

Week Beginning January 4, 2010

Meeting of January 6, 2010

Commissioner Heltzel introduced Lisa Kayes from the State of Ohio Auditor's Office who would later present Trumbull County Auditor, Adrian S. Biviano, with the "Making Your Tax Dollars Count" Award.

The Board of County Commissioners, Trumbull County, Ohio, met in Regular Session on the 6<sup>th</sup> of January 2010, in the office of said Board, with the following members present:

- Frank S. Fuda, Commissioner
- Paul E. Heltzel, 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 Regular Meeting dated December 23, 2009 and the Reorganization Meeting dated January 4, 2010.

Yeas: Polivka, Fuda, Heltzel  
Nays: None

\*\*\*\*\*

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, Heltzel  
Nays: None

\*\*\*\*\*

RE: CONTRACTS DATED DECEMBER 23, 2009 AND DECEMBER 30, 2009-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 December 23, 2009; contracts create twenty (20) training opportunities at a total cost of \$58,552.07; AND the contracts per list dated December 30, 2009; contracts create twenty-four (24) training opportunities at a total cost of \$100,694.16; this action per the recommendation of W. J. Turner, One Stop/WIA Administrator.

NOTE: Program Summary Sheets shall be recorded on the Journal for record purposes.

Yeas: Polivka, Fuda, Heltzel  
Nays: None

(Summary Sheet recorded on Journal Page(s)\_\_\_\_\_.)

Week Beginning January 4, 2010

Meeting of January 6, 2010

\*\*\*\*\*

**RE: RESOLUTION HONORING  
MRS. PATRICIA FILIPOVICH  
UPON HER RETIREMENT FROM  
JOB & FAMILY SERVICES**

**4. MOTION:** Made by Mr. Polivka, seconded by Mr. Fuda, to adopt a Resolution honoring MRS. PATRICIA FILIPOVICH for her outstanding contribution and dedicated service to Trumbull County, especially her devotion and expertise to the TRUMBULL COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES. Mrs. Filipovich will be retiring effective January 31, 2010, after 30 years of serving the needs of the residents of Trumbull County. Mrs. Filipovich has performed her duties diligently and steadfastly; the Board of Trumbull County Commissioners joins the Department of Job and Family Services in wishing PATTY many years of happiness and good health and relaxation for which she is most deserving.

Yeas: Polivka, Fuda, Heltzel

Nays: None

(Resolution recorded on Journal Page(s)\_\_\_\_\_.)

\*\*\*\*\*

**RE: RESOLUTION HONORING  
MS. LINDA TALEOS UPON HER RETIREMENT  
DEPARTMENT OF JOB & FAMILY SERVICES**

**5. MOTION:** Made by Mr. Polivka, seconded by Mr. Fuda, to adopt a Resolution honoring MS. LINDA TALEOS for her outstanding contribution and dedicated service to Trumbull County, especially her devotion and expertise to the TRUMBULL COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES. Ms. Taleos will be retiring effective January 31, 2010, after 30 years of serving the needs of the residents of Trumbull County. Ms. Taleos has performed her duties diligently and steadfastly; the Board of Trumbull County Commissioners joins the Department of Job and Family Services in wishing LINDA many years of happiness and good health and relaxation for which she is most deserving.

Yeas: Polivka, Fuda, Heltzel

Nays: None

(Resolution recorded on Journal Page(s)\_\_\_\_\_.)

\*\*\*\*\*

**RE: RESOLUTION HONORING  
MS. JUDITH WATERS UPON HER RETIREMENT  
DEPARTMENT JOB & FAMILY SERVICES**

**6. MOTION:** Made by Mr. Polivka, seconded by Mr. Fuda, to adopt a Resolution honoring MS. JUDITH WATERS for her outstanding contribution and dedicated service to Trumbull County, especially her devotion and expertise to the TRUMBULL COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES. Ms. Waters will be retiring effective January 31, 2010, after 31 years of serving the needs of the residents of Trumbull County. Ms. Waters has performed her duties diligently and steadfastly; the Board of Trumbull County Commissioners joins the Department of Job and Family Services in wishing JUDY many years of happiness and good health and relaxation for which she is most deserving.

Yeas: Polivka, Fuda, Heltzel

Nays: None

Resolution recorded on Journal Page(s)\_\_\_\_\_.)

Week Beginning January 4, 2010

Meeting of January 6, 2010

\*\*\*\*\*

**RE: REMOVE MR. HARRY B. CHRISTMAN AS MEMBER OF TRUMBULL COUNTY PLANNING COMMITTEE EFFECTIVE IMMEDIATELY**

7. **MOTION:** Made by Mr. Polivka, seconded by Mr. Fuda, to regretfully remove MR. HARRY B. CHRISTMAN as a Member of the TRUMBULL COUNTY HUMAN SERVICES PLANNING COMMITTEE, effective immediately. Mr. Christman was appointed to this Committee as a Workforce Development liaison with the Youngstown-Warren Regional Chamber of which he is no longer affiliated. The Board of Trumbull County Commissioners wishes to thank Mr. Christman for his faithful commitment to this important committee and for his many years of dedicated service. Mr. Christman was instrumental in molding the programs and services provided to Trumbull County citizens through this committee; this action per the recommendation of Diane Shamrock, Interim Director of the Trumbull County Department of Job and Family Services.

**NOTE:** The Board of Commissioners appointed Mr. Christman to the Trumbull County Human Services Planning Committee on November 8, 2000, duly recorded in Journal Volume 111, Page 7291.

Yeas: Polivka, Fuda, Heltzel  
Nays: None

\*\*\*\*\*

**RE: ADVERTISE FOR "STATEMENT OF QUALIFICATIONS" FOR ALL PROJECTS INVOLVING WATER AND SANITARY SEWER CONSTRUCTION AND/OR TREATMENT FOR PROGRAM YEAR 2010**

8. **MOTION:** Made by Mr. Polivka, seconded by Mr. Fuda, to authorize the Board of Trumbull County Commissioners' Clerk to advertise for "Statement of Qualifications" for ALL PROJECTS INVOLVING WATER AND SANITARY SEWER CONSTRUCTION AND/OR TREATMENT FOR PROGRAM YEAR 2010; this action per the recommendation of the Trumbull County Sanitary Engineer.

**NOTE:** This blanket request for Engineering Qualifications will assist to establish a list of qualified and available consultant engineers for all water and sewer projects throughout 2010.

Yeas: Polivka, Fuda, Heltzel  
Nays: None

(Legal Notice recorded on Journal Page(s)\_\_\_\_\_.)

\*\*\*\*\*

**RE: RECEIVE PETITIONS SIGNED BY OWNERS OF LOTS AND LANDS SITUATED ON WARREN PAINESVILLE ROAD (STATE ROUTE 45) AND GREENVILLE ROAD (STATE ROUTE 88) LOCATED IN BRISTOL TOWNSHIP**

9. **MOTION:** Made by Mr. Polivka, seconded by Mr. Fuda, to receive the Petitions signed by owners of lots and lands situated on WARREN PAINESVILLE ROAD (State Route 45) AND GREENVILLE ROAD (State Route 88) located in BRISTOL TOWNSHIP, requesting Trumbull County to provide for the construction and maintenance of a central sewage collection system to serve said lots and lands; AND to refer said Petitions to the Trumbull County Sanitary Engineer for his review and recommendations.

Yeas: Polivka, Fuda, Heltzel  
Nays: None

(Petitions recorded on Journal Page(s)\_\_\_\_\_.)

Week Beginning January 4, 2010

Meeting of January 6, 2010

\*\*\*\*\*

RE: APPROVE MODIFICATION NO. 1 TO ENGINEERING AGREEMENT WITH THOMAS FOK & ASSOCIATES, INC. FOR WEST BOLINDALE SANITARY SEWER IMPROVEMENT PROJECT NO. 6-S-07

10. MOTION: Made by Mr. Polivka, seconded by Mr. Fuda, to approve Modification No. 1 to the Engineering Agreement with THOMAS FOK & ASSOCIATES, INC., 278 Monroe Street NW, Warren, Ohio 44483, for the WEST BOLINDALE SANITARY SEWER IMPROVEMENT PROJECT, known as County Project No. 6-S-07, located in Howland and Weathersfield Townships. Modification is for an additional \$95,352.00 – revising the total contract amount to \$249,250.00--including services associated with construction; Modification is necessary due to the project being approved per the Commissioners’ Journal Action taken on October 28, 2009, duly recorded in Journal Volume 133, Page 14685 as a result of the Public Hearing held on September 15, 2009. Funding for this modification includes \$36,102.00 from Howland Township, pursuant to a Letter of Understanding between Trumbull County and Howland Township. The remaining \$59,250.00 of this modification is to be paid from CDBG, OPWC and Ohio EPA Grant and Loan Funds; this action per the recommendation of the Trumbull County Sanitary Engineer and Trumbull County Planning Commission subject to the approval of the Prosecutor’s Office.

NOTE: The Board of Commissioners approved the original contract with Thomas Fok & Associates, Inc. for professional engineering services in the amount of \$153,898.00 on January 7, 2009, duly recorded in Journal Volume 132, Page(s) 14023-14024.

\* Technical Services to be added to the Scope of Work include:

h. Preparation of Specifications and Bid Documents.....	\$ 3,984.00
i. Assistance During Bidding Phase.....	\$ 6,640.00
j. Construction Administration and Inspection.....	\$ 75,596.00
k. Project Close-out.....	\$ 2,416.00
<u>l. Submittal of As-Built Drawings.....</u>	<u>\$ 6,716.00</u>
<b>Total Modification</b>	<b>\$ 95,352.00</b>

Yeas: Polivka, Fuda, Heltzel

Nays: None

(Modification recorded on Journal Page(s)\_\_\_\_\_.)

\*\*\*\*\*

RE: AMEND JOURNAL ACTION DATED JANUARY 7, 2009 TO APPROVE “LETTER OF UNDERSTANDING” BETWEEN TRUMBULL COUNTY AND HOWLAND TOWNSHIP FOR THE WEST BOLINDALE SANITARY SEWER IMPROVEMENT PROJECT NO. 6-S-07

11. MOTION: Made by Mr. Polivka, seconded by Mr. Fuda, to amend the Journal Action taken by the Board of Trumbull County Commissioners on January 7, 2009, duly recorded in Journal Volume 132, Page 14024 to approve a “Letter of Understanding” between TRUMBULL COUNTY and HOWLAND TOWNSHIP for the WEST BOLINDALE SANITARY SEWER IMPROVEMENTS PROJECT, known as County Project No. 6-S-07; Amendment is necessary to revise the “Letter of Understanding” due to Howland Township agreeing to pay \$36,102.00 toward Modification No. 1 to the contract approved by Trumbull County for Thomas Fok & Associates, Inc., 278 Monroe Street, N.W., Warren, OH 44483, regarding engineering services for construction of the sanitary sewer project; this action per the recommendation of the Trumbull County Sanitary Engineer.

IMPORTANT NOTE: The revision is necessary to fulfill Howland Township’s contribution of \$190,000.00 towards the West Bolindale Sanitary Sewer Improvements Project.

Yeas: Polivka, Fuda, Heltzel

Nays: None

Week Beginning January 4, 2010

Meeting of January 6, 2010

\*\*\*\*\*

**RE: AUTHORIZE EXECUTION OF AN  
UPDATED DS2 SIGNATURE FORM FOR  
COMMUNITY DEVELOPMENT BLOCK GRANT  
PROGRAM**

**12. MOTION:** Made by Mr. Polivka, seconded by Mr. Fuda, to authorize the execution of an updated DS2 Signature Form for the COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, per the Administrative Requirements requested by the Ohio Department of Development in order to draw funds and submit status reports for the ongoing administration of the CDBG Program; AND to authorize Paul E. Heltzel, President of the Board of Trumbull County Commissioners, to sign the DS2 Form as the “Authorizing Official” and the “Signature Certification Form”; this action per the recommendation of the Trumbull County Planning Commission.

Yeas: Polivka, Fuda, Heltzel

Nays: None

(Documentation recorded on Journal Page(s)\_\_\_\_\_.)

\*\*\*\*\*

**RE: SUBMIT LETTER TO OHIO DEPARTMENT OF  
DEVELOPMENT – TIME EXTENSION FOR  
NORTH RIVER ROAD SANITARY SEWER  
PROJECT**

**13. MOTION:** Made by Mr. Polivka, seconded by Mr. Fuda, to authorize William F. Miller, Director of the Trumbull County Planning Commission, to submit a letter to the Ohio Department of Development requesting a time extension for the FY2007 CDBG Economic Grant Program—Grant No. B-E-07-071-1. A time extension is required in order to allow additional time for the completion of the NORTH RIVER ROAD SANITARY SEWER PROJECT; AND to authorize Paul E. Heltzel, President of the Board of Trumbull County Commissioners, to execute the required Grant Extension Request Forms upon receipt from the State of Ohio Department of Development for the FY2007 CDBG Economic Development Grant Program—the *current extended deadline for the grant is March 31, 2010*; this action per the recommendation of the Trumbull County Planning Commission.

Yeas: Polivka, Fuda, Heltzel

Nays: None

\*\*\*\*\*

**RE: RECEIVE/RECORD APPLICATION AND  
JOURNAL ENTRY OF TRUMBULL COUNTY  
COMMON PLEAS JUDGES APPROVING  
COMPENSATION FOR OFFICE OF  
PROSECUTING ATTORNEY FOR FISCAL  
YEAR 2010**

**14. MOTION:** Made by Mr. Polivka, seconded by Mr. Fuda, to receive and record onto the Journal for record purposes the Application and Journal Entry of the Trumbull County Common Pleas Judges, pursuant to Ohio Revised Code Sections 309.06 and 309.07 approving compensation for the Office of the Prosecuting Attorney for Fiscal Year 2010.

Yeas: Polivka, Fuda, Heltzel

Nays: None

(Documents recorded on Journal Page(s)\_\_\_\_\_.)

Week Beginning January 4, 2010

Meeting of January 6, 2010

\*\*\*\*\*

**RE: REJECT ALL BIDS  
OFFICE SPACE TO HOUSE THE PLANNING  
COMMISSION AND BUILDING INSPECTION  
DEPARTMENTS**

**15. MOTION:** Made by Mr. Polivka, seconded by Mr. Fuda, to reject ALL BIDS as submitted for Office Space to House the Trumbull County Planning Commission and the Trumbull County Building Inspection Department; Bids are being rejected since the Commissioners are reviewing alternative sites.

***BIDS SUBMITTED***

<b>2650 WEIR ROAD LLC</b> 2650 Weir Road, W Warren, OH 44482
<b>GIBSON REAL ESTATE MANAGEMENT</b> 2460 Parkman Road Warren, OH 44483

Yeas: Polivka, Fuda, Heltzel  
Nays: None

\*\*\*\*\*

**RE: LIQUOR PERMITS**

**16. MOTION:** Made by Mr. Polivka, seconded by Mr. Fuda, to notify the Ohio Department of Liquor Control that a public hearing is not requested on the Liquor Permit Applications listed.

***PERMIT CLASSES D2,D2X, D3, D3A, D6***

<b>FROM:</b>	<b>BLUE LIGHT INC.</b> 3136 Belmont Avenue & Patio Liberty Township Youngstown, OH 44505
<b>TO:</b>	<b>BELMONT STAKES BAR AND GRILLE LLC &amp; PATIO</b> 3136 Belmont Avenue Liberty Township Youngstown, OH 44505

***PERMIT CLASS C1***

<b>FROM:</b>	<b>UNI MARTS OHIO LLC</b> <b>d/b/a UNIT MART 4770</b> 5710 Mahoning Avenue Champion Township Warren, OH 44483
<b>TO:</b>	<b>KWIK PIK OHIO LLC</b> <b>d/b/a UNI MART 4770</b> 5710 Mahoning Avenue Champion Township Warren, OH 44483

Week Beginning January 4, 2010

Meeting of January 6, 2010

RE: LIQUOR PERMITS-Cont'd

*PERMIT CLASSES C1, C2*

<b>FROM:</b>	<b>UNI MARTS OHIO LLC</b> <b>d/b/a UNI MART 04765</b> 2720 Salt Springs Road Weathersfield Township Girard, OH 44420
<b>TO:</b>	<b>KWIK PIK OHIO LLC</b> <b>d/b/a UNI MART 04765</b> 2720 Salt Springs Road Weathersfield Township Girard, OH 44420

*PERMIT CLASSES C1, C2*

<b>FROM:</b>	<b>UNI MARTS OHIO LLC</b> <b>d/b/a UNI MART 04753</b> 3860 Elm Road & Gas Pumps Howland Township Warren, OH 44483
<b>TO:</b>	<b>KWIK PIK OHIO LLC</b> <b>d/b/a UNI MART 04753</b> 3860 Elm Road & Gas Pumps Howland Township Warren, OH 44483

*PERMIT CLASSES C1, C2*

<b>FROM:</b>	<b>UNI MARTS OHIO LLC</b> <b>d/b/a UNI MART 04764</b> 2703 Belmont Avenue & Gas Pumps Liberty Township, Youngstown, OH 44505
<b>TO:</b>	<b>KWIK PIK OHIO LLC</b> <b>d/b/a UNI MART 04764</b> 2703 Belmont Avenue & Gas Pumps Liberty Township, Youngstown, OH 44505

*PERMIT CLASSES C1, C2*

<b>FROM:</b>	<b>UNI MARTS OHIO LLC</b> <b>d/b/a UNI MART 04752</b> 110 Niles Cortland Road, SE & Gas Pumps Howland Township, Warren, OH 44484
<b>TO:</b>	<b>KWIK PIK OHIO LLC</b> <b>d/b/a UNI MART 04752</b> 110 Niles Cortland Road, SE & Gas Pumps Howland Township, Warren, OH 44484

*PERMIT CLASSES C2 C2X*

<b>FROM:</b>	<b>UNI MARTS OHIO LLC</b> <b>d/b/a UNI MARTS</b> 2670 Robbins Avenue, Weathersfield Township Niles, OH 44446
<b>TO:</b>	<b>KWIK PIK OHIO LLC</b> <b>d/b/a UNI MARTS</b> 2670 Robbins Avenue, Weathersfield Township Niles, OH 44446

Continued

Week Beginning January 4, 2010

Meeting of January 6, 2010

RE: LIQUOR PERMITS-Cont'd

PERMIT CLASSES C1 C2

<b>FROM:</b>	<b>COUNTRY CONVENIENCE INC.</b> <b>d/b/a COUNTRY CONVENIENCE INC</b> 8430 SR. 305 & Drive Up Window Hartford Township Burghill, OH 44404
<b>TO:</b>	<b>FIVE POINTS COUNTRY CONVENIENCE CO</b> <b>d/b/a FIVE POINTS COUNTRY</b> <b>CONVENIENCE</b> 8430 SR. 305 & Drive Up Window Hartford Township Burghill, OH 44404

Yeas: Polivka, Fuda, Heltzel  
Nays: None

\*\*\*\*\*

**RE: APPROVE REAPPOINTMENT OF  
ATTORNEY JOHN MASTERNICK  
AS MEMBER OF WESTERN RESERVE  
PORT AUTHORITY BOARD**

**17. MOTION:** Made by Mr. Polivka, seconded by Mr. Fuda, to approve the Reappointment of ATTORNEY JOHN MASTERNICK as a Member of the WESTERN RESERVE PORT AUTHORITY for an additional four-year term commencing January 1, 2010 and ending December 31, 2013.

**NOTE:** The Board of Commissioners appointed Attorney Masternick as a member of the Western Reserve Port Authority on February 27, 2002, duly recorded in Journal Volume 115, Page 8374. The Commissioners reappointed Attorney Masternick for an additional four-year term on March 27, 2006, duly recorded in Journal Volume 126, Page 11634.

Yeas: Polivka, Fuda, Heltzel  
Nays: None

\*\*\*\*\*

**RE: EXECUTE THE URBAN SETTING  
DESIGNATION FORM FOR PROPERTIES  
AT BRIER HILL INDUSTRIAL PARK  
LOCATED IN GIRARD**

**18. MOTION:** Made by Mr. Polivka, seconded by Mr. Fuda, to authorize Paul E. Heltzel, President of the Board of Trumbull County Commissioners, to sign on behalf of Trumbull County, the Urban Setting Designation Form for Properties at Brier Hill Industrial Park located in Girard, Ohio, as requested by ms consultants, inc.

Yeas: Polivka, Fuda, Heltzel  
Nays: None

(Documents recorded on Journal Page(s)\_\_\_\_\_.)

Week Beginning January 4, 2010

Meeting of January 6, 2010

\*\*\*\*\*

**RE: DR. HUMPHREY D. GERMANIUK AND INVESTIGATORS TO ATTEND MEETINGS DURING YEAR 2010**

**19. MOTION:** Made by Mr. Polivka, seconded by Mr. Fuda, to grant permission to DR. HUMPHREY D. GERMANIUK and Investigators of the TRUMBULL COUNTY CORONER’S OFFICE to attend the Annual Conference and the Regional Meeting of the Ohio State Coroner’s Association during the year 2010; expenses to be paid for from the Coroner’s Office appropriations.

Yeas: Polivka, Fuda, Heltzel  
Nays: None

\*\*\*\*\*

**RE: GRANT PERMIT**

**20. MOTION:** Made by Mr. Polivka, seconded by Mr. Fuda, to concur with the Trumbull County Engineer to grant the permit requested by the company listed; the necessary permit fee has been submitted and approval is subject to the conditions listed on the permit.

- **DOMINION EAST OHIO, Engineering Department**, 320 Springside Drive, Akron, OH 44333, to work in the right-of-way of Damascus Newton Falls Road (C.H. 1171A), in order to install 303 feet of plastic gas mainline. This will be located on the west side of Damascus Newton Falls Road at the intersection with State Route 534 in Newton Township.

Yeas: Polivka, Fuda, Heltzel  
Nays: None

\*\*\*\*\*

**RE: TRANSFER APPROPRIATIONS**

**21. MOTION:** Made by Mr. Polivka, seconded by Mr. Fuda, to transfer appropriations, as listed:

<b>FROM:</b>	<b>TO:</b>	<b>AMOUNT:</b>
<b>02-953-040-4910-5500-10</b>	<b>02-953-040-4910-6600-10</b>	<b>\$ 2,200.00</b>
Contracted Services	Leases & Rentals	
Community Health Service	Community Health Service	

Yeas: Polivka, Fuda, Heltzel  
Nays: None

Week Beginning January 4, 2010

Meeting of January 6, 2010

*Mr. Polivka commended Adrian Biviano for receiving the “Making Your Tax Dollars Count” award and thanked him and for working together with the Commissioners to keep the County operating so smoothly.*

*Mr. Fuda also congratulated Auditor Biviano for receiving the award from the Auditor of State.*

*Lisa Kayes of the State Auditor’s Office presented the “Making Your Tax Dollars Count” award for the fiscal year 2008 audit.*

*Auditor Biviano thanked all the elected officials, union, and employees for working together in these difficult economic times to keep operations within the budget.*

\*\*\*\*\*

**RE: ADJOURN**

**MOTION:** Made by, Mr. Fuda, seconded by Mr. Polivka, to adjourn this Regular Meeting of January 6, 2010, and to meet again in Regular Session on January 13, 2010.

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

\_\_\_\_\_  
PAUL E. HELTZEL, PRESIDENT

\_\_\_\_\_  
FRANK S. FUDA, COMMISSIONER

\_\_\_\_\_  
DANIEL E. POLIVKA, COMMISSIONER

ATTEST:

\_\_\_\_\_  
PAULETTE A. GODFREY, CLERK

\_\_\_\_\_  
PAUL E. HELTZEL, PRESIDENT