners, Daniel E. Polivka, to apply for/submit a nomination form for a Water Pollution Control Loan, sign all documents for and enter into a Water Pollution Control Loan with the Ohio Environmental Protection Agency (EPA) and the Ohio Water Development Authority (OWDA) for the repair and/or replacement of failing home sewage treatment systems on behalf of the Board of Commissioners, Trumbull County Ohio. The President of the Board, Daniel E. Polivka, is authorized to execute all documents (including but not limited to the forgivable loan nomination form and loan agreement) required for the submission, execution and implementation of the PY2019 Home Sewage Treatment System (HSTS) Program.

SECTION 3. That this Resolution shall take effect and be in force from and after the earliest period allowed by law.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that this Board of Trumbull County Commissioners hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Board; and that all deliberations of this Board which resulted in this formal action were taken in meetings open to the public in full compliance with applicable legal requirements, including Ohio Revised Code Section 121.22.

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

RE: APPROVE AMENDMENT NO. 3 TO NATURAL GAS AGGREGATION AGREEMENT BETWEEN COMMISSIONERS AND CONSTELLATION NEWENERGY-GAS DIVISION, LLC

27. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to approve Amendment No. 3 to the Natural Gas Aggregation Agreement by and between the Board of Trumbull County Commissioners and Constellation NewEnergy—Gas Division, LLC, certified by the Public Utilities Commission of Ohio (PUCO) as a Competitive Retail Natural Gas Service Provider, to sell retail Natural Gas and related services to consumers and governmental aggregation programs in the State of Ohio; AND to authorize Daniel E. Polivka, President of the Board of Trumbull County Commissioners, to execute said Amendment on behalf of Trumbull County. Amendment No. 3 authorizes Constellation NewEnergy—Gas Division, LLC to continue providing natural gas service and NYMEX plus \$0.14 per thousand cubic feet for the March 2019 through February 2022 billing cycle; this action per the recommendation Buckeye Energy Brokers, Inc. to determine the fixed rate for thirty-six (36) months with a limit order of \$2.99/mcf and is subject to review and approval of the Prosecutor’s Office.

NOTE: The Board of Commissioners approved the original Agreement on November 28, 2012, duly recorded in Journal Volume 138, Page 17144. The Commissioners approved Amendment No. 1 to the Agreement on August 13, 2014, duly recorded in Journal Volume 141, Page 18461 to establish new pricing. The Commissioners approved Amendment No. 2 to establish new pricing on January 6, 2016, duly recorded in Journal Volume 144, Page 19589.

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(Continued)

RE: APPROVE AMENDMENT NO. 3 TO NATURAL GAS AGGREGATION AGREEMENT BETWEEN COMMISSIONERS AND CONSTELLATION NEWENERGY-GAS DIVISION, LLC (Cont'd)

❖ Participating City and Townships to receive aggregation program services:

- **City of Niles**
- **Bazetta Township**
- **Braceville Township**
- **Bristol Township**
- **Brookfield Township**
- **Farmington Township**
- **Fowler Township**
- **Hartford Township**
- **Howland Township**
- **Hubbard Township**
- **Johnston Township**
- **Mecca Township**
- **Newton Township**
- **Southington Township**
- **Vernon Township**
- **Vienna Township**
- **Warren Township**
- **Weathersfield Township**

Yeas: Fuda, Cantalamessa, Polivka

Nays: None

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

RE: ESTABLISH CREATION OF THE HEATON CHUTE SANITARY FUND KNOWN AS FUND 474 FOR USE BY SANITARY ENGINEERS DEPARTMENT

28. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to establish the creation of the HEATON CHUTE SANITARY FUND, known as FUND 474, for use by the Trumbull County Sanitary Engineers Department. Funds are to be used for the for the Heaton Chute Sanitary Improvements Project, known as County Project No. 5-S-13, for the conversion of an existing sewer packing plant to a sewer force main. The initial funding will be provided by a \$350,000 Note.

Yeas: Fuda, Cantalamessa, Polivka

Nays: None

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RE: ESTABLISH CREATION OF THE HUNTLEY DRIVE WATERLINE FUND KNOWN AS FUND 495 FOR USE BY THE SANITARY ENGINEERS DEPARTMENT

29. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to establish the creation of the HUNTLEY DRIVE WATERLINE FUND, known as FUND 495, for use by the Trumbull County Sanitary Engineers Department. Funds are to be used for the Huntley Drive Waterline Improvements Project, known as County Project No. 6-W-15, for construction of a new waterline and are being provided through local funds reimbursements from loan sources for valid project costs.

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

RE: ESTABLISH CREATION OF THE MINERAL RIDGE HYDRAULIC IMPROVEMENTS FUND KNOWN AS FUND 496 FOR USE BY THE SANITARY ENGINEERS DEPARTMENT

30. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to establish the creation of the MINERAL RIDGE HYDRAULIC IMPROVEMENTS FUND, known as FUND 496, for use by the Trumbull County Sanitary Engineers Department. Funds are to be used for Mineral Ridge Hydraulic Improvements Project, known as County Project No. 1-W-15, for water system improvements and are being provided through local fund reimbursements and from OPWC 0% loan sources for valid project costs.

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

RE: ESTABLISH CREATION OF THE LOGAN WAY FORCE MAIN CONVERSION FUND KNOWN AS FUND 497 FOR USE BY THE SANITARY ENGINEERS DEPARTMENT

31. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to establish the creation of the LOGAN WAY FORCE MAIN CONVERSION FUND, known as FUND 497, for use by the Trumbull County Sanitary Engineers Department. Funds are to be used for the Logan Way Force Main Conversion Project, known as County Project No. 2-S-16, for the conversion of an existing sewer package plant to a sewer force main. The initial funding will be provided by a \$350,000 Note.

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

RE: ESTABLISH CREATION OF THE BASSWOOD, BREECHWOOD & ELMWOOD SANITARY SEWER FUND KNOWN AS FUND 498 FOR THE SANITARY ENGINEERS DEPARTMENT

32. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to establish the creation of the BASSWOOD, BEECHWOOD & ELMWOOD SANITARY SEWER FUND, known as FUND 498, for use by the Trumbull County Sanitary Engineers Department. Funds are to be used for the Basswood, Beechwood & Elmwood Sanitary Sewer Improvements Project, known as County Project No. 6-S-16. The initial funding will be provided by future Note proceeds.

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

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**RE: ESTABLISH CREATION OF THE MARCS RADIO FUND
KNOWN AS FUND 499 FOR USE BY THE 911 CENTER**

33. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to establish the creation of the MARCS RADIO FUND known as FUND 499 for use by the Trumbull County 911 Center. Funds will be used for the Marcs Radio Project.

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

RE: ADDITIONAL APPROPRIATIONS

34. 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 August 10, 2018 through August 17, 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)_____.)

RE: TRANSFER APPROPRIATIONS

35. 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 August 10, 2018 through August 17, 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: TRANSFER MONIES

36. 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 August 10, 2018 through August 17, 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)_____.)

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**RE: AUTHORIZE SHERIFF’S OFFICE TO SCRAP/
DECOMMISSION TWO (2) UNSAFE/SCRAP CRUISERS
TO ATLAS RECYCLING**

37. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to authorize the Trumbull County Sheriff’s Office to scrap/decommission two (2) Unsafe/Scrap Cruisers to METALICO YOUNGSTOWN, INC., d/b/a ATLAS RECYCLING, 1420 Burton Street, SE Warren, OH 44484. These vehicles are no longer needed for public use and are unfit for the use for which they were acquired because they are in serious disrepair or seriously damaged.

NOTE: The Board has previously attempted to sell these vehicles via Internet Auction, but no bids were received. Therefore, the Board finds that the vehicles have no value and authorizes the vehicles to be salvaged in accordance with O.R.C. Section 307.12(I).

❖ **The following vehicles are being scrapped:**

- **One (1) 2007 Ford Crown Victoria
VIN#: 2FAHP71W97X126644 -- Mileage 232,173**
- **One (1) 2004 Ford Crown Victoria
VIN#: 2FAHP71WX4X132674 – Mileage 193,685**

Yeas: Fuda, Cantalamessa, Polivka

Nays: None

**RE: APPROVE AMENDMENT NO. 1 TO THE JOINT
DEFENSE/PROSECUTION AGREEMENT BETWEEN
COMMISSIONERS AND MS CONSULTANTS, INC. FOR
THE KINSMAN PHASE 2 SANITARY SEWER PROJECT
NO. 9-S-08 – AMENDMENT NO. 1 IS NECESSARY TO
REMOVE AND REPLACE LANGUAGE**

38. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to approve Amendment No. 1 to the Joint Defense/Prosecution Agreement by and between the BOARD OF TRUMBULL COUNTY COMMISSIONERS and MS CONSULTANTS, INC., 333 Federal Plaza East, Youngstown, OH 44503, for the KINSMAN PHASE 2 SANITARY SEWER PROJECT, known as County Project No. 9-S-08. Amendment No. 1 is necessary to delete Section D(2) of the Agreement in its entirety and replace it with the following language: *“The tolling of the statute of limitations, statue of repose and the time requirements for the giving of any notice required with respect to any claims between the Parties shall continue through December 31, 2018; AND the fifteen (15) day advance written notice period referenced in the first sentence of Section D(3) shall be deleted and replaced with a thirty (30) day advance written notice period; this action per the recommendation of Attorney David A. Detec of Manchester, Newman & Bennett.*

NOTE: The Board of Commissioners approved the original Joint Defense/Prosecution Agreement on July 8, 2015, duly recorded in Journal Volume 143, Page 19205.

Yeas: Fuda, Cantalamessa, Polivka

Nays: None

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

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Comments:

The Commissioners discussed the good news regarding TJX Homegoods coming to Lordstown and the number of jobs that will be created. They said it is a monumental day for Trumbull County. They thanked everyone involved who helped to make it happen.

The Commissioners thanked everyone who participated in the events regarding the Vietnam Wall. They thanked Jim Valesky and all the volunteers who worked at the events.

April Caraway, Director of the Trumbull County Mental Health and Recovery Board, spoke about the drug education programs in the schools to educate students. She brought some pamphlets that will be made available to the students.

Marcy Angelo, of the Regional Chamber, publicly thanked the Commissioners for their support regarding TJX Homegoods coming to Lordstown.

Cheryll Tennant asked what is being done to help the Trish Nuskievicz, the Director of the Planning Commission, regarding her job.

Richard Jackson, Trumbull County Human Resources Director, addressed Ms. Tennant's concerns. He said an outside independent investigator has started an investigation and that neither he nor the Commissioners are at liberty to speak it.

Reverend Morgan thanked Mayor Franklin and everyone who has helped with restoring Quinby Park and making the southwest side of the City of Warren a better place.

Commissioner Polivka thanked Cheryll Saffold for her efforts with restoring Quinby Park.

RE: ADJOURN

MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to adjourn the Regular Meeting of August 22, 2018, and to meet again in Regular Session on August 29, 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