

Week of September 9, 2019

Meeting of September 11, 2019

The Board of County Commissioners, Trumbull County, Ohio, met for a Regular Meeting on the 11th day of September 2019, in the office of said Board, with the following members present:

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

Commissioner Cantalamessa conducted a moment of silence in remembrance of the lives needlessly lost on September 11, 2001.

RE: MINUTES

1. MOTION: Made by Mr. Polivka, seconded by Mr. Fuda, to dispense with reading the minutes of the Workshop Session dated September 4, 2019, and the Regular Meeting dated September 5, 2019.

Yeas: Polivka, Fuda, Cantalamessa
Nays: None

**RE: RECEIVE/FILE MONTHLY ACTIVITIES REPORT
DOG KENNEL – AUGUST 2019**

2. MOTION: Made by Mr. Polivka, seconded by Mr. Fuda, to receive and place on file the Monthly Activities Report for the TRUMBULL COUNTY DOG KENNEL for the month of AUGUST 2019; as submitted by Michelle Goss, Chief Executive Dog Warden.
NOTE: Monthly Report shall be recorded on the Journal for record purposes.

Yeas: Polivka, Fuda, Cantalamessa
Nays: None

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

**RE: CONTRACTS DATED SEPTEMBER 4, 2019
DEPARTMENT OF JOB & FAMILY SERVICES**

3. MOTION: Made by Mr. Polivka, seconded by Mr. Fuda, to authorize a member of the Board of Trumbull County Commissioners to sign (countersign), on behalf of the Trumbull County Department of Job and Family Services, the contracts per list dated September 4, 2019. Contracts create twelve (12) training opportunities at a total cost of \$73,062.32—fully funded through Workforce Innovation and Opportunity Act (WIOA) allocations—with no County General Revenue Funds requested; this action per the recommendation of John R. Gargano, Esq., Director of the Trumbull County Department of Job and Family Services.
NOTE: Program Summary Sheets shall be recorded on the Journal for record purposes.

Yeas: Polivka, Fuda, Cantalamessa
Nays: None

(Summary Sheet recorded on Journal Page(s)_____.)

Week of September 9, 2019

Meeting of September 11, 2019

**RE: RESOLUTION HONORING
MS. SUE VINGLE UPON HER
RETIREMENT – DEPT. OF JOB
AND FAMILY SERVICES**

4. MOTION: Made by Mr. Polivka, seconded by Mr. Fuda, to adopt a Resolution honoring MS. SUE VINGLE for her outstanding contributions and dedicated service to Trumbull County, especially her devotion and expertise to the DEPARTMENT OF JOB AND FAMILY SERVICES. MS. VINGLE will be retiring effective October 31, 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 fellow coworkers in paying a fond farewell to SUE and wishes her many years of happiness, good health, and relaxation for which she is most deserving.

Yeas: Polivka, Fuda, Cantalamessa
Nays: None

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

SUE WILL BE GREATLY MISSED!

**RE: EMPLOYMENT- MR. JAMES INFANTE
CUSTODIAL WORKER –MAINTENANCE DEPT.**

5. MOTION: Made by Mr. Polivka, seconded by Mr. Fuda, to approve the personnel action for the employment of MR. JAMES INFANTE for the position of CUSTODIAN with the TRUMBULL COUNTY MAINTENANCE DEPARTMENT; effective September 16, 2019, Pay Range 1 (0 years) for the initial six (6) months, at which time he will be raised to Pay Range 2 (0 years); *pursuant to the authorized job posting*; this action per the recommendation of the Human Resources Department in conjunction with the Maintenance Department.

NOTE: *Mr. Infante had successfully passed the pre-employment drug screen and background check.*

Yeas: Polivka, Fuda, Cantalamessa
Nays: None

Week of September 9, 2019

Meeting of September 11, 2019

**RE: ESTABLISH INSTALLMENT PAYMENT PLAN
FINANCING CURB BOX/SERVICE CONNECTION
ASSESSMENTS FOR PROPERTY OWNERS
BENEFITED BY THE BLUEPRINT WATERLINE
INITIATIVE COUNTY PROJECT NO. 5-W-15**

6. MOTION: Made by Mr. Polivka, seconded by Mr. Fuda, to establish an installment payment plan for the purpose of financing CURB BOX/SERVICE CONNECTION ASSESSMENTS for property owners that were benefited by the BLUEPRINT WATERLINE INITIATIVE PROJECT, known as County Project No. 5-W-15. 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 Braceville Township Water District Fund No. 612-000-3000-3030-1-407000. The curb box/service connection assessment is \$650.00 per curb box. The installment plan will be at the same terms as the Ohio Water Development Authority (OWDA) loan that was used to partially finance the project which includes a fixed zero percent (0%) annual percentage rate (APR) for thirty (30) years. This will result in an annual payment of \$21.67/year plus a statutory three percent (3%) Auditor/Treasurer Collection Fee. The affected property owners have been given the option to pay the curb box/service connection assessment either partially or 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: Per requirements of the Ohio Revised Code, proper notification was given to each affected property owner as part of the Necessity Resolution passed by the Board of Trumbull County Commissioners on February 28, 2018, duly recorded in Journal Volume 147, Page 21453.

Yeas: Polivka, Fuda, Cantalamessa
Nays: None

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

Week of September 9, 2019

Meeting of September 11, 2019

**RE: GRANT RIGHT-OF-WAY PERMITS REQUESTED
BY COMPANIES LISTED- COUNTY ENGINEER**

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

- **WAYNE BELL**, 5745 North Park Avenue, Warren, OH 44481, to work in the right-of-way of North Park Road (C.H. 263B), in order to install 80 feet of 18” conduit for address #5745. This will be located approximately 950 feet north of SR 305 in Champion Township.
- **VILLAGE ENERGY COOPERATIVE ASSOCIATION**, 4100 Holiday Street, N.W., Suite #201, Canton, OH 44718, to bore under and work in the right-of-way of Five Points Hartford Road (C.H. 187C), in order to install a 2” gas main line and a 1” gas main line for address #3720. This will be located from SR 7 proceeding 700 feet to the west in Hartford Township.
- **CENTURYLINK**, 203 West 9th Street, Lorain, OH 44052, to work in the right-of-way of Mayburn Corners Barclay Road (C.H. 279D), in order to install buried cable for address #6141. This will be located 885’ east of SR 5 in Kinsman Township.
- **JARI KARTTUNEN**, 1350 Hyde Oakfield Road, North Bloomfield, OH 44450, to work in the right-of-way of Hyde Oakfield Road (C.H. 236F), in order to install a concrete driveway. The concrete shall stop short of the edge of payment by a minimum of two (2) feet. This will be located approximately 1000 feet west of Oakfield North Road in Bristol Township.

Yeas: Polivka, Fuda, Cantalamessa
Nays: None

**RE: APPROVE AGREEMENT BETWEEN
BOARD OF COMMISSIONERS AND KINSMAN
TOWNSHIP TRUSTEES FOR EMERGENCY REPAIRS
TO COMPLETE LAKEVIEW DRIVE RESTORATION
AND CULVERT INSTALLATION**

8. **MOTION:** Made by Mr. Polivka, seconded by Mr. Fuda, pursuant to Ohio Revised Code Section 5535.08(A), to approve an Agreement by and between the BOARD OF TRUMBULL COUNTY COMMISSIONERS and KINSMAN TOWNSHIP TRUSTEES, P.O. Box 399, Kinsman, OH 44428 necessary for emergency repairs to complete the LAKEVIEW DRIVE RESTORATION AND CULVERT INSTALLATION, in an approximate amount of \$1,850,000.00—for the purpose of restoring access to the Lakelands Development which was damaged due to major flooding; this action per the recommendation of the Trumbull County Engineer and is subject to review and approval of the Prosecutor’s Office.

IMPORTANT NOTE: On July 23, 2019, duly recorded in Journal Volume 150, Page 22569, the Board of Trumbull County Commissioners declared that a state of emergency exists with respect to major flooding in Kinsman Township and the resultant collapse of Lakeview Drive. On August 26, 2019, the Board of Kinsman Township Trustees passed Resolution No. 2019-078, to enter into an Agreement with the Board of Trumbull County Commissioners for the purpose of restoring access to the Lakelands Development—*said Resolution shall be recorded onto the Journal for record purposes.*

Yeas: Polivka, Fuda, Cantalamessa
Nays: None

Week of September 9, 2019

Meeting of September 11, 2019

RE: COMMISSIONERS DETERMINED THAT A REAL AND PRESENT EMERGENCY EXISTS IN REGARDS TO LAKEVIEW DRIVE - KINSMAN TOWNSHIP AND AWARD CONTRACT TO JET EXCAVATING COMPANY FOR EMERGENCY REPAIRS TO COMPLETE LAKEVIEW DRIVE RESTORATION AND CULVERT INSTALLATION

9. MOTION: Made by Mr. Polivka, seconded by Mr. Fuda, the Board of Trumbull County Commissioners hereby make a determination that a real and present emergency exists in regards to Lakeview Drive in Kinsman Township where actual physical disaster has occurred to a road and road bed due to severe major flooding; AND award the contract as submitted by JET EXCAVATING COMPANY, 4354 East South Range Road, New Middletown, OH 44442, for emergency repairs to complete the LAKEVIEW DRIVE RESTORATION AND CULVERT INSTALLATION, located in Kinsman Township, in an amount not to exceed \$1,500,000.00—to be paid from the County Engineer’s Fund No. 002-030-1700-1700-1-505548—no County General Revenue Funds are required. (Costs will be paid by the Trumbull County Engineer prior to submittal for reimbursement by a 75% grant through the Ohio Department of Public Safety). Lakeview Drive was closed on July 20, 2019 due to damage caused by severe flooding; this action per the recommendation of the Trumbull County Engineer and is subject to review and approval of the Prosecutor’s Office.

IMPORTANT NOTE: *The County Engineer has determined that an “actual physical disaster” has occurred and wishes to proceed with the necessary repairs without the process of competitive bidding, in accordance with Ohio Revised Code Section 307.86(A)(2). On July 23, 2019, duly recorded in Journal Volume 150, Page 22569, the Board of Trumbull County Commissioners adopted a Resolution declaring that a “state of emergency” exists with respect to major flooding in Kinsman Township and the resultant collapse of Lakeview Drive.*

NOTE: Actual costs will be based on JET Excavating’s approved rate schedule and ODOT’s most recent Construction and Material Specifications Manual.

Yeas: Polivka, Fuda, Cantalamessa

Nays: None

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

Week of September 9, 2019

Meeting of September 11, 2019

RE: GRANT SPECIAL ANNUAL SUPPLIER FLEET PERMITS FOR FLEET VEHICLES - COUNTY ENGINEER

10. MOTION: Made by Mr. Polivka, seconded by Mr. Fuda, 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.

- COOPER AND SONS CARTAGE, INC. 3911 Barclay-Messerly Road, Southington, OH 44470 Permit No.: AF-049-2019 Permit Effective: September 13, 2019 through September 13, 2020
DAVE'S EXCAVATING & TRUCKING, INC. 624 Center Street, E., Warren, OH 44481 Permit No.: AF-050-2019 Permit Effective: September 3, 2019 through September 3, 2020
BORTNICK TRACTOR SALES, INC. 6192 Warren Road, N.E., Cortland, OH 44410 Permit No.: AF-051-2019 Permit Effective: September 15, 2019 through September 15, 2020

Yeas: Polivka, Fuda, Cantalamessa
Nays: None

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

RE: CLOSE ROADS LISTED - COUNTY ENGINEER

11. MOTION: Made by Mr. Polivka, seconded by Mr. Fuda, to grant permission to the County Engineer to Close the Roads listed.

- INTERSECTION OF BARCLAY MESSERLY ROAD (T.H. 123) and SHIHOLA GARRARD ROAD (C.H. 134) located in Braceville Township; closing location at the entire intersection for culvert replacement. Closing Dates: September 11, 2019 through September 13, 2019 **School Buses and Emergency Vehicles ONLY will be permitted through.** RECOMMENDED DETOUR: North on Anderson Anthony Road (T.H. 135); West on Interstate 422; West on Helsley Russelman Road (C.H. 208); South on Braceville Robinson Road (C.H. 114); East on Nelson Moser Road (C.H. 122)
BARCLAY NORTH ROAD (T.H. 287) located in Gustavus Township; closing location just north of Wakefield Creek Road (C.H. 286) for culvert replacement. Closing Dates: September 12, 2019 and September 13, 2019 RECOMMENDED DETOUR: West on Wakefield Creek Road (C.H. 286); North on Stoddard Hayes Road (C.H. 249); East on Underwood Road; South on Kiddle Road/Barclay North Road (T.H. 287)

Yeas: Polivka, Fuda, Cantalamessa
Nays: None

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Meeting of September 11, 2019

RE: EXECUTE ALL DOCUMENTS NECESSARY FOR ELEVENTH DISTRICT COURT OF APPEALS TO PARTICIPATE WITH END OF LEASE OPTION TO PURCHASE 2016 GMC TERRAIN FROM SWEENEY CHEVROLET BUICK GMC

12. MOTION: Made by Mr. Polivka, seconded by Mr. Fuda, to concur with and authorize the Ohio Eleventh District Court of Appeals to participate with the End of Lease Option to purchase a 2016 GMC Terrain AWD (VIN #2GKFLSEKXG6344495) from SWEENEY CHEVROLET BUICK GMC, 7997 Market Street, P.O. Box 3847, Youngstown, OH 44513, in the amount of \$16,814.00—to be paid from the Court of Appeals’ Fund No. 01-012-1900-1920-1-505410; AND to authorize Mauro Cantalamessa, President of the Board of Trumbull County Commissioners, to execute the Retail Purchase Agreement and any other necessary documents; this action per the recommendation of the Ohio Eleventh District Court of Appeals and is subject to review and approval of the Prosecutor’s Office.

NOTE: On April 6, 2016, duly recorded in Journal Volume 144, Page 19812, the Board of Commissioners approved a Memorandum of Understanding with the Ohio Eleventh District Court of Appeals, for the acquisition, use, and insurance of a vehicle for official Court use. Pursuant to the Memorandum of Understanding, the title and/or any lease documentation shall be in the name of the Board of Trumbull County Commissioners, and the Board shall provide insurance for the vehicle. The Ohio Eleventh District Court of Appeals shall bear all costs of the vehicle, including insurance cost, pursuant to the Memorandum of Understanding.

SPECIAL NOTE: On June 29, 2016, duly recorded in Journal Volume 145, Page 19993, the Board of Commissioners concurred with the Ohio Eleventh District Court of Appeals intent to lease a 2016 GMC Terrain for 39 months at \$307.90 per month. Said lease will mature on October 1, 2019.

Yeas: Polivka, Fuda, Cantalamessa
Nays: None

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

RE: AUTHORIZE ZACHARY SVETTE TO PREPARE/SUBMIT ALL GRANT DOCUMENTS FOR 2020 CLEAN OHIO TRAILS FUND GRANT APPLICATION FOR WESTERN RESERVE GREENWAY PHASE 4 BIKE TRAIL AND EXECUTE ANY/ALL NECESSARY DOCUMENTS

13. MOTION: Made by Mr. Polivka, seconded by Mr. Fuda, to authorize Zachary Svette, Operations Manager for the Trumbull County MetroParks, to prepare and submit a 2020 Clean Ohio Trail Fund Grant Application to the Ohio Department of Natural Resources for the remaining portion of the local match for the WESTERN RESERVE GREENWAY PHASE 4 BIKE TRAIL, the final Phase in Trumbull County; AND to authorize Mauro Cantalamessa, President of the Board of Trumbull County Commissioners, to execute any/all necessary documentation associated with the submission and acceptance of said application; this action per the recommendation of the Trumbull County Metropolitan Park District and the Interim Planning Commission Director, and is subject to review and approval of the Prosecutor’s Office.

NOTE: *If approved, the funding request will make available state funds to be used as the required local match and leverage for federal funding sources to complete the Western Reserve Greenway in Trumbull County which is a portion of the Great Ohio Lake to River Greenway. To date over 25 miles to bike trail has been constructed in Trumbull County utilizing federal, state, local and private funds exceeding \$14,000,000.00.*

Yeas: Polivka, Fuda, Cantalamessa
Nays: None

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

Week of September 9, 2019

Meeting of September 11, 2019

RE: APPROVE BILLS

14. 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

RE: ADDITIONAL APPROPRIATIONS

15. MOTION: Made by Mr. Polivka, seconded by Mr. Fuda, to approve additional appropriations, as submitted to the Trumbull County Auditor’s Office between the dates of September 2, 2019 through September 6, 2019. *Complete list of additional appropriations shall be recorded onto the Journal for record purposes.*

- ❖ **Departments/Offices requesting additional appropriations:**
- Sanitary Engineers**
- Planning Commission**
- Board of Elections**

Yeas: Polivka, Fuda, Cantalamessa

Nays: None

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

RE: TRANSFER APPROPRIATIONS

16. MOTION: Made by Mr. Polivka, seconded by Mr. Fuda, to transfer appropriations, as submitted to the Trumbull County Auditor’s Office between the dates of September 2, 2019 through September 6, 2019. *Complete list of appropriation transfers shall be recorded onto the Journal for record purposes.*

- ❖ **Departments/Offices requesting to transfer appropriations:**
- Prosecutor**
- Domestic Relations/Juvenile**
- Combined Health District**
- Children Services Board**
- Sheriff**
- Planning Commission**
- 911 Center**
- Metro Park District**
- Sanitary Engineers**

Yeas: Polivka, Fuda, Cantalamessa

Nays: None

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

Week of September 9, 2019

Meeting of September 11, 2019

**RE: AMENDED CERTIFICATE NO. 19-2019
COUNTY BUDGET COMMISSION**

17. MOTION: Made by Mr. Polivka, seconded by Mr. Fuda, to receive the Amended Certificate of the County Budget Commission No. 19-2019, for the fiscal year beginning January 1, 2019, dated September 11, 2019, increasing appropriations in the funds listed:

- **Fund 952 – RX Overdose Prevention Grant**
- **Fund 497 – Logan Way Force Main Conversion**

Yeas: Polivka, Fuda, Cantalamessa
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 September 11, 2019, and to meet again in Regular Session on September 18, 2019.

Yeas: Fuda, Cantalamessa, Polivka
Nays: None

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

MAURO CANTALAMESSA, PRESIDENT

FRANK S. FUDA, COMMISSIONER

DANIEL E. POLIVKA, COMMISSIONER

ATTEST:

PAULETTE A. GODFREY, CLERK