

**Week Beginning February 4, 2019**

**Meeting of February 6, 2019**

The Board of County Commissioners, Trumbull County, Ohio, met for a Regular Meeting on the 6<sup>th</sup> day of February 2019, in the office of said Board, with the following members present:

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

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**RE: MINUTES**

**1. MOTION:** Made by Mr. Polivka, seconded by Mr. Fuda, to dispense with reading the minutes of the Workshop Session dated January 29, 2019 and the Regular Meeting dated January 30, 2019.

Yeas: Polivka, Fuda, Cantalamessa  
Nays: None

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**RE: APPROVE BILLS**

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

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3. The following Fiscal Officer's Certificate recorded on Journal for record purposes:

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**RE: TO ADOPT A RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF GENERAL OBLIGATION BONDS, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$450,000 FOR THE PURPOSE OF PAYING THE COSTS OF REPLACING, PROCURING, INSTALLING, AND MAINTAINING SECURITY SYSTEMS AND EQUIPMENT, INCLUDING BUT NOT LIMITED TO, CAMERAS, SCANNERS, AND METAL DETECTORS, FOR CERTAIN BUILDINGS OF THE COUNTY, AND PAYING ISSUANCE COSTS, ALL IN CONNECTION THEREWITH.**

4. The following Resolution recorded on Journal for record purposes:

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**RE: \$450,000.00**

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5. **To receive the Fiscal Officer's Certificate, as signed by the Trumbull County Auditor, in connection with the proposed issue of notes in a principal amount not to exceed \$500,000 to be issued in anticipation of the issuance of bonds, to pay the costs of expanding and improving the sanitary sewage system in the County, including but not limited to the LITTLE SQUAW CREEK INTERCEPTOR PROJECT, known as County Project No. 19-S-02E, and to pay issuance costs all in connection therewith.**
  
6. **TO ADOPT A RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF GENERAL**

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**OBLIGATION BONDS, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$500,000 FOR THE PURPOSE OF PAYING THE COSTS OF EXPANDING AND IMPROVING THE SANITARY SEWERAGE SYSTEM IN THE COUNTY, INCLUDING BUT NOT LIMITED TO THE LITTLE SQUAW CREEK INTERCEPTOR PROJECT, KNOWN AS COUNTY PROJECT NO. 19-S-02E, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, ACQUIRING ANY NECESSARY REAL ESTATE OR INTERESTS IN REAL ESTATE, AND PAYING ISSUANCE COSTS ALL IN CONNECTION THEREWITH.**

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**ITEM HELD**

**RE: SICK AND VACATION LEAVE CONVERSION PLAN  
COUNTY RECORDER'S OFFICE**

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

7. **MOTION:** Made by Mr. Polivka, seconded by Mr. Fuda, to approve the SICK AND VACATION LEAVE CONVERSION PLAN for employees of the TRUMBULL COUNTY RECORDER'S OFFICE, for the term effective January 1, 2019 through December 31, 2019. The plan is in compliance with Ohio Revised Code Section 145.01 and Ohio Administrative Code 145-1-26, and shall be submitted to the Ohio Public Employees Retirement System (OPERS) for acceptance prior to their March 31, 2019 deadline; this action per the recommendation of Richard Jackson, Director of the Human Resources Department, and is subject to review and approval of the Prosecutor's Office.

*NOTE: The Board of Commissioners originally approved the Sick and Vacation Leave Conversion Plan for employees of the Recorder's Office on March 18, 2015, duly recorded in Journal Volume 142, Page 18927.*

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**ITEM HELD**

**RE: SICK AND VACATION LEAVE CONVERSION PLAN  
COUNTY 9-1-1 CENTER**

**ITEM #8 WAS HELD, WHICH MOTION READS AS FOLLOWS:**

8. **MOTION:** Made by Mr. Polivka, seconded by Mr. Fuda, to approve the SICK AND VACATION LEAVE CONVERSION PLAN for employees of the TRUMBULL COUNTY 9-1-1 CENTER, for the term effective January 1, 2019 through December 31, 2019. The plan is in compliance with Ohio Revised Code Section 145.01 and Ohio Administrative Code 145-1-26, and shall be submitted to the Ohio Public Employees Retirement System (OPERS) for acceptance prior to their March 31, 2019 deadline; this action per the recommendation of Richard Jackson, Director of the Human Resources Department and is subject to review and approval of the Prosecutor's Office.

*NOTE: The Board of Commissioners originally approved the Sick and Vacation Leave Conversion Plan for employees of the 9-1-1 Center on March 18, 2015, duly recorded in Journal Volume 142, Page 18927.*

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**ITEM HELD**

**RE: SICK AND VACATION LEAVE CONVERSION PLAN  
FOR DEPARTMENTS LISTED**

**ITEM #9 WAS HELD, WHICH MOTION READS AS FOLLOWS:**

**9. MOTION:** Made by Mr. Polivka, seconded by Mr. Fuda, to approve the SICK AND VACATION LEAVE CONVERSION PLAN for employees of the departments listed, for the term effective January 1, 2019 through December 31, 2019. The plan is in compliance with Ohio Revised Code Section 145.01 and Ohio Administrative Code 145-1-26, and shall be submitted to the Ohio Public Employees Retirement System (OPERS) for acceptance prior to their March 31, 2019 deadline; this action per the recommendation of Richard Jackson, Director of the Human Resources Department, and is subject to review and approval of the Prosecutor's Office.

*NOTE: The Board of Commissioners originally approved the Sick and Vacation Leave Conversion Plan on December 30, 2013, duly recorded in Journal Volume 140, Page 17959.*

**❖ Employees of the following Departments are able to participate in the Sick and Vacation Leave Conversion Plan:**

- Commissioners
- Treasurer
- Clerk of Courts
- Auditor
- Coroner
- Common Pleas Court
- Data Processing
- Domestic Court
- Probate Court
- Prosecutor
- Sheriff
- Building Inspection
- Maintenance/Vehicle Maintenance
- Dog Kennel
- Homeland Security
- Office of Elderly Affairs
- Human Resources
- Sanitary Engineers
- Veteran's Service Commission/Office
- MetroParks
- Planning Commission
- Eastern District Court
- Central District Court



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**RE: PROFESSIONAL SERVICES AGREEMENT  
BETWEEN BOARD OF COMMISSIONERS  
AND MR. TIMOTHY P. BERGHOFF-  
2019 SELF INSURANCE ACTUARY REPORT**

**10. MOTION:** Made by Mr. Polivka, seconded by Mr. Fuda, to approve the Professional Services Agreement by and between the BOARD OF TRUMBULL COUNTY COMMISSIONERS and MR. TIMOTHY P. BERGHOFF, 8216 Millview Drive, Cincinnati, OH 45249. MR. BERGHOFF, Health Actuary, will generate the 2019 Self Insurance Actuary Report for Trumbull County; in accordance with Ohio Revised Code Section 9.833; AND to authorize Mauro Cantalamessa, President of the Board of Trumbull County Commissioners, to execute said Agreement. The fee for this service is \$1,500.00—to be paid for from the Human Resources Department’s Fund No. 720-120-8300-8310-1-505607; this action per the request of the Trumbull County Human Resources Department and is subject to review and approval of the Prosecutor’s Office.

Yeas: Polivka, Fuda, Cantalamessa  
Nays: None

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**RE: AWARD BIDS 2019  
SUBMITTED FOR CONTRACT SERVICES-  
REPAIR WORK OF WATER/SEWER LINES**

**11. MOTION:** Made by Mr. Polivka, seconded by Mr. Fuda, to award ALL BIDS submitted for CONTRACT SERVICES FOR REPAIR WORK OF WATER AND SEWER LINES FOR 2019, on a per call or as needed basis for the Trumbull County Sanitary Engineers Department, in accordance with the bid specifications as prepared by the Trumbull County Sanitary Engineer; AND to enter into a Contract with each company for said services—on a per call or as needed basis; this action per the recommendation of the Trumbull County Sanitary Engineers Department and subject to approval of the Prosecutor’s Office.

**SPECIAL NOTE:** The Trumbull County Sanitary Engineers Department (with everything being equal) will grant all associated work to the best price.

**BIDS SUBMITTED**

<b>LEE’S EXCAVATING</b> 5854 Warren Sharon Road Brookfield, OH 44403
<b>KIRILA CONTRACTORS, INC.</b> 505 Bedford Road, P.O. Box 179 Brookfield, OH 44403
<b>BOVA EXCAVATING</b> 235 State Street Struthers, OH 44471
<b>WOODFORD EXCAVATING</b> 701 Diehl South Road Leavittsburg, OH 44430
<b>S.E.T.</b> 235 East Water Street Lowellville, OH 44436

**REJECTED BID**

**(Required information incomplete)**

<b>UTILITY CONTRACTING, INC.</b> P.O. Box 2367 Youngstown, OH 44509
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Yeas: Polivka, Fuda, Cantalamessa  
Nays: None

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**RE: CHANGE ORDER NO. 2 (FINAL)  
UTILITY CONTRACTING, INC.  
BROOKFIELD WASTEWATER  
TREATMENT PLANT GENERATOR  
REPLACEMENT PROJECT  
COUNTY PROJECT NO. 3-S-11**

**12. MOTION:** Made by Mr. Polivka, seconded by Mr. Fuda, to approve Change Order No. 2 (Final) with UTILITY CONTRACTING, INC., 321 South Meridian Road, Youngstown, OH 44509 for the BROOKFIELD WASTEWATER TREATMENT PLANT GENERATOR REPLACEMENT PROJECT, known as County Project No. 3-S-11, in the Metropolitan Sanitary Sewer District, Brookfield Township. Change Order No. 2 is a reduction in the amount of \$6,780.00--revising the total contract amount to \$322,650.20. Change Order No. 2 is necessary due to a final adjustment of item quantities; this action per the recommendation of the Project Consultant, Environmental Design Group, Inc., and the Trumbull County Sanitary Engineers Department and is subject to review and approval of the Prosecutor's Office.

*NOTE:* The Board of Commissioners approved the original contract with Utility Contracting, Inc. in the amount of \$319,530.00 on February 7, 2018 duly recorded in Journal Volume 147, Page 21407. Change Order No. 1 was approved September 19, 2018 duly recorded in Journal Volume 149, Page 21883, in the amount of \$9,900.20 revising the contract amount to \$329,430.20.

Yeas: Polivka, Fuda, Cantalamessa  
Nays: None

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**RE: SPECIAL HAULING PERMITS-  
COUNTY ENGINEER**

**13. MOTION:** Made by Mr. Polivka, seconded by Mr. Fuda, to concur with the Trumbull County Engineer to grant the Special Hauling Permits to Haul Steel Coils on Trumbull County Roadways, requested by the companies listed. The necessary permit fee has been submitted and approval is subject to the conditions listed on each permit.

**P. I. & I. MOTOR EXPRESS, INC.**  
P.O. Box 685, Sharon, PA 16146  
**Permit No.: 2019-003**  
**Permit Effective: February 14, 2019 through February 14, 2020**  
**Permit No.: 2019-004**  
**Permit Effective: February 20, 2019 through February 20, 2020**

**14. To record onto the Journal for record purposes the 2018 Delinquent Tax and Assessment Collection Fund Report for the TRUMBULL COUNTY PROSECUTING ATTORNEY'S DETAC FUND. The certified amount expected to be collected and deposited into the Prosecuting Attorney's delinquent tax and assessment collection ("DETAC") fund was \$224,226.83. \$586,543.45 was originally appropriated for calendar year 2018. \$245,061.68 was encumbered or spent for calendar year 2018. The end of 2018 balance in the account was \$565,377.10; said report is filed by Dennis Watkins, Trumbull County Prosecuting Attorney, as required by Ohio Revised Code 321.261(C).**

**15. To authorize the Clerk of the Board of Trumbull County Commissioners to advertise for sealed bids for the OWSLEY STREET IMPROVEMENTS PROJECT**

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located in Brookfield Township, AND the HARMON AVENUE SIDEWALK REPLACEMENT PROJECT located in the City of Warren--both funded through the PY2017 CDBG Community Development Program; this action per the request of Julie M. Green, Trumbull County Grants Manager.

16. To approve Change Order No. 1 as submitted by J.S. NORTHEAST COMPANY, INC., 1680½ Shannon Road, Girard, OH 44420 for construction of sanitary lateral house connections and related items reducing the income eligible home owners from eighteen (18) to seventeen (17). Change Order No. 1 is for a reduction of \$9,305.00—reducing the total contract amount to \$114,625.00—one household is being non-performed as the homeowner is not able to provide the 50% required match for construction. *Change Order is contingent upon review and approval of the Ohio Environmental Protection Agency (EPA)*; this action per the recommendation of the Trumbull County Grants Manager, the Project Consultant, Lynn, Kittinger & Noble, Inc., and is subject to the review and approval of the Prosecutor’s Office.

*NOTE:* The Board of Commissioners awarded the original contract to J.S. Northeast Company, Inc. on December 13, 2018, duly recorded in Journal Volume 149, Page 22301.

17. To approve Change Order No. 1 as submitted by Z-TECH BUILDERS EXCAVATORS, INC., 3301 Hoagland-Blackstub Road, Cortland, OH 44410 for construction of sanitary lateral house connections and related for two (2) income eligible homeowners (House #13 and #18) for the SOUTH BEDFORD ROAD SANITARY SEWER PROJECT located in Brookfield Township. Change Order No. 1 is for an additional \$3,400.00—revising the total contract amount to \$14,750.00 and includes the addition of one (1) HSTS funded project and the removal of one (1) CDBG funded project. One household is being non-performed as it is no longer occupied (-\$5,375.00) and one household recently qualified through the HSTS Program (+\$8,775.00). The outcomes remain the same with two sanitary lateral connections being completed under this contact, however, the source of funding is changed with \$5,975.00 originating from the PY17 CDBG RPIG Household Connections Activity Fund No. 225-030-5117-5105-1-506897 and \$8775.00 originating from the PY2018 HSTS Reserve Program Fund No. 258-070-5118-5106-1-506894. *Change Order is contingent upon review and approval of the Ohio Environmental Protection Agency (EPA)*; this action per the recommendation of the Trumbull County Grants Manager, the Project Consultant, Lynn, Kittinger & Noble, Inc., and is subject to the review and approval of the Prosecutor’s Office.

*NOTE:* The Board of Commissioners awarded the original contract to Z-Tech Builders Excavators, Inc. on December 13, 2018, duly recorded in Journal Volume 149, Page 22031, in the amount of \$11,350.00.

18. To award the lowest and best proposal as submitted by BORTNICK TRACTOR SALES, INC., 6192 Warren Road, N.E., Cortland, OH 44410 for the purchase (1) new HOLLAND 25S TRACTOR in the amount of \$14,366.24--to be paid for from Fund No. 921-130-1100-1100-1-505415. Price includes front blade, PTO cone spreader, hard top cab, swing door, electric wiper and ceramic heater; this action per the recommendation of Alfred DeVengencie, Trumbull County Building & Vehicle Operations Manager in conjunction with James Misocky, Administrator of Special Projects.

**OTHER PROPOSALS SUBMITTED**

<i>COMPANY</i>	<i>AMOUNT</i>
PHIL’S SALES & SERVICE 1472 Columbiana-Lisbon Road Columbiana, OH 44408	<b>\$15,790.00</b>
DEERE & COMPANY 2000 John Deere Run	<b>\$15,070.74</b>

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Cary, NC 27513	
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19. To establish the creation of the **QUALITY IMPROVEMENT CENTER COLLABORATION COMMUNITY COURT TEAMS GRANT (QIC-CCCT) FUND** to be known as **FUND NO. 201**—for use by the Trumbull County Juvenile Court. The purpose of the grant is to address the needs of infants, young children and families affected by substance abuse disorders. The Juvenile Court is accepting the allocation of \$210,000.00 with annual allocations of \$70,000.00 from the Supreme Court of Ohio and Center for Children and Family Futures, Inc.
  
20. To adopt a Resolution honoring **MS. KATHLEEN MALLORY** for her outstanding contributions and dedicated service to Trumbull County, especially her devotion and expertise to the **DEPARTMENT OF JOB AND FAMILY SERVICES**. **MS. MALLORY** will be retiring effective February 28, 2019—with over thirty (30) years of service to the residents of Trumbull County. The Board of Commissioners joins Attorney John Gargano, Director of the Department of Job and Family Services, and staff in paying a fond farewell to **KATHIE** and wishes her many years of happiness, good health, and relaxation for which she is most deserving.

***KATHIE WILL BE GREATLY MISSED!***

21. **TO ADOPT A RESOLUTION AUTHORIZING PARTICIPATION IN A SUBLEASE-PURCHASE ARRANGEMENT WITH THE OHIO SECRETARY OF STATE FOR THE PURPOSE OF ACQUIRING AND IMPLEMENTING VOTING MACHINES AND EQUIPMENT AND FINANCING CERTAIN COSTS THEREOF, A SUBLEASE-PURCHASE AGREEMENT EVIDENCING SUCH ARRANGEMENT, AND MATTERS RELATED THERETO.**

**RESOLUTION**

**WHEREAS**, pursuant to Amended Substitute Senate Bill 135 of the 132nd Ohio General Assembly (as the same may be amended, modified, revised, supplemented or superseded from time to time, the “Act”) and the financing program authorized thereunder (the “SoS Financing Program”), the Secretary of State of the State of the Ohio (the “Sublessor”) is providing financing to Ohio counties for the acquisition of voting systems, including, but not limited to, voting machines, marking devices, automatic tabulating equipment, and direct record electronic voting machines, as defined in Ohio Revised Code (“ORC”) Section 3506.01, together with associated allowable expenditures, as defined in the Act; and

**WHEREAS**, in accordance with ORC Section 3506.02, it has been determined that the equipment used by the citizens of the County of Trumbull, Ohio (the “Sublessee”) to vote in federal, state and local elections shall be changed to that equipment described in the Proposal of Election Systems & Software (the “Vendor”) dated January 4, 2019\_ (the “Proposal”); and

**Sublease-Purchase Arrangement continued on next page.**

21. **Sublease-Purchase Arrangement (Continued)**

**WHEREAS**, the Vendor has submitted a draft contract for the implementation of the Proposal to the Sublessee (the “Project Contract”), and the Sublessor has reviewed and approved the Project Contract (as it relates to the SoS Financing Program) and the Project Equipment (as hereinafter defined); and

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**WHEREAS**, the Proposal requires the Sublessee to acquire certain voting machines and equipment (the "Project Equipment") and pay certain costs related to implementing the Proposal (along with the acquisition of the Project Equipment, the "Project") and this Board of County Commissioners of the Sublessee (the "Legislative Authority") desires to accept the Proposal, enter into the Project Contract, undertake the Project, and finance a portion of the cost of the Project by utilizing the provisions of the SoS Financing Program;

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

**Section 1.** It is hereby determined to be necessary, desirable and expedient, and in the best interests of the Sublessee and its citizens, for the Sublessee (i) to accept the Proposal, (ii) enter into the Project Contract, (iii) acquire the Project Equipment, and (iv) finance a portion of the costs of the Project Equipment (the "State-Financed Equipment") and other costs of the Project by participating in the SoS Financing Program.

**Section 2.** The Sublessee's participation in the SoS Financing Program shall be evidenced by a Sublease-Purchase Agreement between the Sublessor and the Sublessee (together with all exhibits and appendices thereto, the "Sublease"). At least two members of the Legislative Authority and the Sublessee's County Auditor (collectively, the "County Signers") are hereby separately and individually authorized, alone or with others, to execute and deliver the Sublease on behalf of the Sublessee in substantially the form presently on file with the Legislative Authority, which is hereby approved, with such changes not substantially adverse to the Sublessee as the County Signers may approve; the approval of such changes and that the same are not substantially adverse to the Sublessee shall be conclusively evidenced by the execution of the Sublease by the County Signers.

**Section 3.** All of the obligations of the Sublessee set forth and covenants made by the Sublessee under the Sublease are hereby established as duties specifically enjoined by law and resulting from an office, trust or station upon the Sublessee within the meaning of ORC Section 2731.01 et seq.

**Section 4.** Pursuant to the SoS Financing Program, the Sublessee shall not be required to make any scheduled payments towards the purchase of the State-Financed Equipment to the Sublessor or any other entity. To pay that portion of the cost of the Project not financed through the SoS Financing Program, there is hereby appropriated from the Sublessee's General Fund (i) the amount of \$\_165,625.00, and (ii) to pay the Sublessee's other obligations under the Sublease during this [insert calendar or fiscal year], the amount of \$165,625.00.

**Sublease-Purchase Arrangement continued on next page.**

**21. Sublease-Purchase Arrangement (Continued)**

**Section 5.** The County Signers and other appropriate officers of the Sublessee, or any of them, are hereby separately and individually authorized and directed to (i) make the necessary arrangements with the Sublessor to establish the date, location, procedure and conditions for executing and delivering the Sublease, and delivering the Sublease to, the Sublessor, and (ii) give all appropriate notices and execute and deliver, on behalf of the Sublessee, such additional instruments, documents, agreements, certificates, and other papers as may be in their discretion necessary or appropriate in order to carry out, give effect to and consummate the transaction contemplated thereby in such forms as the official executing the same may approve, and to take all other steps necessary or appropriate to effect the due execution, delivery and performance of the Sublease pursuant to the provisions of this resolution. The Clerk of the Board of County Commissioners shall furnish to the Sublessor a true transcript of proceedings pertaining to the Sublease containing such information from the records of the Sublessee as is necessary to evidence or determine the regularity and validity of the authorization, execution and delivery of the Sublease. Each of the County Signers is hereby separately and individually designated to act as the authorized representative of the Sublessee for purposes of the Sublease until such time as the Legislative Authority shall designate any other or different authorized representatives for such purpose.

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**Section 6.** The Sublease shall constitute a special obligation of the Sublessee. Nothing in the Sublease or any agreements or documents relating thereto shall constitute or be construed or deemed to constitute a debt, bonded indebtedness or a general obligation of the Sublessee. Neither the taxing power nor the full faith and credit of the Sublessee are pledged or shall be pledged for the payment or security of the Sublease, or any other related agreement or document.

**Section 7.** The Legislative Authority acknowledges that the Sublessor has obtained funds for the SoS Financing Program by utilizing a sublease-purchase / certificates of participation arrangement, and that the interest component of the Sublessor's lease payments thereunder is intended to be exempt from federal income taxation under the Internal Revenue Code of 1986, as amended and the regulations prescribed thereunder (the "Code"). The Legislative Authority hereby covenants that it will restrict the use of the State-Financed Equipment in such manner and to such extent, if any, as may be necessary after taking into account reasonable expectations at the time the Sublease is entered into, so that the interest portion of such lease payments by the Sublessor will not be subject to federal income taxation under the Code. Any County Signer or any other officer having responsibility with respect to the execution and delivery of the Sublease is authorized and directed to give an appropriate certificate on behalf of the Sublessee on the date of delivery of the Sublease, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the State-Financed Equipment and other matters under the Code.

**Sublease-Purchase Arrangement continued on next page.**

**21. Sublease-Purchase Arrangement (Continued)**

**Section 8.** It is hereby determined that the terms of the Sublease and this resolution are in compliance with all legal requirements. If any section, paragraph, clause or provision of this resolution or the Sublease shall for any reason be held invalid or unenforceable, such invalidity or unenforceability shall not affect any remaining provisions of this resolution or the Sublease, respectively. Any provisions of any ordinance or resolution inconsistent with this resolution are hereby repealed, but only to the extent of such inconsistency; this provision shall not be construed as reviving any ordinance or resolution or any part thereof.

**Section 9.** It is found and determined that all formal actions of the Legislative Authority concerning and relating to the adoption of this resolution were adopted in an open meeting of the Legislative Authority, and that all deliberations of the Legislative Authority and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law, including ORC Section 121.22.

**Section 10.** This resolution shall take effect and be in force upon its adoption.

**Adopted: February 6, 2019**

- 22. To approve a Sublease-Purchase Agreement by and between the County of Trumbull, Ohio and the Secretary of the State of Ohio, 180 E. Broad Street, 16<sup>th</sup> Floor, Columbus, OH 43215 for the purpose of providing financing to Trumbull County, Ohio for the acquisition of Voting Systems, including, but not limited to, voting machines, marking devices, automatic tabulating equipment, and direct record electronic voting machines, as defined in Ohio Revised Code Section 3506.01. The Sublease-Purchase Agreement shall be effective commencing February 6, 2019 and shall continue until Trumbull County receives notice of the State COPs Termination. Trumbull County shall not have the option to purchase the State-Financed Equipment prior to the end of the Agreement Term.**

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- 23. To authorize Mauro Cantalamessa, President of the Board of Trumbull County Commissioners, to execute the Pre-Award Condition Form and the Certification Form for Equal Employment Opportunity Plan (EEO) Requirements required by the Ohio Office of Criminal Justice Services in reference to the 2019 Edward Byrne Memorial Justice Assistance Grant funding for Subgrant No. 2018-JG-A01-6446; this action per the recommendation of 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.***

- 24. To authorize the Board of Commissioners to join with the Trumbull County Prosecuting Attorney to file an application with the Court of Common Pleas for the appointment of Attorney Matthew J. Blair as legal counsel for the Board of Commissioners of Trumbull County and/or the Trumbull County Engineer, Randy L. Smith, in connection with the following matters:**

- *Jason K. Loomis v. Trumbull County, et al.* – Case No. 2019-CV-0068 – Trumbull County Court of Common Pleas**
- *Jason K. Loomis v. Trumbull County, et al.* – Case No. 2018-CV-2114 – Trumbull County Court of Common Pleas**

***NOTE:*** Attorney Blair is also an employee of the Trumbull County Engineer, and has prior knowledge of the facts and history of these cases. Moreover, because he is also an employee of the Engineer, his representation will be undertaken at no additional cost to Trumbull County.