

Week Beginning March 28, 2022

Meeting of March 30, 2022

The Board of County Commissioners, Trumbull County, Ohio, met for a Regular Meeting on the 30th day of March, 2022, in the office of said Board, with the following members present:

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

Commissioner Fuda read two (2) statements regarding streamlining the Commissioners' Meeting Minutes and Meeting Agenda Process.

Ms. Frenchko spoke about the importance of reading the special notes so the public could see the rationale behind her agenda items.

Statements read recorded on Journal Page(s)_____.)

RE: MINUTES

1. **MOTION:** Made by Mr. Cantalamessa, seconded by Ms. Frenchko, to dispense with reading the Minutes of the Regular Meeting dated March 23, 2022.

Yeas: Cantalamessa, Frenchko, Fuda

Nays: None

RE: APPROVE BILLS

2. **MOTION:** Made by Mr. Cantalamessa, 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: Cantalamessa, Frenchko, Fuda

Nays: None

RE: TRANSFER MONIES

3. **MOTION:** Made by Mr. Cantalamessa, seconded by Ms. Frenchko, to Pursuant to Ohio Revised Code Section 5705.14, to transfer monies as submitted to the Trumbull County Auditor's Office between the dates of March 21, 2022 through March 25, 2022. *Complete list of money transfers shall be recorded onto the Journal for record purposes.*

❖ Departments/Offices requesting to transfer monies:

• Health Board FY22	\$	30,000.00	Fund # 966
• Health Board	\$	30,000.00	Fund # 964
	\$	16,000.00	Fund # 953
	\$	7,472.90	Fund # 978
	\$	26,229.00	Fund # 973
	\$	13,544.00	Fund # 969
	\$	70,450.00	Fund # 976

Yeas: Cantalamessa, Frenchko, Fuda

Nays: None

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

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RE: ADDITIONAL APPROPRIATIONS

4. MOTION: Made by Mr. Cantalamessa, seconded by Ms. Frenchko, to approve additional appropriations, as submitted to the Trumbull County Auditor’s Office between the dates of March 21, 2022 through March 25, 2022. Complete list of additional appropriations shall be recorded onto the Journal for record purposes.

❖ Departments/Offices requesting additional appropriations:

• Sheriff	\$	34,098.11	Fund # 710
• Prosecutor	\$	11,601.00	Fund # 104

Commissioner Frenchko stated she was disappointed the Sheriff’s Department did not have time to give a brief explanation for their transfers.

Yeas: Cantalamessa, Frenchko, Fuda
Nays: None

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

RE: TRANSFER APPROPRIATIONS

5. MOTION: Made by Mr. Cantalamessa, seconded by Ms. Frenchko, to transfer appropriations, as submitted to the Trumbull County Auditor’s Office between the dates of March 21, 2022 through March 25, 2022. Complete list of appropriation transfers shall be recorded onto the Journal for record purposes.

❖ Departments/Offices requesting to transfer appropriations:

• Veteran’s Service Commission	\$	8,000.00	Fund # 001
• Planning Commission FY20	\$	822.28	Fund # 225
• Health Board	\$	500.00	Fund # 972
• JFS	\$	6,000.00	Fund # 218
• Sanitary Engineers	\$	25,000.00	Fund # 611
• Probate Court	\$	200.00	Fund # 001
• Commissioners	\$	300.00	Fund # 403

Ms. Frenchko thanked the Departments that gave her explanations and would like to see the Commissioners’ Office and Probate Court cooperate and give their explanations.

Mr. Fuda stated that all of the departments have been cooperative over the past years when he has called for information.

Ms. Frenchko spoke about a letter she introduced in the past asking all departments heads and elected officials to communicate with all three Commissioners regarding Agenda Items. Commissioner Cantalamessa stated Probate Court can’t be mandated to give an explanation.

Yeas: Cantalamessa, Frenchko, Fuda
Nays: None

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

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**RE: AMENDED CERTIFICATE NO. 5-2022
COUNTY BUDGET COMMISSION**

6. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Fuda, to receive the Amended Certificate of the County Budget Commission No. 5 - 2022, for the fiscal year beginning January 1, 2022, dated March 30, 2022, increasing estimated resources in the funds listed:

- **ProsSG Fund # 104**
- **SherRotary Fund # 710**

Yeas: Cantalamessa, Fuda, Frenchko

Nays: None

Ms. Frenchko stated she did not receive any back-up documentation for the Amended Certificate. The Clerk told Ms. Frenchko that the certificates are not received for up to a couple of weeks and she would make sure Ms. Frenchko receives a copy of them.

**RE: ACKNOWLEDGE RETIREMENT
MS. CATHERINE MICHETTI
UTILITY ACCOUNT CLERK II
SANITARY ENGINEERS DEPARTMENT**

7. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to acknowledge the retirement of MS. CATHERINE MICHETTI from her position as UTILITY ACCOUNT CLERK II with the Trumbull County Sanitary Engineers Department, effective April 1, 2022. Catherine will be retiring after 22 years of dedicated service to the citizens of Trumbull County. The Board of Commissioners joins Gary Newbrough, Trumbull County Sanitary Engineer, Scott Verner, Assistant Sanitary Engineer, Robert Maiorano, Controller, Dianna Daniels, Office Manager and staff in congratulating Catherine for her hard work and dedication, while wishing her the longest most joyous retirement possible for which she is most deserving.

Yeas: Fuda Cantalamessa, Frenchko

Nays: None

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

The Commissioners presented Ms. Michetti with a Resolution. Ms. Michetti thanked the Commissioners and spoke about her years while employed with the County.

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**RE: ADOPT RESOLUTION AUTHORIZING
STORMWATER/SEWER PROJECTS FROM
AMERICAN RESCUE PLAN ACT FUNDS
BLUEPRINT ‘CONTRACT K’ WATERLINE
EXTENSION PROJECT**

8. MOTION: Made by Mr. Cantalamessa, seconded by Ms. Frenchko, to adopt a RESOLUTION AUTHORIZING STORMWATER AND SEWER PROJECTS FROM AMERICAN RESCUE PLAN ACT FUNDS BLUEPRINT ‘CONTRACT K’ WATERLINE EXTENSION PROJECT.

RESOLUTION

WHEREAS, the County has received a distribution of monies (the “ARPA Funds”) from the American Rescue Plan Act of 2021 (“ARPA” or the “Act”); and

WHEREAS, Congress passed the Act effective March 11, 2021; and

WHEREAS, Section 603 created the Coronavirus Local Fiscal Recovery Fund which, among other things, appropriated money to cities, non-entitlement units of local government, and counties to mitigate the fiscal effects stemming from the public health emergency with respect to the Coronavirus Disease (Covid-19); and,

WHEREAS, Section 603(c) generally provides that:

- (1) USE OF FUNDS. Subject to paragraph (2), and except as provided in paragraphs (3) and (4), a metropolitan city, non-entitlement unit of local government, or county shall only use the funds provided under a payment made under this section to cover costs incurred by the metropolitan city, non-entitlement unit of local government, or county, by December 31, 2024
- (A) to respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID–19) or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;
- (B) to respond to workers performing essential work during the COVID–19 public health emergency by providing premium pay to eligible workers of the metropolitan city, non-entitlement unit of local government, or county that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work;
- (C) for the provision of government services to the extent of the reduction in revenue of such metropolitan city, non-entitlement unit of local government, or county due to the COVID–19 public health emergency relative to revenues collected in the most recent full fiscal year of the metropolitan city, non-entitlement unit of local government, or county prior to the emergency; or
- (D) to make necessary investments in water, sewer, or broadband infrastructure.

WHEREAS, Department of Treasury Final Rule, published at 31 CFR Part 35, provides, in part, that:

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RESOLUTION AUTHORIZING STORM WATER AND SEWER PROJECTS (Continued)

8. RESOLUTION(Cont'd)

The ARPA provides funds to State, local, and Tribal Governments to make necessary investments in water and sewer infrastructure. By permitting funds to be used for water and sewer infrastructure needs, Congress recognized the critical role that clean drinking water and services for the collection and treatment of wastewater and stormwater play in protecting public health. Understanding that State, local, and Tribal governments have a broad range of water and sewer infrastructure needs, the interim final rule provides these governments with wide latitude to identify investments in water and sewer infrastructure that are of the highest priority for their own communities, which may include projects on privately-owned infrastructure. The interim final rule does this by aligning eligible uses of the Fiscal Recovery Funds with the wide range of types or categories of projects that would be eligible to receive financial assistance through the Environmental Protection Agency's (EPA) Clean Water State Revolving Fund (CWSRF) or Drinking Water State Revolving Fund (DWSRF).

WHEREAS, the Rule further observes that:

The types of projects eligible for CWSRF assistance include projects to construct, improve, and repair wastewater treatment plants, control non-point sources of pollution, improve resilience of infrastructure to severe weather events, create green infrastructure, and protect waterbodies from pollution.

WHEREAS, the USEPA has identified eleven (11) "types of projects [which] are eligible to receive CWSRF assistance", including:

Construction of publicly owned treatment works

Assistance to any municipality or inter-municipal, interstate, or state agency for construction of publicly owned treatment works

Nonpoint source

Assistance to any public, private, or nonprofit entity for the implementation a state nonpoint source pollution management program, established under CWA section 319.

Decentralized wastewater treatment systems

Assistance to any public, private, or nonprofit entity for the construction, repair, or replacement of decentralized wastewater treatment systems that treat municipal wastewater or domestic sewage.

Stormwater

Assistance to any public, private, or nonprofit entity for measures to manage, reduce, treat, or recapture stormwater or subsurface drainage water

Water conservation, efficiency, and reuse

Assistance to any municipality or inter-municipal, interstate, or state agency for measures to reduce the demand for publicly owned treatment works capacity through water conservation, efficiency, or reuse

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RESOLUTION AUTHORIZING STORM WATER AND SEWER PROJECTS (Continued)

8. RESOLUTION(Cont'd)

WHEREAS, the Final Rule further provides that the following projects are also eligible:

- (1) expansion of permitted stormwater infrastructure projects;
- (2) remediating lead in water;
- (3) dam and reservoir rehabilitation;
- (4) expansion of drinking water infrastructure to meets needs of existing population;
- (5) floodplain management and flood mitigation;
- (6) irrigation projects; and
- (7) consumer mitigation programs

WHEREAS, the County has identified a project which, in the judgment of the County, qualifies as a type of project which would be eligible to receive financial assistance through the CWSRF or is otherwise eligible under the Final Rule, which consists of the following:

- Blueprint Contract K Waterline Extension Project to extend public drinking water access to approximately 55 Single Residency Equivalents; and

NOW THEREFORE, it is hereby **RESOLVED** by the Board that:

1. The Project is here authorized and shall be paid for from the ARPA Funds.
2. The Project described herein serves the objectives of the ARPA by providing drinking water to existing households.
3. Accordingly, the Project is in the best interests of the County, is deemed a priority for the community, and is the type of improvement which would be eligible to receive financial assistance through the CWSRF, the DWSRF, or is otherwise expressly permitted by the Final Rule.
4. The County authorizes the expenditure of \$325,000 for the Blueprint Contract K Waterline Extension Project.
5. The County shall maintain documentation to be made available to a Federal awarding agency, any pass-through entity, and auditors in accordance with 2 C.F.R. § 200.334.

The Board spoke about the importance of this project and thanked Gary Newbrough and the Sanitary Engineer's Department stating this waterline extension project will add new customers and bring down cost in their utilities. Mr. Newbrough spoke about the Project and said this extension will increase the customer base by 8.5 %. He said this project will be good news for everyone in the District.

Yeas: Cantalamessa, Frenchko, Fuda

Nays: None

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**RE: CHANGE ORDER NO. 5
THOMAS CONSTRUCTION, INC. FOR
BROOKFIELD WASTE WATER TREATMENT
PLANT (BWWTP) CAPITAL IMPROVEMENT
PROJECT NO. 2-S-13**

9. MOTION: Made by Mr. Cantalamessa, seconded by Ms. Frenchko, to approve Change Order No. 5 with THOMAS CONSTRUCTION, INC., 310 Diamond Road, Grove City, PA 16127, for the BROOKFIELD WASTE WATER TREATMENT PLANT (BWWTP) CAPITAL IMPROVEMENT PROJECT, known as County Project No. 2-S-13, located in the Trumbull County Combined Sanitary Sewer District, Metropolitan Sub District, Brookfield Township in the amount of \$183,690.91 revising the total contract amount to \$17,321,280.25 --- to be paid directly from the Ohio EPA Water Pollution Control Loan Fund --- *no County General Revenue Funds will be utilized.* Change Order No. 5 is necessary due to do the following:

Item 1. At the County's request, re-insulate the existing water service lines in the Secondary Building due to the fact that the existing insulation jackets are in poor condition and were not scheduled to be replaced as part of the project.

\$3,689.70

Item 2. Purchase 5 non-domestic valves in order to meet the OEPA Compliance Schedule for the new Influent Pump Station startup date. The original specified American Iron and Steel (AIS) valves scheduled arrival time would have prohibited the County from complying with the OEPA Compliance Schedule due to current market and supply constraints.

(\$19,249.61)

Item 3. At the County's request, the ceiling of the Influent Pump Station is to be painted due to long-term maintenance concerns as well as to provide a uniform appearance within the building.

\$3,237.08

Item 4. At the recommendation of Arcadis, the design engineer, resizing of the duplex strainer at the Non-Potable Water Building, the addition of an auxiliary strainer on each seal water station (4 each) for the new pumps and the addition of a 20-inch expansion coupler to the 20-inch force main entering the EQ Basin to allow for long term settlement.

\$12,732.91

Item 5. At the County's request, an alternate floor tile pattern was selected for the Operations Building.

\$830.76

Item 6. At the County's request, two 4" backflow preventers within the Secondary Building are to be replaced due to failing the annual inspection test.

\$11,835.69

CHANGE ORDER NO. 5 WITH THOMAS CONSTRUCTION, INC.-(Continued)

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9. Change Order No. 5 (Cont'd)

- Item 7. Due to additional ground water seeping along northeast wall of the EQ Basin during backfill operations, a French Drain was recommended along with modifications to an catch basin to capture the excess groundwater. \$7,547.22
- Item 8. At the County's request, motor actuators are to be added to the new telescoping valves at the Secondary Building. \$18,532.36
- Item 9. Due to long term maintenance concerns and the possibility of settlement referenced in the Geotechnical Report, a 4-inch expansion coupler was added to the Non-Potable Water Line on the exterior of the EQ Basin. \$1,685.57
- Item 10. At the County's request, a portion of the new employee training modules for new equipment will be professionally recorded with final deliverables in a video format. \$36,209.49
- Item 11. Due to the additional costs associated with the rehabilitation of the existing centrifugal blowers in the Digester Building outside of the original scope of work, the County and the Engineer deemed that it was more cost effective to replace the blowers in kind. \$96,039.69
- Item 12. The precast concrete cap block size for the Digester Facility had to be increased due to current field conditions. \$3,821.48
- Item 13. Due to a delay in delivery time due to the current market/supply conditions, manual gear boxes will be ordered to allow the UV Tanks and Aeration Tank work to remain on schedule for start-up until the electric actuators for the new gate installations are available. \$4,417.33
- Item 14. During review of submittals and subsequent field work, it was determined that 3 breakers for the Motor Control Center (MCC) at the Non-Potable Water Building needed to be increased from the specified size on the plans. \$2,361.24

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9. Change Order No. 5 (Cont'd)

Item 15. Due to constructability concerns, the contractor has requested that Milestone 1 be modified to better fit the required sequence of construction and field conditions encountered.
See Attachment A for the Milestone 1 modifications.
\$ 0.00

Total Increase of this Change Order:

\$183,690.91

This action per the recommendation of the project consultant, Burgess & Niple, Inc. and the Trumbull County Sanitary Engineers Department and is subject to the review and approval of the Prosecutor's Office and the Ohio EPA Division of Environmental and Financial Assistance.

NOTE: The Board of Commissioners approved the original contract with Thomas Construction, Inc. in the amount of \$16,700,800.00 on December 16, 2020, duly recorded in Journal Volume 152, Page 23639. On July 8, 2021, duly recorded in Journal Volume 153, Page 24109, the Commissioners approved Change Order No. 1 in the amount of \$59,591.10 revising the total contract amount to \$16,760,391.10. On July 21, 2021, duly recorded in Journal Volume 153, Page 24138, the Commissioners approved Change Order No. 2 in the amount of \$13,937.21 revising the total contract amount to \$16,774,328.31. On October 14, 2021, duly recorded in Journal Volume 153, Page 24323, the Commissioners approved Change Order No. 3 in the amount of \$278,143.57 revising the total contract amount to \$17,052,471.80. On December 15, 2021 duly recorded in Journal Volume 154, Page 24466, the Commissioners approved Change Order No. 4 in the amount of \$85,117.46 revising the total contract amount to \$17,137,589.34.

Gary Newbrough said the biggest items within this Change Order were: Items 10 (training modules for new equipment) and 11 (replacing existing centrifugal blowers). He stated the rest of the items for the Change Order were items that pop up during a large project of this type.

Yeas: Cantalamessa, Frenchko, Fuda

Nays: None

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**RE: ADOPT RESOLUTION AUTHORIZING
STORMWATER AND SEWER PROJECTS
FROM AMERICAN RESCUE PLAN ACT FUNDS
MEADOWBROOK SANITARY SEWER
IMPROVEMENTS PROJECT**

10. MOTION: Made by Mr. Cantalamessa, seconded by Ms. Fuda, to adopt a RESOLUTION AUTHORIZING STORMWATER AND SEWER PROJECTS FROM AMERICAN RESCUE PLAN ACT FUNDS MEADOWBROOK SANITARY SEWER IMPROVEMENTS PROJECT.

RESOLUTION

WHEREAS, the County has received a distribution of monies (the “ARPA Funds”) from the American Rescue Plan Act of 2021 (“ARPA” or the “Act”); and

WHEREAS, Congress passed the Act effective March 11, 2021; and

WHEREAS, Section 603 created the Coronavirus Local Fiscal Recovery Fund which, among other things, appropriated money to cities, non-entitlement units of local government, and counties to mitigate the fiscal effects stemming from the public health emergency with respect to the Coronavirus Disease (Covid-19); and,

WHEREAS, Section 603(c) generally provides that:

(1) USE OF FUNDS. Subject to paragraph (2), and except as provided in paragraphs (3) and (4), a metropolitan city, non-entitlement unit of local government, or county shall only use the funds provided under a payment made under this section to cover costs incurred by the metropolitan city, non-entitlement unit of local government, or county, by December 31, 2024

(A) to respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID–19) or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;

(B) to respond to workers performing essential work during the COVID–19 public health emergency by providing premium pay to eligible workers of the metropolitan city, non-entitlement unit of local government, or county that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work;

(C) for the provision of government services to the extent of the reduction in revenue of such metropolitan city, non-entitlement unit of local government, or county due to the COVID–19 public health emergency relative to revenues collected in the most recent full fiscal year of the metropolitan city, non-entitlement unit of local government, or county prior to the emergency; or

(D) to make necessary investments in water, sewer, or broadband infrastructure.

WHEREAS, Department of Treasury Final Rule, published at 31 CFR Part 35, provides, in part, that:

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10. RESOLUTION AUTHORIZING STORMWATER/SEWER PRJS (Cont'd)

The ARPA provides funds to State, local, and Tribal governments to make necessary investments in water and sewer infrastructure. By permitting funds to be used for water and sewer infrastructure needs, Congress recognized the critical role that clean drinking water and services for the collection and treatment of wastewater and stormwater play in protecting public health. Understanding that State, local, and Tribal governments have a broad range of water and sewer infrastructure needs, the interim final rule provides these governments with wide latitude to identify investments in water and sewer infrastructure that are of the highest priority for their own communities, which may include projects on privately-owned infrastructure. The interim final rule does this by aligning eligible uses of the Fiscal Recovery Funds with the wide range of types or categories of projects that would be eligible to receive financial assistance through the Environmental Protection Agency's (EPA) Clean Water State Revolving Fund (CWSRF) or Drinking Water State Revolving Fund (DWSRF).

WHEREAS, the Rule further observes that:

The types of projects eligible for CWSRF assistance include projects to construct, improve, and repair wastewater treatment plants, control non-point sources of pollution, improve resilience of infrastructure to severe weather events, create green infrastructure, and protect waterbodies from pollution.

WHEREAS, the USEPA has identified eleven (11) "types of projects [which] are eligible to receive CWSRF assistance", including:

Construction of publicly owned treatment works

Assistance to any municipality or inter-municipal, interstate, or state agency for construction of publicly owned treatment works

Nonpoint source

Assistance to any public, private, or nonprofit entity for the implementation a state nonpoint source pollution management program, established under CWA section 319.

Decentralized wastewater treatment systems

Assistance to any public, private, or nonprofit entity for the construction, repair, or replacement of decentralized wastewater treatment systems that treat municipal wastewater or domestic sewage

Stormwater

Assistance to any public, private, or nonprofit entity for measures to manage, reduce, treat, or recapture stormwater or subsurface drainage water

Water conservation, efficiency, and reuse

Assistance to any municipality or inter-municipal, interstate, or state agency for measures to reduce the demand for publicly owned treatment works capacity through water conservation, efficiency, or reuse

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10. RESOLUTION AUTHORIZING STORMWATER/SEWER PRJS (Cont'd)

WHEREAS, the Final Rule further provides that the following projects are also eligible:

- (1) expansion of permitted stormwater infrastructure projects;
- (2) remediating lead in water;
- (3) dam and reservoir rehabilitation;
- (4) expansion of drinking water infrastructure to meets needs of existing population;
- (5) floodplain management and flood mitigation;
- (6) irrigation projects; and
- (7) consumer mitigation programs

WHEREAS, the County has identified a project which, in the judgment of the County, qualifies as a type of project which would be eligible to receive financial assistance through the CWSRF or is otherwise eligible under the Final Rule, which consists of the following:

- Meadowbrook Sanitary Sewer Improvements Project to provide sanitary sewer service to approximately 650 households which do not currently have access to sanitary sewer.

• **NOW THEREFORE**, it is hereby **RESOLVED** by the Board that:

1. The Project is hereby authorized and shall be paid for from the ARPA Funds.
2. The Project described herein serves the objectives of the ARPA by providing sanitary sewer access to existing households.
3. Accordingly, the Project is in the best interests of the Country, is deemed a priority for the community, and is the type of improvement which would be eligible to receive financial assistance through the CWSRF, the DWSRF, or is otherwise expressly permitted by the Final Rule.
4. The County authorizes the expenditure of \$1,500,000 for engineering services for the Meadowbrook Sanitary Sewer Improvements Project.
5. The County shall maintain documentation to be made available to a Federal awarding agency, any pass-through entity, and auditors in accordance with 2 C.F.R. § 200.334.

Mr. Fuda spoke about the Meadowbrook Project, stating Warren Township has been patient and knew they were going to be last. He said Gary Newbrough has a plan to do the project in three phases. He said there is a problem with the Metro Parks Board as they are asking for the dam to be moved so they plan to meet with them so this project can be done in a timely manner and that if the project is done in three phases (grant funding) the cost would be nothing to the residents. He thanked the people from Warren that were in attendance at the Commissioner's Regular Meeting for the information they provided. Ms. Frenchko suggested Warren Township and Mr. Gary Newbrough, on behalf of the Board of Commissioners, write a letter to the Metro Parks Board so everyone can see the plan in writing. Mr. Cantalamessa said there has to be coordination as there are time constraints with funding issues on both sides. Ms. Frenchko asked Mr. Newbrough if any money has been spent on this project. Mr. Newbrough said just some aerial surveying was done that he can be reimbursed through other funding sources. He said he reached out to the attorney's and he doesn't believe he can get reimbursed for past expenditures. Ms. Frenchko said she wanted to make sure the funds were being spent in the proper way so they didn't have to pay the money back and would pass an audit. Mr. Fuda and Ms. Frenchko said they have been speaking to the ARPA attorneys. Ms. Frenchko stated the only items the attorneys approved were the two projects on the Agenda today so far. The discussion continued regarding allowable expenses with ARPA funding.

Yeas: Cantalamessa, Fuda, Frenchko

Nays: None

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**RE: AWARD BID - X-PRESS UNDERGROUND, INC.
FOR CONTRACT K FOR BLUEPRINT WATERLINE
INITIATIVE PROJECT NO. 5-W-15 K
SANITARY ENGINEER DEPARTMENT**

11. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Fuda, to award the lowest and best bid response and enter into a contract for CONTRACT K FOR THE BLUEPRINT WATERLINE INITIATIVE PROJECT, KNOWN AS COUNTY PROJECT NO. 5-W-15 K, to X-Press Underground, Inc., P.O. Box 345, 11640 Stateline Road, Petersburg, Ohio 44454 for the bid amount of \$207,225.00 to be paid from American Rescue Plan (ARP) Funds. This contract includes the construction of a water main extension in Southington Township, this action per the recommendation of the Trumbull County Sanitary Engineer and project consultant, Burgess & Niple, Inc. subject to the approval of the Trumbull County Prosecutor’s Office.

NOTE: Engineer’s estimate for this contract is \$237,000.

Other Bids Submitted:

J.S. Bova Excavating, LLC – Struthers, Ohio	\$220,659.00
Klinginsmith Enterprises, Inc., Conneaut Lake, PA.....	\$224,175.00
ZTech Builders & Excqavators, Inc., Cortland, Ohio.....	\$225,525.00
DRS Enterprises, Inc., Garfield Heights, Ohio.....	\$239,376.97
Easton Excavating, Inc., Orwell, Ohio.....	\$283,040.00
SET Inc. – Lowellville, Ohio	\$295,170.00

Yeas: Cantalamessa, Frenchko, Fuda

Nays: None

**RE: RESCIND EMPLOYMENT TRANSFER –
MR. DUSTIN RIVERA FROM POSITION OF
LABORER - MCWWTP TO POSITION OF
SEWER LINE MAINTENANCE ASSISTANT
SANITARY ENGINEER’S DEPARTMENT**

12. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, to rescind the personnel action for the employment transfer of MR. DUSTIN RIVERA from the position of LABORER - MCWWTP Pay Range 3 (0 Years) \$13.82, to the position of SEWER LINE MAINTENANCE ASSISTANT Pay Range 4 (0 years) \$14.96 with the Trumbull County Sanitary Engineer’s Department, effective, Monday March 14, 2022, *pursuant to the authorized job posting of February 11 to February 22, 2022.* This action per the recommendation of the Human Resources Department in conjunction with the Sanitary Engineer’s.

NOTE: The employee has chosen to return to his previous position as permitted by the union contract.

Yeas: Frenchko, Cantalamessa, Fuda

Nays: None

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**RE: ADOPT RESOLUTION
PROCLAIMING MONTH OF APRIL 2022 AS
“CHILD ABUSE PREVENTION MONTH” IN
TRUMBULL COUNTY**

13. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, to adopt a Resolution proclaiming the month of APRIL 2022 as “CHILD ABUSE PREVENTION MONTH” in Trumbull County, Ohio, in conjunction with “*National Child Abuse Prevention Month*”. April marks the Anniversary of National Child Abuse Prevention Month and the 17th Annual Pinwheels for Prevention Event; this action per the request of the Trumbull County Children Services Board.

SPECIAL NOTE: To promote community cooperation, Children Services will hold their annual Pinwheels for Prevention on Monday, April 4, 2022 at 1:30 p.m., by displaying 1519 pinwheels at the Kinsman House in Warren. Each pinwheel represents one report of child abuse or neglect in the year 2021 for Trumbull County.

Yeas: Frenchko, Cantalamessa, Fuda

Nays: None

**RE: ADOPT RESOLUTION AUTHORIZING
INCREASE IN MICRO-PURCHASE
THRESHOLD (ARPA FUNDS)**

14. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, to adopt a RESOLUTION AUTHORIZING INCREASE IN MICRO-PURCHASE THRESHOLD (ARPA FUNDS).

RESOLUTION

WHEREAS, the County has received a distribution of monies (the “ARPA Funds”) from the American Rescue Plan Act of 2021 (“ARPA” or the “Act”); and

WHEREAS, Congress passed the Act effective March 11, 2021; and

WHEREAS, Section 603 created the Coronavirus Local Fiscal Recovery Fund which, among other things, appropriated money to cities, nonentitlement units of local government, and counties to mitigate the fiscal effects stemming from the public health emergency with respect to the Coronavirus Disease (Covid-19); and

WHEREAS, expenditure of ARPA funds is subject to the Federal Uniform Guidance requirements set forth in 2 C.F.R. 200; and

WHEREAS, the County is a non-Federal entity under the definition set forth in 2 C.F.R. § 200.1; and

WHEREAS, pursuant to 2 C.F.R. 200.320(a)(1)(ii), a non-Federal entity may award micro-purchases without soliciting competitive price or rate quotations if the non-Federal entity considers the price to be reasonable based on research, experience, purchase history or other information and documents that the non-Federal entity files accordingly; and

RESOLUTION (ARPA FUNDS) (Continued)

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14. RESOLUTION (ARPA FUNDS) (Cont'd)

WHEREAS, pursuant to 2 C.F.R. 200.320(a)(1)(iii), a non-Federal entity is responsible for determining and documenting an appropriate micro-purchase threshold based on internal controls, an evaluation of risk, and its documented procurement procedures; and

WHEREAS, pursuant to 2 C.F.R. § 200.320(a)(1)(iv), a non-Federal entity may self-certify on an annual basis a micro-purchase threshold not to exceed \$50,000 and maintain documentation to be made available to a Federal awarding agency and auditors in accordance with 2 C.F.R. § 200.334; and

WHEREAS, pursuant to 2 C.F.R. § 200.320(a)(1)(iv), such self-certification must include (1) a justification for the threshold, (2) a clear identification of the threshold, and (3) supporting documentation, which, for public institutions, may be a “higher threshold consistent with State law”; and

WHEREAS, pursuant to Section 307.86, Counties are required to conduct competitive bidding purchases and contracts only if such purchases and contracts exceed \$50,000.00; and

WHEREAS, pursuant to 2 C.F.R. 200.320(a)(1)(iv), the County desires to adopt higher micro-purchase thresholds than those identified in 2 C.F.R. §§200.67, 200.321(a), and 48 C.F.R. § 2.101.

THEREFORE, BE IT RESOLVED by the Commissioners that:

1. In accordance with 2 C.F.R. § 200.320(a)(1)(iv) and R.C. 307.86, the County hereby self-certifies the micro-purchase threshold to \$50,000, which is the “higher threshold consistent with State law” under 2 C.F.R. §200.320(a)(1)(iv)(C).
2. The self-certification made herein shall be effective as of the date hereof and shall be applicable through the end of 2022, but shall not be applicable to Federal financial assistance awards issued prior to the enactment date of this Resolution, including ARPA funds.
3. In the event that the County receives funding from a federal grantor agency that adopts a threshold more restrictive than those contained herein, the County shall comply with the more restrictive threshold when expending such funds.
4. The County shall maintain documentation to be made available to a Federal awarding agency, any pass-through entity, and auditors in accordance with 2 C.F.R. § 200.334.

Ms. Frenchko said this agenda item is a general recommendation from the attorneys allowing the Board to spend money under a certain dollar amount. Mr. Cantalamessa said it is in accordance with the state law.

Yeas: Frenchko, Cantalamessa, Fuda

Nays: None

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RE: AUTHORIZE PLANNING COMMISSION TO PREPARE/SUBMIT A LETTER OF INTEREST APPLICATION TO OHIO DEPT. OF DEVELOPMENT FOR PROPOSED HEATON CHUTE SANITARY SEWER PROJECT

15. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, to authorize the Trumbull County Planning Commission to prepare and submit a LETTER OF INTEREST APPLICATION to the Ohio Department of Development for the proposed HEATON CHUTE SANITARY SEWER PROJECT estimated to cost \$2,645,000. The Trumbull County Planning Commission is working with the Sanitary Engineer’s Office in order to compile a grant application to be considered for funding through the CDBG Residential Public Infrastructure Grant Program. A copy of the Letter of Interest is attached.

The grant request in an amount not to exceed \$750,000 (and subject to a ratio distribution) is part of a larger funding package secured by the Trumbull County Sanitary Engineer’s Office and includes:

OPWC Grant -	\$750,000
OEPA 0% WPCLF Loan -	\$895,000
ARC Grant -	\$250,000

Cost includes 30 LMI connections at \$7,500 each.

NOTE: According to the most recent Consolidated Plan published by the Ohio Department of Development the county may apply for maximum of \$750,000; maximum grant ceiling includes a public water or sanitary sewer project, on-site improvements and program administration costs. On-site improvements are capped at \$200,000. Grantees will be allowed one amendment to move funds between public construction and on-site improvements as needed. The amendment will alter the pro-rata calculation for percent of CDBG participation in the construction project. A waiver is required from OCD to exceed the \$200,000 on-site cap. OCD will evaluate the community’s entire request during application review and reserves the right to reduce the award.

Mr. Fuda stated this project has been ongoing for a long time as there was a problem with the City of Niles not being able to take the flow so they found a different way to do the project. Mr. Newbrough pointed out a typographical error within the funding source.

Yeas: Frenchko, Cantalamessa, Fuda
Nays: None

RE: REMOVE MR. ERNEST COOK –TRUMBULL COUNTY LOCAL CORRECTIONS BOARD

16. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, to remove Mr. Ernest Cook from the TRUMBULL COUNTY LOCAL CORRECTIONS BOARD immediately.

NOTE: Mr. Cook is no longer the director of the Trumbull County 911.

Yeas: Frenchko, Cantalamessa, Fuda
Nays: None

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RE: AUTHORIZE COUNTY ENGINEER TO PURCHASE SODIUM CHLORIDE (ROCK SALT) THROUGH OHIO DEPT. OF TRANSPORTATION FOR 2022-2023 WINTER SEASON; AND TO EXECUTE “PARTICIPATION AGREEMENT” WITH STATE OF OHIO DEPT. OF TRANSPORTATION, OFFICE OF CONTRACTS

17. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, Pursuant to Section 5513.01 (B) of the Ohio Revised Code., to authorize the Trumbull County Engineer to purchase SODIUM CHLORIDE (Rock Salt) through the Ohio Department of Transportation for the 2022-2023 Winter Season; AND to execute the “Participation Agreement” with the State of Ohio Department of Transportation, Office of Contracts, Purchasing Services, authorizing the participation of Trumbull County in this Contract (018-23) to purchase Sodium Chloride (Rock Salt), and agreeing to be bound by the invitation, terms, conditions—to be paid for from the Engineer’s Fund No. 002-030-1700-1700-1-505202; this action per the recommendation of the Trumbull County Engineer and is subject to review and approval of the Prosecutor’s Office.

Yeas: Frenchko, Cantalamessa, Fuda

Nays: None

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

RE: SPECIAL HAULING PERMIT TO MOVE OVERWEIGHT EQUIPMENT - COUNTY ENGINEER

18. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, to concur with the Trumbull County Engineer to grant the Special Hauling Permit to Move Overweight Equipment over Trumbull County roadways, requested by the company listed. The necessary permit fee, bond and insurance have been submitted and approval is subject to the conditions listed on the permit.

DIAMOND STEEL CONSTRUCTION

P.O. Box 156, North Lima, OH 44452

Permit No.: 1150

Effective: March 23, 2022 through March 27, 2022

To haul or move overweight equipment over King Graves Rd. (C.H. A-D), and Sodom Hutchings Rd. (C.H. 45A) in Fowler and Vienna Townships

Yeas: Frenchko, Cantalamessa, Fuda

Nays: None

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**RE: SPECIAL HAULING PERMIT TO HAUL STEEL
COILS - COUNTY ENGINEER**

19. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, 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.

- **P. I. & I. MOTOR EXPRESS, INC.**
P.O. Box 685, Sharon, PA 16146
Permit No.: 2022-010
Permit Effective: March 17, 2022 through March 17, 2023

Yeas: Frenchko, Cantalamessa, Fuda
Nays: None

**RE: SPECIAL ANNUAL SUPPLIER FLEET PERMIT-
COUNTY ENGINEER**

20. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, 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 the permit.

- **GIBBS CONSTRUCTION, INC.**
2975 N. Salem Warren Rd., Warren, OH 44481
Permit No.: AF-016-2022
Permit Effective: March 21, 2022 through March 21, 2023
- **CLAY TRUCKING, INC.**
12485 Madison Rd., Middlefield, OH 44062
Permit No.: AF-017-2022
Permit Effective: March 21, 2022 through March 21, 2023
- **FOUST LEASING INC.**
1700 Wilson Avenue, Girard, OH 44420
Permit No.: AF-015-2022
Permit Effective: April 10, 2022 through April 10, 2023

Yeas: Frenchko, Cantalamessa, Fuda
Nays: None

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**RE: AMEND JOURNAL ACTION DATED 3/2/2022
ADOPTING RESOLUTION THAT APPLICATION
BE MADE TO TRANSFER SUM OF \$329,133.00
FROM CHILDREN SERVICES BOARD FUND
NO. 012 TO PROSECUTOR’S STATE GRANT
UNIT FUND NO. 104--AMENDMENT NECESSARY
TO CHANGE LANGUAGE AND RENAME FUND**

21. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, to Amend Journal Action dated March 2, 2022. Journal Volume 154, Page 24620, adopting a Resolution that application be made as provided in Ohio Revised Code Sections 5705.15 and 5705.16, to transfer the sum of \$329,133.00 from the TRUMBULL COUNTY CHILDREN SERVICES BOARD Fund No. 012 to the Prosecutor’s State Grant Unit Fund No. 104—Amendment necessary to take out the language *Trumbull County General Fund* and change the Child Assault Prosecution Unit Fund No. 104 to the Prosecutor’s State Grant Unit Fund No. 104 for the exclusive purpose of providing funding for the “CHILD ASSAULT PROSECUTION UNIT” within Trumbull County AND that the Trumbull County Prosecutor and the Clerk of the Board of Trumbull County Commissioners be and are hereby authorized to take all actions necessary to effectuate this Resolution; and to acknowledge the Memorandum of Understanding: 2022 between the Trumbull County Children Services Board and the Trumbull County Prosecutor’s Office for 2022 funding for the “Child Assault Prosecution” Unit.

SPECIAL NOTE: House Bill 49/ORC 5705.16 was amended in September 2017 and therefore, a Petition for approval, a case number, court date and advertising is not necessary.

Yeas: Frenchko, Cantalamessa, Fuda

Nays: None

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

**RE: ALL CONTRACTS/AGREEMENTS MUST
BE REVIEWED AND APPROVED BY THE
PROSECUTOR’S OFFICE BEFORE BEING
BROUGHT TO BOARD OF COMMISSIONERS
TO VOTE**

22. MOTION: Made by Mr. Cantalamessa, seconded by Ms. Frenchko, that all Contracts and Agreements must be reviewed and approved by the Prosecutor’s Office before being brought to the Board of Commissioners to vote.

Yeas: Cantalamessa, Frenchko, Fuda

Nays: None

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RE: COMMISSIONERS WILL REFER TO ONE ANOTHER/ADDRESS ONE ANOTHER AS COMMISSIONER OR PRESIDENT

23. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, the Commissioners will refer to one another and address one another as Commissioner or President if they hold that position at County Public Meetings.

NOTE: All three Commissioners are deserving to be addressed by their elected title while conducting public business in the workplace.

The Board discussed Item #23 and their views regarding referring to one another as Commissioner or President if they hold that position at County Public Meetings.

Yeas: Frenchko

Nays: Cantalamessa, Fuda

RE: REMOVE 3 LEAST QUALIFIED CANDIDATES HUMAN RESOURCES PANEL

24. MOTION: Made by Ms. Frenchko, for Commissioner Cantalamessa and Commissioner Fuda to remove the 3 least qualified candidates for the Human Recourses Panel, to allow Commissioner Frenchko to appoint 3 members to have equal representation, as was approved unanimously by the Board. Commissioner Frenchko should be notified of the 3 being removed by Friday, and the board shall not interfere with staff advertising at Commissioner Frenchko's directive to select her 3 appointees. Commissioner Frenchko will submit her 3 members by April 4.

MOTION DIED FOR A LACK OF A SECOND

RE: REPLAT APPLICATIONS OF PROPERTY OWNED BY BOARD OF COMMISSIONERS

25. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, all replat applications of property owned by the Board of Commissioners may only be done with a Resolution by the Board which explains the reasons for the application.

There was a discussion regarding Item #25. Mr. Cantalamessa stated this issue has already been addressed and suggested all parties sign off on them when they come in so this doesn't happen again. Ms. Frenchko stated the Planning Commission has their own board and it was in the County's best interest to make a personal Resolution. Mr. Cantalamessa said there are certain instances where that information should not be made public. Ms. Frenchko suggested an exemption to the Resolution and it was the people's property. She gave an example when property was almost Annexed and her intention is not to allow that to happen again. The discussion continued amongst the Board regarding this item and the mistake that occurred.

Yeas: Frenchko

Nays: Cantalamessa, Fuda

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**RE: CONTRACTS DATED MARCH 30, 2022
DEPARTMENT OF JOB AND FAMILY
SERVICES**

26. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, 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 March 30, 2022. Contracts create ten (10) training opportunities at a total cost of \$52,062.51—fully funded through Workforce Innovation and Opportunity Act (WIOA) allocations—with no County General Revenue Funds requested; this action per 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: Frenchko, Cantalamessa, Fuda
Nays: None

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

**RE: ADOPT PROCUREMENT POLICY APPLICABLE
TO ALL CONTRACTS UTILIZING AMERICAN
RESCUE PLAN ACT OF 2021 (ARPA).**

27. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, TO AUTHORIZE THE BOARD OF COMMISSIONERS TO ADOPT A PROCUREMENT POLICY APPLICABLE TO ALL CONTRACTS FUNDED IN WHOLE OR IN PART BY FUNDS MADE AVAILABLE BY THE AMERICAN RESCUE PLAN ACT OF 2021 (ARPA).

WHEREAS, the County has received a distribution of monies (the “ARPA Funds”) from the American Rescue Plan Act of 2021 (“ARPA” or the “Act”); and

WHEREAS, expenditure of ARPA funds is subject to the federal Uniform Guidance requirements set forth in 2 C.F.R. 200; and

WHEREAS, the County is a non-Federal entity under the definition set forth in 2 C.F.R. § 200.1; and

WHEREAS, 2 C.F.R. 200.318 requires all recipients of federal funds to maintain documented procurement standards and policies

THEREFORE, BE IT RESOLVED by the Commissioners that:

1. In compliance with the Uniform Guidance, and specifically 2 C.F.R. 200.318, the County adopts the attached Uniform Guidance Procurement Policy and Contract Addendum to be used for all expenditures of ARPA funds.

Ms. Frenchko stated this agenda item was another standard recommendation by the Board’s legal counsel. She stated this document has to be in place when spending ARPA Funds. Mr. Cantalamessa stated that they have copies of the Procurement Policy for anyone that wanted to see them for future reference.

Yeas: Frenchko, Cantalamessa, Fuda
Nays: None

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RE: AUTHORIZE COMMISSIONERS TO UTILIZE PROJECT REQUEST AND ELIGIBILITY DETERMINATION DOCUMENTS ATTACHED FOR COMPLETION BY APPLICANTS REQUESTING 2021 AMERICAN RESCUE PLAN ACT (ARPA) CORONAVIRUS STATE AND LOCAL GOV'T FISCAL RECOVERY FUND MONIES

28. TO AUTHORIZE THE BOARD OF COMMISSIONERS TO UTILIZE THE PROJECT REQUEST AND ELIGIBILITY DETERMINATION DOCUMENTS ATTACHED HERETO FOR COMPLETION BY THE APPLICANTS REQUESTING 2021 AMERICAN RESCUE PLAN ACT (ARPA) CORONAVIRUS STATE AND LOCAL GOVERNMENT FISCAL RECOVERY FUND MONIES. The Request will proceed through the Trumbull County Review Process. The Requestor will receive notice if the Project is approved, with instructions on how to proceed.

Ms. Frenchko said this is a process they are supposed to adopt and follow. She said the attorneys are receiving request for without following procedure to make sure transparent. She said there have been several requests from the Board for roof repairs, new HVAC, replacing windows and transportation--things that should be discussed with Board in public meeting. Ms. Frenchko asked the Board to allocate a bit of time in meetings to discuss ARPA spending. Mr. Cantalamessa mentioned these projects were all discussed in the past in public meetings. The discussion continued regarding Mr. Misocky and Mr. Hart regarding the projects mentioned. Ms. Frenchko asked if there could be an agreed upon portion of the meeting could be spent on the spending of ARPA Funds. Mr. Cantalamessa said if Ms. Frenchko feels strongly about a project, she can bring it up during the meeting.

Yeas: Frenchko, Cantalamessa, Fuda
Nays: None

Comments:

Warren Township Trustee, Edward Anthony thanked the Board of Commissioners and Mr. Newbrough for getting their project going. He said is badly needed for their residents.

Mr. Gary Shaffer discussed the possibility of a late Agenda item regarding a Road Closure Extension for a detour extension located in Champion Township.

Mr. Fuda asked Gary Shaffer about a pond that is located in Champion Township and his concerns regarding rodents that are living in the pond that is four foot from the resident's house.

Mr. Shaffer said he was aware of the property in Champion Township and it will follow the same Drainage District they did in Timber Creek. He said they spoke to Mr. Misocky and they have a meeting with him out in the field.

There as a discussion amongst the Board regarding white partitions that were placed over the dividers on the Commissioners' dais, security, who ordered them to be put on, safety concerns and the removal of the coverings. Mr. Fuda addressed Ms. Frenchko and stated what she has asked workers to do that has wasted many hours of County time.

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RE: ADJOURN

MOTION: Made by Mr. Cantalamessa, seconded by Mr. Fuda, to adjourn the Regular Meeting of March 30, 2022, and to meet again in Regular Session on April 6, 2022.

Yeas: Cantalamessa, Fuda, Frenchko

Nays: None

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

FRANK S. FUDA, PRESIDENT

MAURO CANTALAMESSA, COMMISSIONER

NIKI FRENCHKO, COMMISSIONER

ATTEST:

PAULA J. VIVODA-KLOTZ, CLERK