

Week of September 6, 2022

Meeting of September 8, 2022

The Board of County Commissioners, Trumbull County, Ohio, met for a Regular Meeting on the 9th day of September, 2022 at approximately 10:31 a.m., in the office of said Board, with the following members present:

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

Mr. Fuda spoke about Agenda Items that had late changes added this morning by Commissioner Frenchko and that no one attended his meeting to discuss the items. He further stated she does not vote on items if the department does not attend her agenda meetings. Mr. Fuda said she wanted all agenda items submitted the prior Thursday and it is not fair to anyone that she is adding things after that deadline. Ms. Frenchko said it was the same Agenda item that was on last week and she wanted to add a note to the item because when her items die for lack of second, the public doesn't understand the reasoning for her agenda item. Mr. Fuda said Ms. Frenchko's agenda meeting lasted for 1.5 hours with only three people present, and she didn't have five minutes to explain her items to him. Ms. Frenchko and Mr. Fuda discussed the importance of the Mercy Health Campus. Ms. Frenchko said she feels there is a conflict of interest with Mr. Cantalamessa's brother regarding the campus as he represents the City of Warren's interest. Mr. Cantalamessa stated, Point of Order.

***Fowler Township Fire Chief, Doug Johnson spoke about the Marcs Tower stating there is a serious communication issue that effects Brookfield, Hubbard, Vienna and Masury. He spoke about working with Mr. Fuda and Congressman O'Brien over the past few years. Mr. Johnson said the state is committed to paying over half but can't move forward without the property, and the last he knew, Mr. Misocky was looking into it. Ms. Frenchko said this needs to go to the Prosecutor's Office to transfer the property to the state for an easier process. Mr. Fuda said they need direction from the Prosecutor's Office whether they should lease or sell the property and then the Board needs to make a decision what to do.*

**MS. FRENCHKO MADE A MOTION FROM THE FLOOR THAT THE PROPERTY DISCUSSED FOR THE MARCS TOWER BE TRANSFERRED TO THE STATE TO MAKE THE PROCESS GO QUICKLY
MOTION DIED FOR A LACK OF A SECOND**

Mr. Cantalamessa said he has been talking to Mr. Misocky who has been talking to I-Heart Radio about communication issues and they want to make sure they are doing everything correctly. Mr. Johnson said that hurdle has been covered. Mr. Cantalamessa said he wants to get information from the Prosecutor's Office before moving forward. Mr. Fuda said they are going to talk to the Prosecutor's Office so they are doing things the right way.

****Zachary Svette, Executive Director for the Trumbull County Metro Parks to discuss the Bristol Baughman Creek Bike Trail Bridge ARPA Funds.**

Ms. Frenchko stated Mr. Svette stated it would simpler for the process to apply for ARPA Funding for the Bridge instead applying for a grant so she would like to deduct the amount of the grant from the ARPA Funding. Mr. Cantalamessa said it was the county's responsibility to maintain the bike trail and 250,000 residents utilize it. He asked Mr. Svette if was still able to apply for the grant and what funding he has applied for. Mr. Svette explained Mr. Cantalamessa's request. Mr. Svette said he needed the bulk of the money up front, and the part of the reimbursable grant would come back if it were awarded by the state.

RE: MINUTES

1. **MOTION:** Made by Mr. Cantalamessa, seconded by Mr. Fuda, to dispense with reading the minutes of the Regular Meeting dated August 31, 2022, and approve them as distributed/printed.

Yeas: Cantalamessa, Fuda
Nays: Frenchko

Ms. Frenchko voted NO stating that not all 'Points of Order' were not documented and there were other errors.

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

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RE: TRANSFER MONIES

3. MOTION: Made by Mr. Cantalamessa, seconded by Ms. Frenchko, Pursuant to Ohio Revised Code Section 5705.14, to transfer monies as submitted to the Trumbull County Auditor’s Office between the dates of August 29, 2022 through September 2, 2022. Complete list of money transfers shall be recorded onto the Journal for record purposes.

❖ Departments/Offices requesting to transfer monies:

• Sanitary Engineers	\$ 202,916.00	Fund # 602
	\$ 125,258.00	Fund # 602
	\$ 28,603.00	Fund # 604
	\$ 25,401.00	Fund # 606
	\$ 47,722.00	Fund # 607
	\$ 2,497.00	Fund # 608
	\$ 16,745.00	Fund # 609
	\$ 10,249.00	Fund # 610
	\$ 37,366.00	Fund # 611
	\$ 4,167.00	Fund # 612

Yeas: Cantalamessa, Frenchko, Fuda
Nays: None

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

Ms. Frenchko seconded the Motion to approve the Transfer Monies for the Sanitary Engineer.

RE: ADDITIONAL APPROPRIATIONS

4. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Fuda, to approve additional appropriations, as submitted to the Trumbull County Auditor’s Office between the dates of August 29, 2022 through September 2, 2022. Complete list of additional appropriations shall be recorded onto the Journal for record purposes.

❖ Departments/Offices requesting additional appropriations:

• Sanitary Engineers	\$ 350,000.00	Fund # 486
• Auditor	\$ 16,800.00	Fund # 943
• Sheriff	\$ 24,499.96	Fund # 710

Yeas: Cantalamessa, Fuda, Frenchko
Nays: None

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

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RE: TRANSFER APPROPRIATIONS

5. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Fuda, to transfer appropriations, as submitted to the Trumbull County Auditor’s Office between the dates of August 29, 2022 through September 2, 2022. Complete list of appropriation transfers shall be recorded onto the Journal for record purposes.

❖ Departments/Offices requesting to transfer appropriations:

- Board of DD \$ 165,000.00 Fund # 004
- Prosecutor \$ 300.00 Fund # 001
- Sheriff \$ 54.69 Fund # 710
- \$ 6,027.84 Fund # 710
- \$ 1,237.72 Fund # 710
- Youth Sub Gr FY22 \$ 191.80 Fund # 137
- Sanitary Engineers \$ 7,500.00 Fund # 602
- Comm Dev FY21 \$ 1,449.49 Fund # 225
- NEOCAP \$ 2,000.00 Fund # 990
- Highway Engineer \$ 175,000.00 Fund # 002
- Recorder \$ 2,000.00 Fund # 001

Yeas: Cantalamessa, Fuda

Nays: Frenchko

Ms. Frenchko voted NO stating that Lisa Blair did not follow thru with gathering info that she requires prior to voting. Mr. Cantalamessa asked Ms. Frenchko which departmental transfer she was questioning. Ms. Frenchko stated ‘Point of Order’ and she already voted so there is no discussion after the vote.

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

RE: AMENDED CERTIFICATE NO. 24 - 2022
COUNTY BUDGET COMMISSION

6. MOTION: Made by Mr. Cantalamessa, seconded by Ms. Frenchko, to receive the Amended Certificate of the County Budget Commission No. 24 - 2022, for the fiscal year beginning January 1, 2022, dated September 8, 2022, increasing estimated resources in the funds listed:

- Sheriff - Newton Twp Deputies Fund # 710
- Northern Twp Deputies Fund # 710

Yeas: Cantalamessa, Frenchko, Fuda

Nays: None

MS. FRENCHKO READ ITEM #7 AND ITEM #8:

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RE: RESCIND AGENDA ITEM #8 DATE OF 08/31/2022 TO ADVERTISE FOR "REQUEST FOR STATEMENT OF QUALIFICATIONS" FOR LEGAL PROFESSIONAL - -STATUTORY DEDICATION OF EDUCATIONAL HIGHWAY

7. MOTION: Made by Ms. Frenchko, to Rescind Agenda Item #8 under the date of August 31, 2022, Modifying the language in the original item to read: To authorize the Clerk of the Board of Trumbull County Commissioners to ADVERTISE FOR "REQUEST FOR STATEMENT OF QUALIFICATIONS" for LEGAL PROFESSIONAL SERVICES from qualified professionals to provide services for the purpose of moving this PROJECT forward and guidance as to what the next steps are in the STATUTORY DEDICATION OF EDUCATIONAL HIGHWAY.

MS. FRENCHKO READ AN ADDED NOTE THAT SHE COMPOSED/SUBMITTED:

NOTE: Commissioner Cantalamessa made this motion, and should have recused himself. The development associated with the reason for this dedication involves the potential annexation of Champion Township property to the City of Warren, where Enzo Cantalamessa has been negotiating for the benefit of Warren City. The matter of the Educational Highway Dedication should not be looked at in a vacuum. Dedicating Educational Highway without legal counsel qualified to evaluate the utility and road maintenance, planning and economic development implications of such dedication would put the City of Warren at an unfair advantage over Champion Township--for this reason, Commissioner Cantalamessa should not have moved or voted on this item.

MOTION DIED FOR LACK OF SECOND

MR. CANTALAMESSA MADE A MOTION FROM THE FLOOR TO AMEND PRIOR AGENDA ITEM OF AUGUST 31, 2022

RE: MODIFY LANGUAGE OF AGENDA ITEM # 8 DATED 08/31/2022, JOURNAL VOLUME 155, PAGE 25036, TO READ: SEND REQUESTS FOR PROPOSALS TO AT LEAST THREE (3) QUALIFIED PROFESSIONAL FIRMS TO PROVIDE LEGAL PROFESSIONAL SERVICES FOR THE PURPOSES OF THE STATUTORY ROAD DEDICATION OF EDUCATIONAL HIGHWAY

8. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Fuda, to Modify Agenda Item dated August 31, 2022, Journal Volume 155, Page 25036, that read: To authorize the Clerk of the Board of Trumbull County Commissioners to ADVERTISE FOR "REQUEST FOR STATEMENT OF QUALIFICATIONS" for LEGAL PROFESSIONAL SERVICES from qualified professionals to provide services for the purpose of moving this PROJECT forward and guidance as to what the next steps are in the STATUTORY DEDICATION OF EDUCATIONAL HIGHWAY—**MODIFICATION changes new modified language to read: THE COMMISSIONERS WILL SEND REQUESTS FOR PROPOSALS TO AT LEAST THREE (3) QUALIFIED PROFESSIONAL FIRMS TO PROVIDE LEGAL PROFESSIONAL SERVICES FOR THE PURPOSES OF THE STATUTORY ROAD DEDICATION OF EDUCATIONAL HIGHWAY.**

Yeas: Cantalamessa, Fuda
Nays: Frenchko

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MS. FRENCHKO READ ITEM #8:

RE: ADVERTISE FOR "REQUEST FOR STATEMENT OF QUALIFICATIONS" FOR LEGAL PROFESSIONAL SERVICES FROM QUALIFIED PROFESSIONALS

8. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, to authorize the Clerk of the Board of Trumbull County Commissioners to ADVERTISE FOR "REQUEST FOR STATEMENT OF QUALIFICATIONS" for LEGAL PROFESSIONAL SERVICES from qualified professionals, with APA certification preferred, to provide services related to the negotiation and preparation of JEDD and other financing tools such as a TIF, and other planning guidance relatives to road dedication, replats, engineering & utilities in connection with the Mercy Health Campus Development and Educational Highway.

MS. FRENCHKO READ AN ADDED NOTE THAT SHE COMPOSED/SUBMITTED:

NOTE: There was a planned Annexation of the Champion Mercy Health Campus to the City of Warren, and per the suggestion of Commissioner Frenchko, Warren and Champion have been discussing the establishment of a Joint Economic Development District (JEDD). Because county utilities are present on site and the servicing of Educational Highway could all be addressed in the JEDD negotiations, Trumbull County should be involved in the discussions. Hiring specialized counsel to help the \$.5 Billion development move forward smoothly, efficient and in the best interest of the County. The matter of Educational Highway's dedication should also be handled by the same legal counsel to prevent the county from hiring two attorneys. Commissioner Cantalamessa's brother, the Law Director of Warren, has been negotiating and Warren may benefit from Trumbull County not hiring a JEDD specialized attorney to look at the totality of the Highway dedication. Due to this conflict of interest, Commissioner Cantalamessa should not be voting. Mercy Health, Champion Township, Warren City and the County Highway Engineer have all been meeting to discuss the project, and the Board of Commissioners have not been included. We must have an expert at the table to represent the County.

Mr. Cantalamessa asked Ms. Frenchko how these crazy conjectures enter the meeting stating it is wrong. The discussion continued about a JED, the responsibility for the road, county utilities, the City of Warren, Champion Township, asserting ourselves within matters between the City and Township, statutory dedication of Educational Highway, discussion with Mercy Health, conversation with Attorney Nader, and getting the facts before making a decision.

Yeas: Frenchko

Nays: Cantalamessa, Fuda

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RE: APPROVE MODIFICATION NO. 4 TO ENGINEERING AGREEMENT WITH GPD GROUP. MODIFICATION NO. 4 IS TO INCREASE MONIES FOR REDESIGN OF A TRAIL SECTION ON PORT AUTHORITY PROPERTY

9. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Fuda, approve Modification No. 4 to the Engineering Agreement with GPD GROUP (Glaus, Pyle, Schomer, Nurners and Dehaven, Inc.), 520 South Main Street, Suite #2531, Akron, OH 44311. Modification No. 4 is to increase the contract amount from \$584,416.00 to \$839,710.00 Additional monies are needed for redesign of a trail section on Port Authority Property. The Eastgate Regional Council of Governments' programmed share (Federal Congestion Mitigation Air Quality or CMAQ funds) for the project is \$671,768.00 and the State Capital Budget Pass-Through Funds and Western Reserve Port Authority share for this contract is \$167,942.00 to be paid from Fund No. 983-060-5600-5615-3-505607.

1. To approve the cost sharing with the Western Reserve Port Authority whom will be covering the local match on the additional amount need for the design work in the amount of \$51,058.80.
2. To Authorize GPD Group to Proceed with Parts 6, 8, 12 and 13 in the contract with GPD Group, for the Western Reserve Greenway Bike Trail Phase IV, PID 99804.
3. To Authorize the Trumbull County Commissioners to sign said modification letter form agreement, with GPD Group, which has been drafted and distributed by ODOT District IV and submitted to the Trumbull County Prosecutor's office for their review and approval prior to execution by the Commissioners.

Yeas: Cantalamessa, Fuda

Nays: Frenchko

Ms. Frenchko voted NO stating that this has not been approved by our County and Mr. Svette has forwarded E-mails that Ms. Frenchko needs to review.

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

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RE: APPROVE MODIFICATION NO. 2 TO RIGHT-OF-WAY SERVICES CONTRACT WITH MS CONSULTANTS INC. MODIFICATION NO. 2 IS TO INCREASE MONIES FOR PROJECT MANAGEMENT AS LISTED

10. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Fuda, Approve Modification No. 2 to the Right-of-Way Services Contract with MS CONSULTANTS INC., 333 E Federal Street, Youngstown, OH 44503. Modification No. 2 is to increase the contract amount from \$101,711.00 to \$115,738.00 Monies will also be added to the contract in parts 1 and 2. The Eastgate Regional Council of Governments' programmed share (Federal Congestion Mitigation Air Quality or CMAQ Funds) for the project is \$92,590.40 and the State Capital Budget Pass-Through Funds share for this contract is \$23,147.60 to be paid for through Fund No. 983-060-5600-5615-03-505607.

Contract Break Down:

1. *Project Management (Appraisal and Title Reports)	\$ 6,118
Appraisal	\$ 44,863
Title Research	\$ 6,270
*Project Management (Negotiations and Closings)	\$ 6,118
Negotiation	\$ 42,619
Closings	\$ 8,550
Miscellaneous	\$ 1,200
Grand Total	\$ 115,738

2. To Authorize the Trumbull County Commissioners to sign said modification letter form agreement, with MS Consultants Inc., which has been drafted and distributed by ODOT District IV and submitted to the Trumbull County Prosecutor's Office for their review and approval prior to execution by the Commissioners.

Yeas: Cantalamessa, Fuda

Nays: Frenchko

Ms. Frenchko voted NO stating that Mr. Svette did not forward the Prosecutor's approval to her. Mr. Cantalamessa asked Mr. Svette if this was approved and Mr. Svette answered that it was approved by outside legal counsel.

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

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RE: APPROVE PURCHASE AND SALE AGREEMENT OF WARRANTY DEEDS, EASEMENT AND TEMPORARY EASEMENTS FROM CSX TRANSPORTATION INC. AND TO ALLOW FRANK S FUDA TO SIGN THE ADMINISTRATIVE SETTLEMENT FOR SAID PARCEL

11. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Fuda, to approve the Purchase and Sale Agreement of the warranty deeds, easement and temporary easements from CSX TRANSPORTATION INC., in the amount of \$175,000.00 and to allow Frank S Fuda, President of the Trumbull County Commissioners to sign the Administrative Settlement for said parcel for the Western Reserve Greenway Bike Trial in Trumbull County, Ohio (Phase 4). The total cost of warranty deeds, easement and temporary easements is \$175,000.00 to be paid from the Fund No. 983-060-5600-5610-3-506880; subject to Federal and State reimbursment. 80% of the purchase price will be reimbursed back to the county through Federal CMAQ funds.

All right-of-way acquisitions have followed the guidelines set forth in ODOT’s Real Estate Policy and Procedures Manual and those in the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

NOTE: This for the Western Reserve Greenway Bike Trail Phase IV, PID 99804, located in Howland and Weathersfield Townships and Warren and Niles Cities. Outside Legal Counsel for the project is Roth, Blair, Roberts, Strasfeld and Lodge, have reviewed the acquisition. It is also recommended by Julie Green, Director of the Trumbull County Planning Commission.

Yeas: Cantalamessa, Fuda

Nays: Frenchko

Ms. Frenchko voted NO because Mr. Svette was the County’s negotiator for the Real Estate transaction and this ended up costing the County more money.

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

RE: APPROVE PURCHASE OF EASEMENT FROM STERICYCLE, INC FOR WESTERN RESERVE GREENWAY BIKE TRAIL IN TRUMBULL COUNTY, OHIO (PHASE 4)

12. MOTION: Made by Mr. Cantalamessa, seconded by Ms. Frenchko, to approve the purchase of the easement from STERICYCLE, INC. in the amount of \$1,080.00. A copy of the signed Standard Highway Easement regarding Parcel 22 for the Western Reserve Greenway Bike Trail in Trumbull County, Ohio (Phase 4) will be recorded. The total cost of the standard highway easement is \$1,080.00, to be paid from Fund No. 983-060-5600-5610-3-506880, subject to Federal and State reimbursment. 80% of the purchase price will be reimbursed back to the county through Federal CMAQ funds. All right-of-way acquisitions have followed the guidelines set forth in ODOT’s Real Estate Policy and Procedures Manual and those in the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

This for the Western Reserve Greenway Bike Trail Phase IV, PID 99804, located in Howland and Weathersfield Townships and Warren and Niles Cities. Outside Legal Counsel for the project Roth, Blair, Roberts, Strasfeld and Lodge, have reviewed the acquisition. It is also recommended by Julie Green, Director of the Trumbull County Planning Commission.

Yeas: Cantalamessa, Frenchko, Fuda

Nays: None

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

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RE: APPROVE BY-LAWS OF THE WORKFORCE DEVELOPMENT BOARD OF TRUMBULL COUNTY

13. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Fuda, to approve the By-Laws of the Workforce Development Board of Trumbull County on August 18, 2022, the By-Law Committee met for its annual review. It is necessary to initiate the By-Laws for the Workforce Development Board to follow in its operation under the Workforce Innovation and Opportunity Act (WIOA). *The By-Laws shall be recorded onto the Journal for record purposes;* this action per the recommendation of William Turner, Executive Director, The Workforce Development Board of Trumbull County.

NOTE: There were no changes submitted by the By Laws Committee that were approved on August 18, 2022.

Yeas: Cantalamessa, Fuda
Nays: Frenchko

Ms. Frenchko voted NO because the By-Laws do not coincide with open meeting requirements that the majority of the Board needs to be present for a quorum as opposed to being able to operate with 40% of the membership.

By-Laws recorded on Journal Page(s) _____.)

RE: AWARD FIRST EXTENSION FOR THE ONLY BIDS AWARDED ON 09/15/2021 FOR THE YOUTHBUILD OF TRUMBULL METROPOLITAN HOUSING AUTHORITY AND JOBS FOR OHIO GRADUATES (JOG) TO PROVIDE YOUTH SERVICES THROUGH THE WIOA COMPREHENSIVE CASE MANAGEMENT PROGRAM (CCMEP)

14. MOTION: Made by Mr. Cantalamessa, seconded by Ms. Frenchko, to award the First Extension for the only BIDS that were awarded on September 15, 2021, Journal Volume 153, Page 24263, for the Youthbuild of Trumbull Metropolitan Housing Authority and Jobs for Ohio Graduates (JOG) to provide Youth Services through the WIOA Comprehensive Case Management Program (CCMEP). The RFP selectees will provide youth services as they pertain to the 14 elements of youth development towards employment; *no general funds are being requested and funding will be derived from the Workforce Innovation and Opportunity Act, (WIOA).*

NOTE: The Contract allows for two (2) one-year extensions-this is the first extension.

BIDDERS

YOUTHBUILD-TMHA 4076 Youngstown Rd, SE Warren, OH 44484	Proposal - \$293,929.00
JOBS FOR OHIO'S GRADUATES (JOG) 1333 Home Avenue Akron, OH 44310	Proposal - \$374,776.73

Yeas: Cantalamessa, Frenchko, Fuda
Nays: None

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RE: APPROVE SUB GRANT AGREEMENT BETWEEN DEPT. OF JOB AND FAMILY SERVICES, COMMISSIONERS, AND THE TRUMBULL COUNTY WORKFORCE BOARD TO RECEIVE FUNDING TO OPERATE THE RETAINING EMPLOYMENT AND TALENT AFTER INJURY/ILLNESS (RETAIN) PROGRAM

15. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Fuda, to approve Sub Grant Agreement between the Ohio Department of Job and Family Services, the Trumbull County Board of Commissioners, The Trumbull County Workforce Board, and The Trumbull County Department of Job and Family Services to receive funding to operate the Retaining Employment and Talent after Injury/Illness (RETAIN) program.

The State of Ohio received the Phase II RETAIN Award from the Department of Labor. The purpose of the program is to provide Return to Work/ Stay at Work strategies for non-work related injuries. In conjunction with Bon Secours Mercy Health, local workforce areas 18, 17, 13, 9, and partnering state agencies, provide RETAIN participants with coordinated health services, and employers employee’s retention strategies.

Yeas: Cantalamessa, Fuda
Nays: Frenchko

Ms. Frenchko voted NO because board should not be voting on items with omitted dates and dollar amounts.

**RE: AWARD PROPOSAL
RIGHT SOURCING AS “EMPLOYER OF RECORD”
FOR FRESH START GRANT – THE WORKFORCE
DEVELOPMENT BOARD OF TRUMBULL COUNTY**

16. MOTION: Made by Mr. Cantalamessa, seconded by Ms. Frenchko, to award the lowest proposal as submitted by RIGHT SOURCING, 999 Stewart Ave., Suite 100, Bethpage, NY 11714-3632, as the “EMPLOYER OF RECORD” for the FRESH START GRANT for a total not to exceed \$48,672.00 from June 1, 2022 to March 31, 2024. Funding will be derived from a Special grant (Fresh Start) received from the State of Ohio—*no County General Revenue Funds will be requested*; this action per the recommendation of William J. Turner, Executive Director of the Workforce Development Board of Trumbull County.

BIDDERS

RIGHT SOURCING 999 Stewart Ave Suite 100 Bethpage, NY 11714-3632	18.9% mark up of established wage (mark-up includes all payroll taxes, Worker’s Comp., Unemployment and administration fee)
NESCO RESOURCE 755 Boardman Canfield Rd. N2 Boardman, Ohio 44512	20% mark up of established wage (mark-up includes all payroll taxes, Worker’s Comp., Unemployment and administration fee)

Yeas: Cantalamessa, Frenchko, Fuda
Nays: None

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RE: ENTER INTO A NON-REIMBURSABLE EXTENSION AGREEMENT FOR EXTENSION OF SANITARY SEWER WITH JON P. ROBINSON, MANAGING MEMBER OF ROBINSON REAL ESTATE INVESTMENTS, LLC., ON LEE ROAD, BROOKFIELD TOWNSHIP

17. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Fuda, to enter into a Non-Reimbursable Extension Agreement for the extension of a sanitary sewer in accordance with the Ohio Revised Code Section 307.73 with Jon P. Robinson, Managing Member of Robinson Real Estate Investments, LLC. on Lee Road, Brookfield Township, Trumbull County Combined Sanitary Sewer District, Metropolitan Sub-District, known as Lee Road Sanitary Sewer Extension, Project No. 9-S-22; subject to the approval of the Prosecutor’s Office.

Yeas: Cantalamessa, Fuda, Frenchko
Nays: None

Ms. Frenchko voted NO because Mr. Newbrough refuses to attend her workshops to explain his Agenda items.

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

RE: APPROVE DETAILED SEWER DRAWINGS OF LEE ROAD SANITARY SEWER EXTENSION -- BROOKFIELD TOWNSHIP - SANITARY ENGINEERS

18. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Fuda, approve detailed sewer drawings of Lee Road Sanitary Sewer Extension for the extension of a sanitary sewer on Lee Road, Brookfield Township, Trumbull County Combined Sanitary Sewer District, Metropolitan Sub-District, known as Project No. 9-S-22; per the recommendation of the Trumbull County Sanitary Engineers Department.

Yeas: Cantalamessa, Fuda, Frenchko
Nays: None

RE: RELEASE MEMORANDUM OF UNDERSTANDING (MOU) DATED 01/26/2022, ASSOCIATED WITH BOND, AND INSURANCE REQUIREMENTS BETWEEN COMMISSIONERS AND HEPACO, LLC --COUNTY ENGINEER

19. MOTION: Made by Mr. Cantalamessa, seconded by Ms. Frenchko, to RELEASE the Memorandum of Understanding (MOU) dated January 26, 2022, duly recorded in Journal Volume 154, Page 24539, and associated with bond, and insurance requirements by and between the TRUMBULL COUNTY COMMISSIONERS and HEPACO, LLC, 4658 Custer Rd., Monroe, MI 48161. HEPACO, LLC, has completed operations and the Trumbull County Engineer’s Office has inspected the roadways associated with the MOU—*all roads are satisfactory*; this action per the recommendation of the Trumbull County Engineer.

NOTE: The Board of Commissioners approved the Memorandum of Understanding (MOU) and related documents on January 26, 2022, duly recorded in Journal Volume 154, Page 24539.

Yeas: Cantalamessa, Frenchko, Fuda
Nays: None

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

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

20. MOTION: Made by Mr. Cantalamessa, seconded by Ms. Frenchko, to concur with the Trumbull County Engineer to grant the Special Hauling Permits to Haul Steel Coils on Trumbull County roadways, requested by the company listed. The necessary permit fee has been submitted and approval is subject to the conditions listed on the permit.

- **AWL TRANSPORT, INC.**
10803 Main Street, P.O. Box 829, Mantua, OH 44255
Permit Nos.: 2022-021 through 2022-078
Permit Effective: September 2, 2022 through September 2, 2023

- **PI & I MOTOR EXPRESS**
P.O. Box 685, Sharon, PA 16145
Permit Nos.: 2022-080 through 2022-081
Permit Effective: September 2, 2022 through September 2, 2023

Yeas: Cantalamessa, Frenchko, Fuda
Nays: None

Mr. Fuda stated he will support this item even though the Highway Dept. does not attend his workshop.

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

21. MOTION: Made by Mr. Cantalamessa, seconded by Ms. Frenchko, to concur with the Trumbull County Engineer to grant the Special Annual Supplier Fleet Permit 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 company listed. The necessary permit fee and insurance information have been submitted and approval is subject to the conditions listed on the permit.

- **WIM FARMS, LLC.**
3389 Gardner Barclay Road, Farmdale, OH 44417-9738
Permit No.: AF-058-2022
Permit Effective: September 5, 2022 through September 5, 2023

Yeas: Cantalamessa, Frenchko, Fuda
Nays: None

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**RE: CLOSE ROAD LISTED -
COUNTY ENGINEER**

22. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, to grant permission to the County Engineer to Close the Road listed.

- **WARREN SHARON ROAD (C.H. 329), and SHAFFER DRIVE located in Howland Township.** Intersection will be closed. Westbound one lane on Warren Sharon Rd. will be open. Eastbound lanes will remain open. Road Closing is for road repairs.

Closing Dates: Thursday, September 1, 2022

Closing Times: 7:00 a.m. to 3:00 p.m.

RECOMMENDED DETOUR: *East on Warren Sharon Road (C.H. 329); North on State Route 46; West on Fairhill Drive OR North on Clifton Avenue; East on Fairhill Drive*

Yeas: Frenchko, Cantalamessa, Fuda

Nays: None

**RE: RIGHT-OF-WAY PERMITS -
COUNTY ENGINEER**

23. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, to concur with the Trumbull County Engineer to grant the Right-of-Way 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, 320 Springside Drive, Akron, OH 44333,** to work in the right-of-way of Ridge Rd. (C.H. 159)., in order to install a gas service connection at service address 1190. This will be located approximately 4,100 feet north of Warren Sharon Rd. (C.H. 329 in Vienna Township.

Yeas: Frenchko, Cantalamessa, Fuda

Nays: None

MS. FRENCHKO MADE A MOTION FROM THE FLOOR TO READ AS FOLLOWS:

To approve the personnel action for the 32-hour full-time employment of PAULETTE GODFREY as Administrative Assistant, and to designate Ms. Godfrey as the Appointed Assistant to Commissioner Niki Frenchko, effective October 17, 2022 pursuant to ORC 124.11(A)8 which designates this position as official unclassified service; Ms. Godfrey will be hired at a Pay Range 9, Step 27, \$31.456 per hour.

NOTE: This action is per the recommendation of Commissioner Niki Frenchko, and is in accordance with the ORC 124.11(A)8 which gives each Commissioner the statutory authority to individually designate one Assistant to unclassified service. "... four clerical and administrative support employees for each Board of County Commissioners and one such employee for each County Commissioner...."

Week of September 6, 2022

Meeting of September 8, 2022

Ms. Frenchko said she has staff that does not do what she need them to do such as public records requests, and she needs to prepare for litigation. Ms. Frenchko said every single employee in the office has some type of lawsuit—many have been dismissed against her and for that reason, there is no one she can work with in the office who she can trust to go through her computer and help fulfill these records request. She said she has had employees refuse to do things for her as recently as this morning. Ms. Frenchko went on to state that Ms. Godfrey did RFQ/RFP and this Clerk said she didn't know how to do that without having access to Westlaw which shows ineptitude. She said she needs an assistant to carry out her duties and an assistant that works for her and there's no one better than Ms. Paulette Godfrey as she was at the county for 27 years. She said she needs an assistant so there is no conflict with lawsuits naming her. She said upon further research, this might be something that can be done with a journal action without the Board's approval. She suggests the Board vote on this because Ms. Godfrey has litigation against the County and this could be perceived as retaliatory when you there are two openings in the office. She said the only one that didn't have a lawsuit has quit. She said to bring back Ms. Godfrey could mitigate some damages with that lawsuit and she thinks it would behoove the Board to bring her back not to deal with them--but to assist her. Ms. Frenchko said it would prevent a valid lawsuit opposed to the ones that aren't sticking.

MOTION DIED FOR LACK OF SECOND

Summarization of Comments:

Mr. Fuda thanked everyone that reached out to him due to the loss of his brother, Sam.

Amanda Hebert addressed the Board regarding volunteers at the Dog Kennel only being allowed to walk the dogs. She discussed the Collective Bargaining Agreement that went into effect of August of last year. Ms. Hebert discussed Article 27 that states one cannot contract out work to non-union employees. Ms. Hebert stated the volunteers are not paid. She said this decision was going to affect the dogs because the three wardens have other responsibilities and no time to take the dogs to training. Ms. Hebert said without training, some dogs will not get adopted, will sit there, overcrowding will occur, and they could be euthanized. Mr. Fuda asked if Ms. Frenchko wanted to hire 7 to 10 new employees to replace what the volunteers are doing. Mr. Fuda said dogs are like family and spoke about a dog that needed help a few weeks ago. Ms. Hebert spoke about a release from liability waiver form the volunteers sign. Mr. Fuda asked her to give the form to the press that was present. Ms. Frenchko spoke about volunteers and a recent complaint of an employee bringing their small child around the animals. Ms. Frenchko stated she had a human resources employee look into vehicle coverage stating volunteers are not covered and the Warden has been driving around with volunteers. She said the County needs to make sure they are not creating any union grievances stating that if a volunteer is doing something a union employee should be doing, a grievance could be filed. She further stated that walking the dogs is wonderful and she is trying to prevent liability for the County. Mr. Fuda asked how many grievances were filed over the last 13 years. Ms. Hebert asked the Board if someone was going to fix this with the Union because she has since had to delay getting training for the dogs. Mr. Cantalamessa said he would be in contact with the Union. Ms. Frenchko said she would also be in contact with the Union. Mr. Nader addressed the Board about Education Highway regarding a letter Mr. Smith asked him to send to the Board. He spoke about the dedication of the road, a proposed dedication plat that was submitted to the Engineer, Research Parkway that was dedicated in 1999, improvement of the road, JED discussions, maintenance of the road that has been maintained by the Engineer, JED between the township and the city. Ms. Frenchko stated it could be relative to the maintenance and the City of Warren could be participating in the maintenance via JED. Mr. Cantalamessa stated they are taking care of the road and receiving the gasoline tax and he wants to know what they have to do to statutorily dedicate the road and if that discussion goes further, the Planning Commission will be involved. Mr. Fuda said the Planning Commission is one off the most valuable departments to the County. Mr. Fuda said Ms. Frenchko claims to know everyone's job. Ms. Frenchko called, Point of Order stating Mr. Fuda doesn't get to insult her. Mr. Fuda said the Planning Commission and Sanitary Engineer know a lot and Ms. Frenchko keeps attacking the Sanitary Engineer and Planning Commission and they almost lost one of the most valuable employees because of her. Ms. Frenchko called Point of Order. Mr. Fuda said she was not Roberta making the rules—it's Roberts Rules. Attorney Jeff Goodman of the Highway Engineer addressed the Board saying the Highway Engineer brought up this issue in 2014. Mr. Goodman stated this is a property issue and not a road issue—it is a county commissioners' issue. He spoke about the importance of this .5 billion-dollar health facility. He spoke about meetings and discussion regarding the dedication by the Commissioners of Educational Highway. He said that Trumbull County needs to move forward as it has taken too long. Mr. Fuda said he was in total agreement with Mr. Goodman, but the Highway Department decided to play with stakeholders and the Commissioners weren't included in some meetings that were held. Mr. Goodman said Mr. Smith did not initiate the meeting. Mr. Goodman told Mr. Fuda some people are uncomfortable around him. Mr. Fuda said he is getting different information and he needs all the facts before asking them to make a decision based on information he doesn't have. Mr. Goodman said the issue was raised in 2014 and it's time to get the facts. There was a discussion regarding the Prosecutor's Office relating to a potential conflict of interest relating to legal issues that could arise. Ms. Frenchko said as soon as she found out there was a problem with this road, she called a meeting with the Engineer in February. Ms. Frenchko spoke about Mr. Cantalamessa modifying the language so they can request attorneys instead of going out for an RFQ. There was a discussion regarding hiring more than one attorney for the Educational Highway matter and moving the project forward. Mr. Nader made additional comments to clarify there were two Mercy health representatives the meeting was put together by Eastgate at the request of Mercy Health. Mr. Fuda called and they had someone call him back that did not explain to him. He said Eastgate did not return Mr. Fuda said he said appreciated Mr. Nader. Mr. Nader said that was the reason for Mr. Smith's letter. Ms. Frenchko said the county can only spend so much money and can't exceed a certain dollar amount. Mr. Cantalamessa said it is the Prosecutor's salary.

Comments (Cont'd)

Week of September 6, 2022

Meeting of September 8, 2022

Comments (Cont'd)

Ms. Nolan spoke about the pound being full and the need for volunteers. She asked the Board to reconsider the volunteer situation and that she has been on both sides of the fence. Mr. Fuda said he appreciates the volunteers as they don't ask for money and do it out of the kindness of their hearts. Ms. Frenchko spoke about differences in non-profit organizations, government and unions—stating grievances can be filed in government.

Ms. Chery (last name inaudible) spoke about not fighting about volunteers, but looking into a new facility for the dogs that are overcrowded. Mr. Fuda said they have made improvements, but it is not enough. She said it is a disgrace to the county. Ms. Frenchko said one of the first things she wanted to do when she took office was work with AWL to use their facility. Ms. Meghan Myers said the fighting over volunteers needs to stop. She spoke about how taking them to classes and for walks completely changes the dog's chance of being adopted. She said they are not paid and do it out of their kindness of their hearts. Ms. Frenchko said she tried to be part of previous union negotiations with the former human resources director, but he never responded to her requests. Ms. Frenchko said she had a difficult time and it will change at the beginning of the year. Mr. Fuda said she attacked the Dog Warden for doing her job and she attacks people and no business would allow this. Ms. Herbert said she was attacked on social media. Ms. Frenchko called, Point of Order.

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RE: ADJOURN

MOTION: Made by Mr. Cantalamessa, seconded by Ms. Fuda, to adjourn the Regular Meeting of September 8, 2022, at approximately 11:50 a.m. and to meet again in Regular Session on September 14, 2022.

Yeas: Cantalamessa, Fuda, Frenchko

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:

PAULA J. VIVODA-KLOTZ, CLERK