

Week Beginning October 7, 2019

Meeting of October 9, 2019

The Board of County Commissioners, Trumbull County, Ohio, met for a Regular Meeting on the 9th day of October 2019, in the office of said Board, with the following members present:

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

RE: MINUTES

1. MOTION: Made by Mr. Polivka, seconded by Mr. Fuda, to dispense with reading the minutes of the Workshop Session dated October 1, 2019 and the Regular Meeting dated October 2, 2019.

Yeas: Polivka, Fuda, Cantalamessa
Nays: None

**RE: CHANGE ORDER NO. 1
KIRILA CONTRACTORS, INC. FOR LIBERTY
TOWNSHIP STREET IMPROVEMENTS PROJECT**

2. MOTION: Made by Mr. Polivka, seconded by Mr. Fuda, to approve Change Order No. 1 as submitted by KIRILA CONTRACTORS, INC., 505 Bedford Road, S.E., P.O., Box 179, Brookfield, OH 44403 for the LIBERTY TOWNSHIP STREET IMPROVEMENTS PROJECT—Northgate and Green Acres Drive and part of Trumbull Avenue. Change Order No. 1 is for an additional \$1,976.54—revising the total contract amount to \$254,568.09—to be paid for from Fund No. 225-030-5118-5102-1-505551—funded through the PY18 Community Development Block Grant Critical Infrastructure Grant Program Street Improvements Activity. Change Order is necessary in order to make a final adjustment of quantities used to complete the project; 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 awarded the original contract to Kirila Contractors, Inc. in the amount of \$252,591.55 on April 24, 2019, duly recorded in Journal Volume 149, Page 22338.

Yeas: Polivka, Fuda, Cantalamessa
Nays: None

(Change Order recorded on Journal Page(s)_____.)

**RE: EXECUTE ‘NOTICE TO PROCEED’
YOHO ACTION SEPTIC TANK & SUPPLY, INC.
REPLACEMENT OF THREE (3) HOME SEWAGE
TREATMENT SYSTEMS (HSTS)**

3. MOTION: Made by Mr. Polivka, seconded by Mr. Fuda, to authorize Mauro Cantalamessa, President of the Board of Trumbull County Commissioners, to execute the ‘Notice to Proceed’ letter to YOHO ACTION SEPTIC TANK & SUPPLY, INC., 5982 Risher Road, Leavittsburg, OH 44430 for replacement of three (3) Home Sewage Treatment Systems (HSTS) for eligible homeowners—one (1) in Braceville Township and two (2) in Johnston Township. *The Notice to Proceed’ letter shall be recorded onto the Journal for record purposes;* this action per the recommendation of the Trumbull County Planning Commission.

NOTE: The Board of Commissioners awarded the original contract to Yoho Action Septic Tank & Supply, Inc. in the amount of \$65,397.00 on August 14, 2019, duly recorded in Journal Volume 150, Page 22613.

Yeas: Polivka, Fuda, Cantalamessa
Nays: None

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

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**RE: EXECUTE 'NOTICE TO PROCEED'
KLARICH FARMS, LLC
REPLACEMENT OF TWO (2) HOME
SEWAGE TREATMENT SYSTEMS (HSTS)**

4. MOTION: Made by Mr. Polivka, seconded by Mr. Fuda, to authorize Mauro Cantalamessa, President of the Board of Trumbull County Commissioners, to execute the 'Notice to Proceed' letter to KLARICH FARMS, LLC, 11561 Bell Road, P.O. Box 472, Newbury, OH 44065 for replacement of two (2) Home Sewage Treatment Systems (HSTS) for eligible homeowners in Mecca and Southington Townships. *The Notice to Proceed' letter shall be recorded onto the Journal for record purposes;* this action per the recommendation of the Trumbull County Planning Commission.

NOTE: The Board of Commissioners awarded the original contract to Klarich Farms LLC in the amount of \$29,150.00 on August 14, 2019, duly recorded in Journal Volume 150, Page 22613.

Yeas: Polivka, Fuda, Cantalamessa
Nays: None

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

**RE: RECEIVE/RECORD PUBLIC EMPLOYEE SCHEDULE
BOND FOR DOG WARDEN AND DEPUTIES**

5. MOTION: Made by Mr. Polivka, seconded by Mr. Fuda, to receive and record onto Journal for record purposes the Public Employee Schedule Bond for the TRUMBULL COUNTY DOG WARDEN and DEPUTIES (total of six (6) employees) in the amount of \$1,000.00 for the faithful performance of their duties. This bond is effective for the term of November 9, 2019 through November 9, 2020 and shall be filed with the Trumbull County Auditor. The cost of the renewal Bond is \$450.00 and will be paid for from the Dog Kennel's Fund No. 010-020-1000-1080-1-505504.

NOTE: Pursuant to Ohio Revised Code Section 955.12, on November 9, 2011, duly recorded in Journal Volume 137, Page 16328, the Board of Commissioners adopted a Resolution requiring the Trumbull County Dog Warden and Deputies to provide said Blanket Bond.

Yeas: Polivka, Fuda, Cantalamessa
Nays: None

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

**RE: RECEIVE/FILE MONTHLY ACTIVITIES REPORT
DOG KENNEL - SEPTEMBER 2019**

6. 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 SEPTEMBER 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

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RE: RESOLUTION REQUESTING REVIEW OF SPEED LIMIT ON MAYBURN CORNERS BARCLAY ROAD LOCATED IN KINSMAN TOWNSHIP

7. **MOTION:** Made by Mr. Polivka, seconded by Mr. Fuda, to adopt a Resolution requesting the Ohio Department of Transportation to Review the Engineering and Traffic Investigation and to Declare a Reasonable and Safe Prima Facie Speed Limit on MAYBURN CORNERS BARCLAY ROAD (C.H. 279) located in KINSMAN TOWNSHIP, TRUMBULL COUNTY, OHIO (between S.R. 5 and S.R. 7)--said Speed Study conducted by the Trumbull County Engineer's Office and alleges that the zoned speed limit of 55 MPH is unrealistic; this action per the recommendation of the Trumbull County Engineer.

Yeas: Polivka, Fuda, Cantalamessa
Nays: None

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

RE: CLOSE ROAD-COUNTY ENGINEER

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

- **YORK STREET (C.H. 290) located in Greene Township;** closing location between Higgins Dorset Road and State Route 11 for culvert replacement.
Closing Dates: October 9, 2019 through October 23, 2019
RECOMMENDED DETOUR: South on Dennison Ashtabula Road (C.H. 295); East on Wakefield Creek Road (C.H. 286); North on Ridge Road (T.H. 159)

Yeas: Polivka, Fuda, Cantalamessa
Nays: None

RE: SPECIAL HAULING PERMITS TO HAUL STEEL COILS-COUNTY ENGINEER

9. **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 company listed. The necessary permit fee has been submitted and approval is subject to the conditions listed on each permit.

- **JARO TRANSPORTATION SERVICES, INC.**
975 Post Road, N.W., Warren, OH 44483
Permit Nos.: 2019-127 through 2019-198
Permit Effective: October 2, 2019 through October 2, 2020

Yeas: Polivka, Fuda, Cantalamessa
Nays: None

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RE: RIGHT-OF-WAY PERMITS-COUNTY ENGINEER

10. 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.

- **DOMINION EAST OHIO**, 320 Springside Drive, Akron, OH 44333, to bore under and work in the right-of-way of Ridge Road (C.H. 159D), in order to install a gas service line for address #4221. This will be located approximately 500 feet south of Everett Hull Road in Fowler Township.
- **DOMINION EAST OHIO**, 320 Springside Drive, Akron, OH 44333, to work in the right-of-way of North River Road (C.H. 142E), in order to install a gas service line for address #4033. This will be located approximately 400 feet west of River Glen Drive in Howland Township.
- **NORTHEAST OHIO NATURAL GAS CORP.**, 8470 Station Street, Mentor, OH 44060, to bore under and work in the right-of-way of State Road (C.H. 206D), in order to install 700 feet of 4" gas main line. This will be located at the intersection with Doty East Road in Southington Township.

Yeas: Polivka, Fuda, Cantalamessa
Nays: None

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

11. 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.

- **Z-TECH BUILDERS & EXCAVATORS, INC.**
3301 Bazetta Road, Cortland, OH 44410
Permit No.: AF-056-2019
Permit Effective: October 2, 2019 through October 2, 2020
- **FedEx FREIGHT, INC.**
2200 Forward Drive, Harrison, AR 72601
Permit No.: AF-057-2019
Permit Effective: October 14, 2019 through October 14, 2020
- **XPO LOGISTICS, INC.**
P.O. Box 6046, Portland, OR 97228
Permit No.: AF-058-2019
Permit Effective: October 22, 2019 through October 22, 2020

Yeas: Polivka, Fuda, Cantalamessa
Nays: None

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RE: AMEND JOURNAL ACTION DATED 09/25/19 APPROVING REVISIONS TO TRUMBULL COUNTY’S PREVENTION, RETENTION AND CONTINGENCY (PRC) PLAN - EFFECTIVE OCTOBER 1, 2019--AMENDMENT IS NECESSARY TO CORRECT LANGUAGE UNDER KINSHIP “STABILIZATION” SERVICES TO IDENTIFY THE PRC PLAN AS THE “BIENNIAL” PREVENTION, RETENTION AND CONTINGENCY PLAN

12. MOTION: Made by Mr. Polivka, seconded by Mr. Fuda, to amend the Journal Action taken by the Board of Trumbull County Commissioners on September 25, 2019, duly recorded in Journal Volume 150, Page 22701 approve Revisions to Trumbull County’s Prevention, Retention and Contingency (PRC) Plan; effective October 1, 2019. AMENDMENT is necessary to correct the language Under Kinship “Stabilization” Services Part-time Respite Child Care for Caregiver – from limited to 24 hours per week for four (4) consecutive weeks to 24 hours per week for four (4) consecutive months as provided by a state-licensed child care center or state-licensed home provider; AND to identify the PRC Plan as the “Biennial” Prevention, Retention and Contingency Plan as revised October 1, 2019; this action per the recommendation of the Trumbull County Department of Job and Family Services.

SPECIAL NOTE: *The Trumbull County PRC Plan revised effective October 1, 2019, complies with the requirements of Chapter 5108 of the Ohio Revised Code in adopting its written statement of policies.*

Yeas: Polivka, Fuda, Cantalamessa

Nays: None

RE: AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT NORTHWOODS CONSULTING PARTNERS, INC. PERFORM ADDITIONAL SERVICES TO TRANSFER CHILD SUPPORT DOCUMENT IMAGES/METADATA FROM EXISTING JOB AND FAMILY SERVICES’ TO STATE OF OHIO ENTERPRISE DOCUMENT MANAGEMENT SYSTEM

13. MOTION: Made by Mr. Polivka, seconded by Mr. Fuda, to approve an Amendment to the Professional Services Agreement with NORTHWOODS CONSULTING PARTNERS, INC., 5815 Wall Street, Dublin, OH 43017 to perform the work necessary to transfer Child Support document images and metadata from the existing Trumbull County Job and Family Services’ document management system to the State of Ohio enterprise document management system utilizing the necessary security to maintain the integrity of the documents, at a cost of \$0.02 per page, up to a maximum amount not to exceed \$23,000.00. AMENDMENT increases the Agreement by an additional \$1,000.00—revising the total amount not to exceed \$24,000.00—\$23,000.00 to be paid from 050 Child Support Enforcement Agency Cost Pool Funds and \$1,000.00 to be paid from 030 Social Service Cost Pool Funds—*no County General Revenue Funds will be utilized.* AMENDMENT is necessary for additional professional services to transfer Adult Protective Services and Related Documents, Child Care Providers, Human Resources, and Workforce Investment and Opportunity document images and metadata from the existing Trumbull County Job and Family Services’ document management system to the county-specific SharePoint site administered by the State of Ohio. The Agreement will remain effective from February 5, 2019 until document migration is complete; this action per the recommendation of John R. Gargano, Esq., Director of the Trumbull County Department of Job and Family Services and is subject to review and approval of the Prosecutor’s Office.

NOTE: On February 13, 2019, duly recorded in Journal Volume 149, Page(s) 22183-22184, the Board of Commissioners approved the original contract in the amount of \$23,000.00.

(Continued)

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RE: AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT NORTHWOODS CONSULTING PARTNERS, INC. (Cont'd)

SPECIAL NOTE: The State of Ohio fully procured and has entered into an Agreement with Northwoods Consulting Partners, Inc. to provide all Ohio County Job and Family Services' (CDJFS) agencies with the above noted enterprise document management system without further charge to the CDJFS during the initial term of that Agreement. Services to be provided under this Agreement are necessary to ensure that images currently available under the existing Trumbull County Job and Family Services' document management system are available for viewing upon completion of the conversion to the State of Ohio enterprise document management system. This Agreement does not contain Attachments as Northwoods Consulting Partners, Inc. executed the necessary Attachments under the master agreement entered into with the State of Ohio for these services.

Yeas: Polivka, Fuda, Cantalamessa
Nays: None

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

**RE: TERMINATION OF EMPLOYMENT
MS. CAROL E. POMPILI FROM
JOB & FAMILY SERVICES/CHILD SUPPORT
ENFORCEMENT AGENCY**

14. MOTION: Made by Mr. Polivka, seconded by Mr. Fuda, to approve the personnel action to terminate MS. CAROL E. POMPILI from her position as Enforcement Specialist 2 with the Trumbull County Department of Job & Family Services/Child Support Enforcement Agency Division, effective October 9, 2019. Due to excessive absenteeism and failure to follow and adhere to the work rules of the Agency, Ms. Pompili has violated the Collective Bargaining Agreement with AFSCME Local 3808; this action per the recommendation of John R. Gargano, Esq., Director of the Trumbull County Department of Job and Family Services.

Yeas: Polivka, Fuda, Cantalamessa
Nays: None

(Personnel Action Form recorded on Journal Page(s)_____.)

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RE: ADOPT RESOLUTION
PROCLAIMING MONTH OF OCTOBER 2019, AS
"DOMESTIC VIOLENCE AWARENESS MONTH",
AND TO PROCLAIM OCTOBER 21, 2019, AS
"UNITY DAY" IN TRUMBULL COUNTY

15. MOTION: Made by Mr. Polivka, seconded by Mr. Fuda, to adopt a Resolution to proclaim the month of OCTOBER 2019, as "DOMESTIC VIOLENCE AWARENESS MONTH", AND to proclaim OCTOBER 21, 2019, as "UNITY DAY" in Trumbull County in conjunction with National Domestic Violence Awareness Month. The Board of Trumbull County Commissioners urges all citizens to actively participate in the scheduled activities and programs sponsored by SOMEPLACE SAFE to work towards the elimination of personal and institutional violence. This month provides an excellent opportunity for our County to demonstrate its support in ending domestic violence and to support the numerous victims who are among us; and to educate the public on the seriousness of domestic violence and the prevalence of this epidemic in our lives.

NOTE: Someplace Safe will host the 25th Annual Unity Day on Monday, October 21, 2019 at 12:00 p.m. at the First Presbyterian Church of Warren, 256 Mahoning Avenue, Warren, OH 44483. The Public is invited to attend the where we mourn those we've lost and celebrate those who have survived Domestic Violence.

Yeas: Polivka, Fuda, Cantalamessa
Nays: None

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

RE: APPROVE PERSONNEL ACTION FOR PAY
INCREASES FOR SIX (6) SITE MANAGERS
OFFICE OF ELDERLY AFFAIRS

16. MOTION: Made by Mr. Polivka, seconded by Mr. Fuda, to approve the personnel action for the pay increases for six (6) SITE MANAGERS, employees of the TRUMBULL COUNTY OFFICE OF ELDERLY AFFAIRS, effective October 7, 2019. Site Managers are part-time positions (4 hours/per day Monday through Friday). Pay increases will be raised from \$9.00 per hour to \$10.00 per hour. Increases will be paid from Fund No. 258-050-5800-5835-1-505120—no County General Revenue Funds will be utilized. Increases will be effective for the site managers at the following locations: Girard, Hubbard, Lordstown Scope, Morrison Village, Niles Scope and Warren Scope; this action per the recommendation of Brandi M. Greenwood, Manager, Senior Nutrition Services, Trumbull County Office of Elderly Affairs

Yeas: Polivka, Fuda, Cantalamessa
Nays: None

RE: DENY CONSTRUCTION OF HUNTLEY DRIVE WATER
IMPROVEMENTS PROJECT NO. 6-W-15 LOCATED IN
HOWLAND TOWNSHIP

17. MOTION: Made by Mr. Polivka, seconded by Mr. Fuda, to deny construction of the HUNTLEY DRIVE WATER IMPROVEMENTS PROJECT, known as County Project No. 6-W-15, located in Howland Township. The public hearing for this project was held on September 12, 2019. Results of the public hearing and public comment period indicate 52.75% of the property owners are opposed to said project and 47.25% are in support—based on benefited frontage; this action per the recommendation of the Trumbull County Sanitary Engineers Department.

Yeas: Polivka, Fuda, Cantalamessa
Nays: None

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**RE: MODIFICATION NO. 2 - ENGINEERING
AGREEMENT WITH BURGESS & NIPLE, INC.
BLUEPRINT WATERLINE INITIATIVE PROJECT
NO. 5-W-15 LOCATED IN BRACEVILLE,
SOUTHINGTON AND FARMINGTON TOWNSHIPS--
MODIFICATION IS FOR ADDITIONAL SERVICES**

18. MOTION: Made by Mr. Polivka, seconded by Mr. Fuda, to approve Modification No. 2 to the Engineering Agreement with BURGESS & NIPLE, INC., 100 West Erie Street, Painesville, OH 44077 for the BLUEPRINT WATERLINE INITIATIVE PROJECT, known as County Project No. 5-W-15, located in Braceville, Southington and Farmington Townships. Modification is for an additional \$329,590.00—revising the total contract amount to \$2,307,570.00. Modification No. 2 is necessary for additional services above and beyond the original scope of work including but not limited to an increase in the number of service connections installed from 650 to 752, re-design due to encountering unknown utilities during construction, adding more valves, hydrants, service connections and meter pits within the Village of West Farmington, providing additional surveys and legal descriptions for additional easements during construction, relocation of major project components, the design and PTI submittal for the Plalan Lakes connection and identifying, quantifying and coordinating repairs to address damage to local roads as a result of the project. All costs associated with this modification are to be paid from Fund No. 479-080-3000-3030-1-505610 with subsequent reimbursement through the Ohio EPA Water Supply Revolving Loan Account Program; 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: On January 19, 2017, duly recorded in Journal Volume 145, Page(s) 20453-20454, the Board of Commissioners approved the original contract with Burgess & Niple, Inc. in the amount of \$821,200.00. On June 27, 2018, duly recorded in Journal Volume 148, Page 21696, the Commissioners approved Modification No. 1 to the contract for an additional \$1,156,780.00—revising the total contract amount to \$1,977,980.00.

Yeas: Polivka, Fuda, Cantalamessa
Nays: None

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

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RE: MODIFICATION NO. 3 TO ENGINEERING AGREEMENT BURGESS & NIPLE, INC FOR BLUEPRINT WATERLINE INITIATIVE PROJECT NO. 5-W-15 LOCATED IN BRACEVILLE, SOUTHTON AND FARMINGTON TOWNSHIPS--MODIFICATION NO. 3 NECESSARY FOR ADDITIONAL SERVICES ASSOCIATED WITH LOW-TO-MODERATE INCOME (LMI) CONNECTIONS

19. MOTION: Made by Mr. Polivka, seconded by Mr. Fuda, to approve Modification No. 3 to the Engineering Agreement with BURGESS & NIPLE, INC., 100 West Erie Street, Painesville, OH 44077 for the BLUEPRINT WATERLINE INITIATIVE PROJECT, known as County Project No. 5-W-15, located in Braceville, Southington and Farmington Townships. Modification is for an additional \$184,960.00—revising the total contract amount to \$2,492,530.00. Modification No. 3 is necessary for additional services associated with Low-to-Moderate Income (LMI) connections. All costs associated with this modification are to be paid from Fund No. 479-080-3000-3030-1-505610 with subsequent reimbursement through the Community Development Block Grant (CDBG) Program; this action per the recommendation of the Trumbull County Sanitary Engineer’s Department and is subject to review and approval of the Prosecutor’s Office.

NOTE: On January 19, 2017, duly recorded in Journal Volume 145, Page(s) 20453-20454, the Board of Commissioners approved the original contract with Burgess & Niple, Inc. in the amount of \$821,200.00. On June 27, 2018, duly recorded in Journal Volume 148, Page 21696, the Commissioners approved Modification No. 1 to the contract for an additional \$1,156,780.00—revising the total contract amount to \$1,977,980.00.

Yeas: Polivka, Fuda, Cantalamessa

Nays: None

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

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**RE: AWARD BID
WOODFORD EXCAVATING, LLC
48" STORM SEWER REPLACEMENT PROJECT
IN TIMBER CREEK HEIGHTS DRAINAGE DISTRICT
LOCATED IN BAZETTA TOWNSHIP**

20. MOTION: Made by Mr. Polivka, seconded by Mr. Fuda, to award the lowest and best bid as submitted by WOODFORD EXCAVATING, LLC, 701 Diehl South Road, Leavittsburg, OH 44430 for the 48" STORM SEWER REPLACEMENT PROJECT, in the TIMBER CREEK HEIGHTS DRAINAGE DISTRICT, located in Bazetta Township, in the amount of \$62,257.00—to be paid for from Fund No. 031-030-1774-1774-1-505537; AND to enter into a contract with WOODFORD EXCAVATING, LLC for said project. *Assessments will be made to owners of property within the Timber Creek Heights Drainage District Plat No. 2 and Plat No. 3 upon completion of the project;* this action per the recommendation of the Project Consulting Firm, Thomas Fok and Associates, Inc., and James J. Misocky, Esq., Trumbull County Administrator of Special Projects and is subject to review and approval of the Prosecutor's Office.

NOTE: Engineer's Estimate = \$93,755.00

OTHER BIDS SUBMITTED

COMPANY	AMOUNT
FOUST CONSTRUCTION, INC. 1700 Wilson Avenue, Girard, OH 44420	\$99,473.64
KLINGINSMITH ENTERPRISES, INC. 12984 Sportsman Road, P.O. Box 5135 Conneaut Lake, PA 16316	\$83,380.75
SHOOK COMPANY, LLC 6720 Pheasant Run, Canfield, OH 44406	\$69,696.96
MILLER YOUNT PAVING, INC. 2295 Hoagland Blackstub Road Cortland, OH 44410	\$70,024.68
NORTH BEAVER CONTRACTING, LLC 4321 Edinburg Road, New Castle, PA 16102	\$69,676.00
M&M EXCAVATING, INC. 391 Centennial Drive, Vienna, OH 44473	\$77,809.00
C. CRUMP, INC. 2601 Elmwood Drive, Hubbard, OH 44425	\$73,582.00
RUDZIK EXCAVATING, INC. 401 Lowellville Road, Struthers, OH 44471	\$84,768.00
S.E.T., INC. 235 East Water Street Lowellville, OH 44436-1273	\$94,872.40
UTILITY CONTRACTING, INC. 321 S. Meridian Road, P.O. Box 2367 Youngstown, OH 44509-0367	\$91,165.00
J.S. BOVA EXCAVATING, LLC 235 State Street, P.O. Box 296 Struthers, OH 44471	\$101,220.20
Z-TECH BUILDERS & EXCAVATORS, INC. 3130 Hoagland Blackstub Road Cortland, OH 44410	\$67,126.50

Yeas: Polivka, Fuda, Cantalamessa

Nays: None

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RE: PUBLISH LEGAL NOTICE FOR A PUBLIC HEARING REGARDING 48" STORM WATER REPLACEMENT PROJECT IN TIMBER CREEK HEIGHTS DRAINAGE DISTRICT LOCATED IN BAZETTA TOWNSHIP

21. MOTION: Made by Mr. Polivka, seconded by Mr. Fuda to authorize the Clerk of the Board of Trumbull County Commissioners to publish a Legal Notice for a Public Hearing regarding the 48" STORM WATER REPLACEMENT PROJECT, in the TIMBER CREEK HEIGHTS DRAINAGE DISTRICT, located in Bazetta Township, *to be held on Thursday, November 14, 2019 at 6:00 p.m. in the Trumbull County Administration Building, 5th Floor, 160 High Street, N.W., Warren, OH 44481*; AND to further authorize the Clerk to issue letters to the owners of property located in the Timber Creek Drainage District, Plat No. 2 and Plat No. 3 to advise the property owners of this Public Hearing. The list of property owners shall be provided by the Trumbull County Engineer's Office.

Yeas: Polivka, Fuda, Cantalamessa
Nays: None

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

RE: APPROVE BILLS

22. 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

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

RE: TRANSFER MONIES

23. MOTION: Made by Mr. Polivka, seconded by Mr. Fuda Pursuant to Ohio Revised Code Section 5705.14, to transfer monies as submitted to the Trumbull County Auditor's Office between the dates of September 30, 2019 through October 4, 2019. *Complete list of money transfers shall be recorded onto the Journal for record purposes.*

❖ **Departments/Offices requesting to transfer monies:**
Sanitary Engineers
Recorder

Yeas: Polivka, Fuda, Cantalamessa
Nays: None

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

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RE: ADDITIONAL APPROPRIATIONS

24. 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 30, 2019 through October 4, 2019. Complete list of additional appropriations shall be recorded onto the Journal for record purposes.

- ❖ Departments/Offices requesting additional appropriations:
 - Sanitary Engineers
 - Recorder

Yeas: Polivka, Fuda, Cantalamessa
Nays: None

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

RE: TRANSFER APPROPRIATIONS

25. 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 30, 2019 through October 4, 2019. Complete list of appropriation transfers shall be recorded onto the Journal for record purposes.

- ❖ Departments/Offices requesting to transfer appropriations:
 - Sanitary Engineers
 - NEOCAP
 - Dog Kennel
 - Auditor
 - Planning Commission
 - Probate Court

Yeas: Polivka, Fuda, Cantalamessa
Nays: None

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

RE: RECEIVE AMENDED CERTIFICATE NO. 23-2019
COUNTY BUDGET COMMISSION

26. MOTION: Made by Mr. Polivka, seconded by Mr. Fuda, to receive the Amended Certificate of the County Budget Commission No. 23-2019, for the fiscal year beginning January 1, 2019, dated October 9, 2019, increasing appropriations in the funds listed:

- Fund 495 – Huntley Drive Waterline Project
- Fund 210 – Community Development Housing Grant
- Fund 481 – South Bedford Road Sanitary Sewer Project

Yeas: Polivka, Fuda, Cantalamessa
Nays: None

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**RE: ESTABLISH CREATION OF THE YANKEE LAKE
SANITARY SEWER FUND-KNOWN AS FUND 473**

27. MOTION: Made by Mr. Polivka, seconded by Mr. Fuda, to establish the creation of the YANKEE LAKE SANITARY SEWER FUND, known as FUND 473 for use by the Trumbull County Sanitary Engineers Department. Funds are to be used for the creation of the Yankee Lake Sanitary Sewer System, known as County Project No. 2-S-19. Initial funding will be provided by a \$750,000 allocation from the State of Ohio’s Operating Budget; this action per the recommendation of the Trumbull County Sanitary Engineers Department.

Yeas: Polivka, Fuda, Cantalamessa
Nays: None

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

**RE: AMEND JOURNAL ACTION DATED 10/02/19
AMENDED CERTIFICATE NO. 21-2019
COUNTY BUDGET COMMISSION--
AMENDMENT NECESSARY TO REMOVE FUND 225
COMMUNITY DEVELOPMENT BLOCK GRANT**

28. MOTION: Made by Mr. Polivka, seconded by Mr. Fuda, to amend the Journal Action taken by the Board of Trumbull County Commissioners on October 2, 2019, duly recorded in Journal Volume 150, Page 22726 receiving the Amended Certificate of the County Budget Commission No. 21-2019, for the fiscal year beginning January 1, 2019, dated October 2, 2019, increasing appropriations in the funds listed. AMENDMENT is necessary to remove Fund 225 – Community Development Block Grant (CDBG) from the Amended Certificate.

➤ **Revised Amended Certificate Includes:**

- **Fund 953 – HD Comm. Service**
- **Fund 978 – MIECHV**
- **Fund 977 – Cribs for Safety**

Yeas: Polivka, Fuda, Cantalamessa
Nays: None

**RE: ESTABLISH CREATION OF TRUMBULL
COUNTY COMBINED SEWER DISTRICT FUND-
KNOWN AS FUND 602**

29. MOTION: Made by Mr. Polivka, seconded by Mr. Fuda to establish the creation of the TRUMBULL COUNTY COMBINED SEWER DISTRICT FUND, known as FUND 602 for use by the Sanitary Engineers Department. Funds are to be used for the maintenance and operation of Trumbull County sanitary sewer collection, conveyance and treatment systems.

Yeas: Polivka, Fuda, Cantalamessa
Nays: None

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

Week Beginning October 7, 2019

Meeting of October 9, 2019

**RE: RECEIVE/FILE MONTHLY ACTIVITIES REPORT
VETERANS SERVICE COMMISSION/OFFICE-
SEPTEMBER 2019**

30. MOTION: Made by Mr. Polivka, seconded by Mr. Fuda to receive and place on file the Monthly Activities Report for the VETERANS SERVICE COMMISSION and VETERANS SERVICE OFFICE for the month of SEPTEMBER 2019; as submitted by Herman K. Breuer, Service Officer/Director.

NOTE: Monthly Report shall be recorded on the Journal for record purposes.

Yeas: Polivka, Fuda, Cantalamessa
Nays: None

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

**RE: ADOPT RESOLUTION ESTABLISHING THE
TRUMBULL COUNTY COMBINED SEWER DISTRICT**

31. MOTION: Made by Mr. Polivka, seconded by Mr. Fuda to adopt the following Resolution Establishing the TRUMBULL COUNTY COMBINED SEWER DISTRICT.

RESOLUTION

WHEREAS, this Board, by Resolution adopted on the dates hereinafter indicated, has provided for the establishment in this County, of the following sewer districts, which are herein collectively referred to as the "Existing Districts":

<u>NAME</u>	<u>DATE OF RESOLUTION</u>
Metropolitan Sewer District	October 27, 1972
Mosquito Creek Sewer District	November 3, 1965

WHEREAS, this Board has received a recommendation that the territory within the Existing Districts be consolidated into a single new district and for the reasons that the creation of such a new district would simplify the basic sewer district organization of this County, would give greater recognition to the factors of topography, natural drainage, population trends and present and prospective land use, would facilitate the planning for and the construction, improvement, extension management, operation and maintenance of sewerage facilities and reduce the cost thereof as well as improve cooperative efforts with municipalities, would allow more efficient and economical operation of sewerage facilities, would assist in reduction of existing pollution of public waters as well as provide healthful water supplies by reducing the use of septic tanks and thus avoiding the contamination of the ground water, would safeguard to a greater degree the health of the residents of this County and of the affected areas and would provide for the orderly and related development of such areas; and

WHEREAS, this Board has determined that such recommendation should be adopted for the reasons aforesaid, and, as a result of such determination, this Board finds it necessary to establish a new sewer district to be known as the "Trumbull County Combined Sewer District" and to be comprised of the territory within the Existing Districts; and

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

Week Beginning October 7, 2019

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RE: TRUMBULL COUNTY COMBINED SEWER DISTRICT RESOLUTION (Cont'd)

Section 1: That, for the purpose of preserving, protecting and promoting the public health and welfare, this Board does hereby lay out and establish, and to authorize to be maintained, as of the date hereof, a new sewer district which shall be known as the "Trumbull County Combined Sewer District", which shall have the combined boundaries of the Existing Districts. The boundaries of the Trumbull County Combined Sewer District as hereby laid out and established will include all unincorporated areas within the following:

Beginning at a point which is the southwest corner of Newton Township and extending north along the western boundaries of Newton, Braceville, Southington, Farmington and Mesopotamia Townships to the northwest corner of Mesopotamia Township;

Trumbull County Combined Sewer District Resolution – (continued on next page).
Thence, extending west upon the northern boundaries of Mesopotamia, Bloomfield, Greene, Gustavus and Kinsman Townships to the northeast corner of Kinsman Township;

Thence, extending south along the eastern boundaries of Kinsman, Johnston, Hartford, Brookfield and Hubbard Townships to the southeast corner of Hubbard Township;

Thence, extending west along the southern boundaries of Hubbard Township, Liberty Township, Weathersfield Township, Lordstown Village and Newton Township to the southwest corner of Newton Township to the place of beginning;

The boundaries of the Trumbull County Combined Sewer District shall also include some areas within the municipal limits of Trumbull County Cities and Villages as described in service area agreements between the Board of Trumbull County Commissioners and the respective governments of the affected Cities and Villages;

Section 2: That the Trumbull County Combined Sewer District as herein described and provided for shall be created as of the date of this Resolution and shall be in effect for the purpose of budget procedures from and after such date; provided, however, that the budgetary allocations and appropriations for the fiscal year 2019 for the Existing Districts shall be deemed to be the budgetary allocations and appropriations for such fiscal year for the Trumbull County Combined Sewer District.

Section 3: That the Existing Districts shall be and the same are hereby dissolved as of the date of this Resolution since the boundaries of the Trumbull County Combined Sewer District as created by this Resolution include all of the territory located in such Existing Districts and such Existing Districts shall cease to exist and operate as of the date of this Resolution for the purpose of the operation and maintenance of County-owned sewer district facilities therein and for the purpose of the accrual of any County water and sewer rents and tap-in charges; provided, however, that nothing herein contained shall affect, or impair the validity of, any actions taken or authorized to be taken prior to the date of this Resolution with respect to the Existing Districts; and provided further that, until otherwise ordered by this Board, the Existing Districts shall be treated as sub-districts of the Trumbull County Combined Sewer District to be identified by their respective names and numbers, if any.

Section 4: Subject to the provisions of Section 5 (d) hereof, all moneys received in payment of County water and sewer rents and County tap-in charges for water supply and sewerage facilities serving the Trumbull County Combined Sewer District, including any such rents and charges which may now be on deposit in the funds of the Existing Districts or which may have accrued thereto as of the date of this Resolution and which may properly be transferred shall be paid into a water fund or a sewer fund, as may be appropriate, for the Trumbull County Combined Sewer District, and such funds are hereby created and established effective as of the date of this Resolution. The moneys deposited in each such fund shall be used to pay: first, the cost of the management, maintenance and operation of County-owned facilities serving the Trumbull County Combined Sewer District; second,

(Continued)

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RE: TRUMBULL COUNTY COMBINED SEWER DISTRICT RESOLUTION (Cont'd)

the payment of the interest on or principal of any outstanding debt incurred for the construction of County-owned facilities serving the Trumbull County Combined Sewer District; and third, the enlargement, extension or replacement of County-owned facilities serving such District.

Section 5: Nothing contained in this Resolution shall be construed so as to affect:

- (a) Those special assessments which have been levied for the construction of County-owned sewer district facilities serving any of the Existing Districts and which have been delivered to the County Auditor and are a lien on property, or the proceedings taken in connection therewith, this Board finding and determining that the improvements for which such assessments were levied have been, and will continue to be, of the same special benefit to the properties assessed therefore and that such properties will continue to receive the same service from the Trumbull County Combined Sewer District as was received from such Existing Districts.
- (b) The validity or status of outstanding bonds of this County issued in anticipation of the collection of special assessments to finance the cost of constructing sewer district facilities serving the Existing Districts, or the rights of the holders of such bonds, and any and all assessments anticipated by such bonds shall be and remain pledged to the payment thereof.
- (c) The validity or status of any pending proceedings for the construction of sewer district facilities to serve the Existing Districts or any assessments to be levied therefore, and the proceedings relating to such facilities, the levy of any such assessments to pay the cost of construction thereof and the issuance of notes and bonds to finance such cost of construction shall, after the date of this Resolution, be taken under the designation of the Trumbull County Combined Sewer District with appropriate reference to the former sewer district under which the proceedings were begun. This Board further finding and determining that such facilities will, where assessments are not levied therefore, be of the same special benefit to the properties to be assessed for purpose and that such properties will receive the same service from the Trumbull County Combined Sewer District as would be received from the Existing Districts.
- (d) The validity or status of outstanding bonds of this County issued under authority of Ohio Revised Code Section 133.06, and the revenues pledged to each issue or bonds shall be segregated and held solely for the payment of the principal, interest and other requirements on the same and the expenses of operating and maintaining the facilities constructed with the proceeds of each such issue shall also be segregated from those for other sewer district facilities of this County.
- (e) Any existing contract for water supply or sewer service to or by any of the Existing Districts, and any and all such contracts shall, within their terms, be as effective in the particular geographical area or areas to which they relate as if this Resolution had not been adopted, it being hereby found and determined further that such contracts and the obligations created thereby will in no way be altered or otherwise impaired by the creation of the Trumbull County Combined Sewer District.

Section 6: Each section of this Resolution and each subdivision of any section thereof is hereby declared to be independent, and the finding or holding of any section or subdivision of any section thereof to be invalid shall not be deemed or held to affect the validity of any other section or subdivision of this Resolution, and further, any finding or holding of its invalidity or of a portion thereof shall operate to restore conditions prevailing on the date of this Resolution to the extent of the invalidity.

(Continued)

Week Beginning October 7, 2019

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RE: TRUMBULL COUNTY COMBINED SEWER DISTRICT RESOLUTION (Cont'd)

Section 7: This Resolution shall take effect immediately upon its adoption.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that it is found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were passed in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Before the vote, the Commissioners said that they wanted to approve this action, but they are still reviewing options for a fair and equitable practical solution.

Yeas: Polivka, Fuda, Cantalamessa

Nays: None

Comments:

Mike Salamone announced the Transit Board will have a Special Meeting on October 10, 2019, to review the Triennial Review and Financial Status of the Board. The Regular Meeting is scheduled for October 24, 2019.

Herm Breuer, Director of the Veterans' Service Commission/Office, extended an invitation to the Commissioners to hold a Commissioners' meeting at the Veterans' Service Office prior to Veterans' Day in November. He also commented that several board members and himself will be driving to Arlington National Cemetery to place roses on the graves of approximately 20 Trumbull County residents.

Commissioner Fuda stated that several residents of Masury commended Julie Green on securing the grant monies for the playground in Masury.

Stephanie Sferra welcomed everyone to the Trumbull Art Gallery and spoke about programs in the facility. She said that one of the main goals of the Trumbull Art Gallery is to secure grant funding for scholarships and Veterans' outreach programs.

Pat Galgozy welcomed everyone to the Trumbull Art Gallery and gave a description of the background of the facility.

Commissioner Polivka invited everyone to the ribbon cutting for the Harmon Avenue Sidewalk Replacement Project and commented on the collaborative effort between the City of Warren and the County.

Week Beginning October 7, 2019

Meeting of October 9, 2019

RE: ADJOURN

MOTION: Made by, Mr. Fuda, seconded by Mr. Cantalamessa, to adjourn the Regular Meeting of October 9, 2019, and to meet again in Regular Session on October 17, 2019.

Yeas: Polivka, Fuda, Cantalamessa

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