

Week Beginning January 4, 2021

Meeting of January 6, 2021

The Board of County Commissioners, Trumbull County, Ohio, met for a Regular Meeting on the 6th day of January 2021, in the office of said Board, with the following members present:

Mauro Cantalamessa, Commissioner
Niki Frenchko, Commissioner
Frank S. Fuda, Commissioner

RE: MINUTES

1. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko, to dispense with reading the minutes of the Regular Meeting dated December 30, 2020 and the Reorganization Meeting dated January 4, 2021.

Yeas: Fuda, Frenchko, Cantalamessa
Nays: None

RE: APPROVE BILLS

2. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko, 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, Frenchko, Cantalamessa
Nays: None

**RE: RECEIVE/RECORD PUBLIC OFFICAL BOND
JAMES FREDERICKA, TRUMBULL COUNTY
PROBATE COURT JUDGE**

3. MOTION: Made by Ms. Frenchko, seconded by Mr. Fuda, to receive/record onto the Journal for record purposes the Public Official Bond for JAMES A. FREDERICKA as prepared by Travelers Casualty and Surety Company of America. *The Bond shall be deposited/filed with the County Treasurer--pursuant to the Ohio Revised Code Section 2101.03.*

➤ **JAMES A. FREDERICKA**
Trumbull County Probate Court Judge
Public Official Bond No. 107364616
Effective Term: February 9, 2021 – February 9, 2027
Bond Amount: \$5,000.00

Before voting Judge Fredericka spoke about the Board passing a bond draft resolution that would create a savings on public official bonds through CORSA.

Yeas: Frenchko, Fuda, Cantalamessa
Nays: None

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

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**RE: RECEIVE/FILE NOVEMBER 2020
MONTHLY FINANCIAL REPORT
TRUMBULL COUNTY TOURISM BUREAU**

4. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko, to receive and place on file the NOVEMBER 2020 Monthly Financial Report for the TRUMBULL COUNTY TOURISM BUREAU, as submitted by Beth Carmichael, Executive Director.

Yeas: Fuda, Frenchko, Cantalamessa
Nays: None

**RE: EMPLOYMENT - MR. DAVID NATALE
POSITION OF LABORER
SANITARY ENGINEERS DEPT.**

5. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko, to approve the personnel action for the employment of MR. DAVID NATALE for the position of LABORER with the TRUMBULL COUNTY SANITARY ENGINEERS DEPARTMENT, effective January 11, 2021, 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 Sanitary Engineers Department.

NOTE: Mr. Natale successfully passed a pre-employment drug screen and background check.

Yeas: Fuda, Frenchko, Cantalamessa
Nays: None

**RE: APPOINT MR. JAMES PERRY
APIARY INSPECTOR FOR THE YEAR 2021**

6. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko, to appoint MR. JAMES PERRY, 171 Southdale Boulevard, Cortland, OH 44410 as APIARY INSPECTOR for Trumbull County for the year 2021. Mr. Perry will be compensated at the hourly rate of \$12.00 (not to exceed \$1,500.00) and reimbursed for mileage at the IRS standard mileage rate of 56 cents per mile. An additional amount of \$500.00 is also appropriated for emergency treatment of *Aethina Tumida (small hive beetle)* or any other small insect that is a threat to the beehives--if treatment is needed; AND to notify the Ohio Department of Agriculture of Mr. Perry's appointment.

Yeas: Fuda, Frenchko, Cantalamessa
Nays: None

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

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**RE: EXECUTE ‘NOTICE TO PROCEED’ TO
MJD EXCAVATING, INC. FOR THREE (3)
HOME SEWAGE REPLACEMENT SYSTEMS
BELMONT PARK SANITARY ASSISTANCE
PROGRAM LOW-TO-MODERATE INCOME
HOUSE CONNECTION**

7. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko, to authorize Mauro Cantalamessa, President of the Board of Trumbull County Commissioners, to execute the ‘Notice to Proceed’ to MJD EXCAVATING, INC., 926 Howland-Wilson Road, NE, Warren, OH 44484, for three (3) Home Sewage Replacement Systems for income-eligible homeowners for the BELMONT PARK SANITARY ASSISTANCE PROGRAM LOW-TO-MODERATE INCOME HOUSE CONNECTION. *The ‘Notice to Proceed’ shall be recorded onto the Journal for record purposes;* this action per the recommendation of the Trumbull County Planning Commission.

NOTE: The Commissioners awarded the contract to MJD Excavating, Inc. in the amount of \$23,725.00 on November 10, 2020, duly recorded in Journal Volume 152, Page 23559.

Yeas: Fuda, Frenchko, Cantalamessa

Nays: None

(Notice to Proceed recorded on Journal Page(s)_____.)

**RE: AUTHORIZE COMMISSIONERS AND PLANNING
COMMISSION TO EXECUTE THE AUTHORIZED
SIGNATURE CARD FOR REQUEST FOR PAYMENT
AND STATUS OF FUNDS REPORT FOR THE CDBG
PROGRAM FOR CALENDAR YEAR 2021**

8. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko, to authorize the individuals listed to execute the Authorized Signature Card for Request for Payment and Status of Funds Report for the Community Development Block Grant (CDBG) Program, per the Administrative Requirements requested by the Ohio Development Services Agency in order to draw funds and submit status reports for the ongoing administration of the CDBG Program for the calendar year 2021; AND to authorize Mauro Cantalamessa, President of the Board of Trumbull County Commissioners, to execute the “Authorizing Official” and the “Signature Certification Form”; this action per the recommendation of the Trumbull County Planning Commission.

❖ **Individuals authorized to sign the Authorized Signature Card Include:**

- Mauro Cantalamessa, President, Board of Commissioners**
- Niki Frenchko, Commissioner**
- Frank S. Fuda, Commissioner**
- Julie M. Green, Director, Planning Commission**

Yeas: Fuda, Frenchko, Cantalamessa

Nays: None

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

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RE: EXECUTE ANY/ALL DOCUMENTS RELATED TO GRANT APPLICATION PROCESS FOR ONGOING OR OPEN GRANT PROGRAMS CARRIED OVER FROM PREVIOUS YEARS

9. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko, to authorize Mauro Cantalamessa, President of the Board of Trumbull County Commissioners, to execute any and all required documents related to the grant application process, receipt and return of related documents, execution of grant documents, implementation of activities and expenditures of funds related to the administration of all ongoing or open grant programs carried over from previous years; this action per the recommendation of the Trumbull County Planning Commission and is subject to review and approval of the Prosecutor's Office.

❖ Ongoing or Open Grants Include:

1. PY2018 CDBG Community Housing Impact Preservation Grant Program; B-C-18-1CS-1 (Application and related approvals authorized February 28, 2018, Jr. Vol. 147, Page 21455, Extension #1, May 6, 2020, Jr. Vol. 151, Page 23168, Extension #2, December 23, 2020, Jr. Vol. 152, Page 23662)
2. PY2019 CDBG Allocation/Neighborhood Revitalization Grant Program; B-F-19-1CS11 (Application and related approvals authorized April 24, 2019, Jr. Vol. 149, Page(s) 22339-22340)
3. PY2019 CDBG Critical Infrastructure Grant Program; B-X-19-1CS-1-Howland Township (Application and related approvals authorized December 3, 2019, Jr. Vol. 150, Page 22859, and April 24, 2019, Jr. Vol. 149, Page(s) 22339-22340)
4. PY2019 CDBG Critical Infrastructure Grant Program; B-X-19-1CS-2-Mesopotamia Township (Application and related approvals authorized December 3, 2019, Jr. Vol. 150, Page 22859, June 6, 2018, Jr. Vol. 148, Page 21658 and May 31, 2019, Jr. Vol. 148, {age21645)
5. PY2019 CDBG Residential Public Infrastructure Grant Program; B-W-19-1CS-1-Liberty Township (Application and related approvals authorized April 24, 2019, Jr. Vol. 149, Page(s) 22339-22340)
6. PY2019 CDBG ESG; B-D-19-1CS-1-Four County Region through Coleman Professional Services, Inc. (Application and related approvals authorized April 8, 2020, Jr. Vol. 151, Page(s) 23205-23206)
7. PY2020 CDBG Targets of Opportunity Grant; B-CV-20-1CS-1-Multiple activities with various non-profits (Application and related approvals authorized May 28, 2020, Jr. Vol. 151, Page(s)23205-23206)
8. FHWA-Federal Aid Program-Congestion Mitigation Air Quality Funds for the Western Reserve Greenway Phase IV; ID 99804 (Approved June 5, 2013, Jr. Vol. 139, Page 17537, Amended April 10, 2014, Jr. Vol. 141, Page(s) 18194-18195, Amended February 25, 2015, Jr. Vol. 142, Page 18888, Amended January 20, 2016, Jr. Vol. 144, Page 19606)
9. State Capital Improvement Budget Pass-Through Grant Agreement-Trumbull County Bike Trail (Approved January 24, 2008, Jr. Vol. 130, Page 13204, Revised May 29, 2008, Jr. Vol. 130, Page 13500, Revised April 15, 2009, Jr. Vol. 132, Page 14251, Revised May 26, 2010, Jr. Vol., 134, Page 15133, Revised April 27, 2011, Jr. Vol. 136, Page 15901, Revised October 3, 2012, Jr. Vol. 138, Page 17004, Revised September 24, 2014, Jr. Vol. 141, Page(s) 18540-18541)

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RE: EXECUTE ANY/ALL DOCUMENTS RELATED TO GRANT APPLICATION PROCESS FOR ONGOING OR OPEN GRANT PROGRAMS CARRIED OVER FROM PREVIOUS YEARS- (Cont'd)

- 10. PY2020 Home Sewage Treatment System Reserve (HSTS) Water Pollution Control Loan Principal Forgiveness Program-Ohio EPA (Approved August 14, 2019, Jr. Vol. 150, Page 22614)
- 11. PY2021 Home Sewage Treatment System Reserve (HSTS) Water Pollution Control Loan Principal Forgiveness Program-Ohio EPA (Approved August 19, 2020, Jr. Vol. 152, Page(s) 23400-23401)
- 12. Joint Land Use Study Grant for YARS-OEA Award No. EN718-17-03 (Approved January 19, 2017, Jr. Vol. 145, Page(s) 20458-20459, executed July 10, 2017 by the Office of Economic Adjustment, Department of Defense. Extension 1 was approved November 7, 2018, Jr. Vol. 149, Page 21972-extending the grant period to July 31, 2019. Extension 2 was approved July 3, 2019, Jr. Vol. 150, Page 22497-extending the grant period to October 31, 2019.
- 13. Military Installation Sustainability Implementation Grant-post Joint Land Use Study for YARS-OEA, Award No. EN718-20-02 (Approved June 10, 2020, Jr. Vol. 151, Page 23228, executed June 1, 2020 by the Office of Economic Adjustment Department of Defense)
- 14. FY2019 Appalachian Regional Commission State Grant-Phoenix Road-Golden Triangle (Application and related approvals February 21, 2019, Jr. Vol. 149, Page 22211 and November 20, 2019, Jr. Vol. 150, Page 22833)
- 15. Jobs & Commerce Agreement-Phoenix Road-Golden Triangle (Application and related approvals February 21, 2019, Jr. Vol. 149, Page 22211 and November 20, 2019, Jr. Vol. 150, Page 22833)
- 16. FY2019 Appalachian Regional Commission-Power Grant Program-Broadband (Approved April 10, 2019, Jr. Vol. 149, Page 22308, Extension Request September 2, 2020, Jr. Vol. 152, Page 23430)
- 17. FY2020 Economic Adjustment Assistance Grant Program-Golden Triangle (Application and related approvals October 15, 2020, Jr. Vol. 152, Page 23511)

Yeas: Fuda, Frenchko, Cantalamessa
Nays: None

RE: EXECUTE ECONOMIC DEVELOPMENT REVOLVING LOAN FUND (RLF) ADMINISTRATION AGREEMENT WITH STATE OF OHIO, DEVELOPMENT SERVICES AGENCY (ODSA)

10. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko, to authorize Mauro Cantalamessa, President of the Board of Trumbull County Commissioners, to sign and execute ECONOMIC DEVELOPMENT REVOLVING LOAN FUND (RLF) ADMINISTRATION AGREEMENT with the STATE OF OHIO, DEVELOPMENT SERVICES AGENCY (ODSA), 77 South High Street, P.O. Box 1001, Columbus, OH 43216-1001. The Agreement is effective for the period commencing January 1, 2021 and ending December 31, 2023; this action per the recommendation of the Trumbull County Planning Commission.

Yeas: Fuda, Frenchko, Cantalamessa
Nays: None

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

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**RE: RESCIND JOURNAL ACTION DATED 2/26/20
ADVANCING \$100,000.00 LOAN TO
TRUMBULL COUNTY FAIR BOARD FOR
RENOVATIONS TO FAIR GROUNDS
FAIR BOARD NEVER RECEIVED THE LOAN**

11. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko, to rescind the Journal Action taken by the Board of Trumbull County Commissioners on February 26, 2020, duly recorded in Journal Volume 151, Page 23044 to advance \$100,000.00 as a loan to the Trumbull County Fair Board to be used towards renovations to the Grandstand, restrooms and electrical repairs and new equipment at the Trumbull County Fair Grounds, 899 Everett Hull Road, Cortland, Ohio 44410; AND to execute an Agreement regarding loan repayment terms. The loan shall be payable with no interest and repaid within forty-eight (48) months in four (4) installments of \$25,000.00 beginning in 2021. This action is being rescinded since the Fair Board never received the loan.

Yeas: Fuda, Frenchko, Cantalamessa
Nays: None

**RE: GRANT SPECIAL HAULING PERMIT TO
HAUL STEEL COILS ON TRUMBULL COUNTY
ROADWAYS-COUNTY ENGINEER**

12. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko, to concur with the Trumbull County Engineer to grant the Special Hauling Permit 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 the permit.

- **JARO TRANSPORTATION SERVICES, INC.**
975 Post Road, NW, Warren, OH 44483
Permit No.: 2020-217
Permit Effective: January 4, 2021 through January 4, 2022

Yeas: Fuda, Frenchko, Cantalamessa
Nays: None

**RE: TRAVEL EXPENSES
CORONER'S OFFICE**

13. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko, to grant permission to DR. LAWRENCE M. D'AMICO and staff of the Trumbull County Coroner's Office to attend the Annual Conference and the Regional Meeting of the Ohio State Coroner's Association and any educational function that may occur that is related to the office's operation during the year 2021--expenses will be paid for from the Coroner's Office appropriations.

Yeas: Fuda, Frenchko, Cantalamessa
Nays: None

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RE: RECEIVE/RECORD REPORT OF ADULT PROBATION DEPARTMENT SPECIFYING AMOUNT OF FUNDS APPROPRIATED FROM PROBATION SERVICE FUND 041

14. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko, to receive the Report as submitted by the Adult Probation Department on November 25, 2020, in accordance with Amended Substitute House Bill Number 406, specifying the amount of funds appropriated from the Probation Service Fund 041 during the current calendar year, an estimate of the amount that the Probation Department will expend by the end of the year, a summary of how the amount appropriated has been expended for probation services, and an estimate of the amount of probation fees that the Probation Department will collect and pay to the Treasurer for deposit in the next calendar year.

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

SUMMARY INDICATES:

1. Total monies collected since inception: September 26, 1995--\$1,539,734.91
2. Total Collected in Year 2020: \$93,418.83 (January 1, 2020 through November 30, 2020)
1. Estimated Collection for Year 2021: \$70,000.00
Total Expenditures for 2020: \$69,715.59 (supplies, maintenance materials, equipment, contracted services, travel and expense)

SPECIAL NOTE: On July 27, 1995, a Probation Service Fund (041) was created which became effective August 1, 1995. This fund permitted the Trumbull County Adult Probation Department to collect a \$10.00 probation supervision fee on all individuals placed on probation in the Trumbull County Court of Common Pleas. This fee is imposed unless the sentencing court either suspends the fee or orders a different amount to be paid, up to \$50.00 per month. On March 6, 2003, Administrative Judge Andrew D. Logan signed a journal entry increasing the monthly fee to \$20.00. This became effective on April 1, 2003. This fee became possible as a result of the passing of Amended Substitute House Bill Number 406, which reads: "All money that is contained in the department's account in the County Probation Service Fund established in the County for use only for specialized staff, purchase for equipment, purchase of services, reconciliation programs for offenders and victims, other treatment programs, including alcohol and drug addiction programs certified under Section 3793.06 of the Ohio Revised Code, determined to be appropriate by the Chief Probation Officer of the Department of Probation, and other similar probation-related expenses." Additionally, the Bill reads, "Not later than the first of day of December each year, each probation agency shall prepare a report regarding its use of money from a county probation service funds. The report shall specify the amount appropriated from the fund to the probation agency during the current calendar year, an estimate of the amount that the probation agency will expend by the end of the year, a summary of how the amount appropriated has been expended for probation services, and an estimate of the amount of probation fees that the probation agency will collect and pay to the appropriate treasurer for deposit in the appropriate fund in the next calendar year. The report shall be filed with the Board of County Commissioners of that county."

Yeas: Fuda, Frenchko, Cantalamessa

Nays: None

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

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**RE: TRAVEL EXPENSES
9-1-1 CENTER**

15. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko, to grant permission to ERNEST G. COOK, Trumbull County 9-1-1 Director, and staff to attend work related conferences such as the National Emergency Number Association (NENA) and training and support classes during the calendar year 2021—expenses to be paid for from the 9-1-1 Wireless Fund No. 070-020-1000-1097-1-505703.

Yeas: Fuda, Frenchko, Cantalamessa
Nays: None

Comments:

Discussion was made by the Commissioners, Gary Newbrough and Phil Pegg regarding a developer extending Sanitary Sewer Service from Nob Hill in the City of Niles to the area to be developed. The Commissioners said that a policy needs to be put in place where the developer attends a Planning Commission meeting and requests are discussed publicly.

Beth Carmichael shared some good news that Trumbull County is in Ohio Magazines twice with full-page articles featuring a cabin in West Farmington and a Ohio Craft Brewer Hanna Ferguson with Modern Methods Brewing Company.

Commissioners Fuda and Cantalamessa conducted a moment of silence in respect for Commissioner Frenchko’s loss of family members.

**RE: GO INTO EXECUTIVE SESSION TO
DISCUSS POTENTIAL LAWSUIT AND
PERSONNEL MATTER WITH SANITARY
ENGINEERS DEPARTMENT**

MOTION: Made by, Mr. Fuda, seconded by Mr. Frenchko, to go into Executive Session at approximately 11:02 a.m. to discuss a potential lawsuit and personnel matter with the Sanitary Engineers Department. In attendance were Commissioner Cantalamessa, Commissioner Frenchko, Commissioner Fuda, Attorney Michel Fredericka, Gary Newbrough, and Robert Maiorano.

Yeas: Fuda, Frenchko, Cantalamessa
Nays: None

RE: MOTION TO RECONVENE

MOTION: Made by, Mr. Fuda, seconded by Mr. Frenchko, to reconvene from Executive Session at approximately 11:23 p.m.

Yeas: Fuda, Frenchko, Cantalamessa
Nays: None

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RE: ADJOURN

MOTION: Made by, Ms. Frenchko seconded by Mr. Fuda, to adjourn the Regular Meeting of January 6, 2020, and to meet again in Regular Session on January 13, 2021.

Yeas: Frenchko, Fuda, Cantalamessa

Nays: None

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

MAURO CANTALAMESSA, PRESIDENT

NIKI FRENCHKO, COMMISSIONER

FRANK S. FUDA, COMMISSIONER

ATTEST:

PAULETTE A. GODFREY, CLERK

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