

**Week Beginning December 5, 2022**

**Meeting of December 7, 2022**

The Board of County Commissioners, Trumbull County, Ohio, met for a Regular Meeting on the 7th day of December 2022, at approximately 10:30 a.m., in the office of said Board, with the following members present:

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

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**RE: MINUTES**

**1. MOTION:** Made by Mr. Cantalamessa, seconded by Mr. Fuda, to dispense with reading the minutes of the Regular Meeting dated November 30, 2022, and approve them as distributed/printed.

Yeas: Cantalamessa, Fuda  
Nays: Frenchko

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**RE: APPROVE BILLS**

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

*Ms. Frenchko said she wanted to make sure the carpeting was fixed before the bill was paid. Mr. Cantalamessa said the carpet would be fixed before the bill was paid.*

Yeas: Cantalamessa, Fuda, Frenchko  
Nays: None

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**RE: AUTHORIZE FRANK S. FUDA TO EXECUTE NOTICE TO PROCEED LETTER FOR MJD EXCAVATING, INC. FOR WEST FARMINGTON SANITARY SEWER HOUSEHOLD CONNECTIONS PROJECT**

**3. MOTION:** Made by Ms. Frenchko, seconded by Mr. Cantalamessa, to concur with the Trumbull County Planning Commissioners and authorize Frank S. Fuda, President, to execute a Notice to Proceed Letter for MJD EXCAVATING, INC., 926 Howland-Wilson Road, NE, Warren, Ohio 44484 for the PY2021 CDBG Allocation Grant Program, Project 1, Activity 1; Household Connections; B-F-21-1CS-1; West Farmington Sanitary Sewer Household Connections Project awarded on October 13, 2022, duly recorded in Journal Volume 155, Page 25123.

*Mr. Fuda thanked Ms. Julie Green for doing a phenomenal job with the project. Ms. Frenchko asked if there was a new employee that was working hard on the project. Ms. Greene said Ms. Emily Moran is the new grants coordinator that worked very hard with her and the mayor on this project. Ms. Green said and her staff works together as a team.*

Yeas: Frenchko, Cantalamessa, Fuda  
Nays: None

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

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RE: ACCEPT MAINTENANCE BOND NO. 163668K  
SUBMITTED BY RT VERNAL PAVING &  
EXCAVATING, INC. FOR SANITARY SEWER  
EXTENSION FOR MCDONALD ATHLETIC FIELD  
SANITARY SEWER EXTENSION

4. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Fuda, to accept Maintenance Bond No. 163668K issued by Ohio Farmers Insurance Co., Westfield Group, One Park Circle, PO Box 5001, Westfield Center, Ohio 44251-5001 submitted by RT VERNAL PAVING & EXCAVATING, INC., Contractor, for a sanitary sewer extension for the McDonald Athletic Field Sanitary Sewer Extension, McDonald, Ohio. The Maintenance Bond in the amount of \$7,600.00 is for a two (2) year period, effective November 14, 2022 through November 14, 2024; this action per recommendation of the Trumbull County Sanitary Engineers Department.

NOTE: On June 15, 2022 duly recorded in Journal Volume 154, Page 24873, the Commissioners approved a Non-Reimbursable Extension Agreement with McDonald Local School District Board of Education.

Yeas: Cantalamessa, Fuda  
Nays: Frenchko

MS. FRENCHKO VOTED NO STATING SHE DIDN'T RECEIVE ANY INFORMATION BECAUSE MR. NEWBROUGH DIDN'T ATTEND HER DEPARTMENT HEAD MEETING.

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

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RE: RECEIVE REPORT -- ADULT PROBATION  
DEPARTMENT ON NOVEMBER 29, 2022

5. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, to receive the Report as submitted by the Adult Probation Department on November 29, 2022, in accordance with Amended Substitute House Bill Number 406, specifying the amount of funds appropriated from the Probation Service Fund 041 during the current calendar year, an estimate of the amount that the Probation Department will expend by the end of the year, a summary of how the amount appropriated has been expended for probation services, and an estimate of the amount of probation fees that the Probation.

Department will collect and pay to the Treasurer for deposit in the next calendar year.

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

SUMMARY INDICATES:

1. Total monies collected since inception: September 26, 1995--\$1,746,132.07
2. Total Collected in Year 2022: \$84,465.38 (January 1, 2022 through November 30, 2022)
1. Estimated Collection for Year 2023: \$85,000.00
Total Expenditures for 2022: \$86,362.17 (supplies, maintenance materials, equipment, contracted services, travel and expense)

(Continued)

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**RE: RECEIVE REPORT -- ADULT PROBATION DEPARTMENT (Cont'd)**

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

Yeas: Frenchko, Cantalamessa, Fuda  
Nays: None

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**RE: REAPPOINT SHERIFF PAUL S. MONROE  
TO LOCAL CORRECTIONS PLANNING BOARD**

**6. MOTION:** Made by Mr. Cantalamessa, seconded by Mr. Fuda, to reappoint the individual listed as a Member of the TRUMBULL COUNTY LOCAL CORRECTIONS PLANNING BOARD, for an additional three (3) year term commencing November 16, 2022 and ending November 16, 2025; this action per the request of Keith A. Evans, Chief Probation Officer.

➤ **SHERIFF PAUL S. MONROE**  
Trumbull County Sheriff

Yeas: Cantalamessa, Fuda, Frenchko  
Nays: None

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

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**RE: PROFESSIONAL MEDICAL SERVICES AGREEMENT --  
PHILIP P. MALVASI, D.O--MEDICAL CARE AND  
TREATMENT OF INMATES AND TO PERFORM  
CERTAIN MEDICAL SERVICES DURING THE COURSE  
OF THEIR INCARCERATION-ADULT JUSTICE  
CENTER**

7. **MOTION:** Made by Mr. Cantalamessa, seconded by Mr. Fuda, to award the PROFESSIONAL MEDICAL SERVICES AGREEMENT with PHILIP P. MALVASI, D.O., 1017 Youngstown-Warren Road, Niles, OH 44446, for the Trumbull County Adult Justice Center to provide medical care and treatment of inmates and to perform certain medical services during the course of their incarceration, in the amount of \$1,098,000.00, to be paid from Fund No. 001-020-1400-1415-1-505611. This Agreement will be effective for a period of one (1) year commencing December 10, 2022 and ending December 9, 2023, with the option to renew for four (4) subsequent one (1) year terms, at the discretion of the Board of Trumbull County Commissioners.

Yeas: Cantalamessa, Fuda  
Nays: Frenchko

**MS. FRENCHKO SAID SHE WAS VOTED NO BECAUSE THE CONTRACT WAS NOT ADVERTISED THREE MONTHS BEFORE THE CONTRACT EXPIRES AS THEIR PROCUREMENT POLICY SAYS AND IT IS STRUCTURED IN A FASHION THAT MAKES IT DIFFICULT FOR OTHER VENDORS TO BID. SHE SAID SHE RECEIVED FEEDBACK FROM SOME VENDORS STATING HOW DIFFICULT IT IS TO BID—SHE FURTHER STATED IT SEEMED TO BE SET UP IN A FASHION TO CONTINUE RE-AWARDING IT. Ms. Frenchko said there have been problems with the services at the jail that were actually cited on the Jail Commission Report she received this week.**

**Mr. Fuda said Mahoning County's services went up a million dollars this year—almost the amount their spending, and over the last years, when they put this out for bid, they didn't have bids because they are getting the service so much less than other counties. Ms. Frenchko said they haven't had bids because it has been prohibited and they wait until the last minute. Mr. Fuda said that wasn't true. Ms. Frenchko said it was true and this contract is 400,000 more and last years was more also. Mr. Cantalamessa asked Dr. Malvasi if he wanted to speak. Dr. Malvasi said there were five people who took out the bid and he was the only one, and last one, to put in a bid. He said he was hoping someone else would take over.. He said the RFP was presented that one would have to have correctional experience because of the nature of the business. He said there were businessman who had no medical experience that just wanted to hire a third party. Dr. Malvasi said Ms. Frenchko wants to see the Sheriff's Department fail and if he doesn't take over...Ms. Frenchko called, Point of Order stating, Dr. Malvasi's discussion needs to be focused on county business. Mr. Fuda said this was county business. Dr. Malvasi asked Ms. Frenchko not to rudely interrupt him. Ms. Frenchko told Dr. Malvasi to not rudely comment and to stick to the topic. Dr. Malvasi said the topic is, Ms. Frenchko wants to see the Sheriff's Department fail. Ms. Frenchko called, Point of Order. Dr. Malvasi asked her what her plan when on December 9<sup>th</sup> there is no one to take care of 300 inmates. Mr. Cantalamessa said there isn't one. Dr. Malvasi said you would have to move 300 inmates to other areas at \$80 per inmate as that's \$24,000. Ms. Frenchko asked Dr. Malvasi how many more people he was going to let die. Dr. Malvasi said he doesn't let anyone die as he takes an oath. Mr. Fuda asked Ms. Frenchko if she was accusing Dr. Malvasi and told her to do some research. Ms. Frenchko mentioned Mahoning Matters. Dr. Malvasi said Ms. Frenchko....Ms. Frenchko said, it's Commissioner, Dr. Death. Dr. Malvasi said he has been at it for 22 years—a lot longer than anyone has been there and longer than she will be on the bench. He said he has zero malpractice lawsuits against him. Ms. Frenchko asked Dr. Malvasi how many complaints he has with the medical board. Dr. Malvasi answered, zero and he has never gone in front of the medical board. Mr. Fuda addressed Ms. Frenchko stating the inmates that call her may not be telling her all the facts with the medical board and she needs to get the facts straight. Ms. Frenchko told Dr. Malvasi to wait for it as maybe they haven't shared them with him yet. Ms. Frenchko said what she is talking about is the process by which the county is supposed to function as it relates to procuring professional contracts and all contracts are supposed to be evaluated 90 days in advance of when they expire and this circumstance—because of who this person is—they decided to wait until about a month before to put the bid out.**

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*She said it's supposed to be in done in advance and regularly it's done at the last minute. Ms. Frenchko said last year there were insurance issues and the county shouldn't be paying for vendor's insurance. Ms. Frenchko told Dr. Malvasi she already voted, he got what he wanted, and to sit down. Dr. Malvasi told Ms. Frenchko not to disrespect him. Ms. Frenchko said, likewise. Dr. Malvasi told Ms. Frenchko she was wrong about everything and asked where she was if she wanted it bid out three months ago. Mr. Cantalamessa said it wasn't brought to the Board's attention and it was bid out. Dr. Malvasi said there's one insurance company that provides medical malpractice insurance. Ms. Frenchko said it should have started three months ago. Dr. Malvasi told Ms. Frenchko she should have done her job. Ms. Frenchko called Dr. Malvasi a narcissist and told him not to insult her. Ms. Frenchko told Dr. Malvasi to sit down and she is not responsible for putting things out for bid—she is responsible for making things are bid out properly and to make sure policies are followed properly. She said if her staff drops the ball, as they routinely do, there's nothing she can do about it. Dr. Malvasi said Ms. Frenchko has done zero for the County. Ms. Frenchko called, Point of Order—Inaudible conservation. Mr. Fuda told Ms. Frenchko to do research and the requires more than investigations and accusations. Ms. Frenchko asked Mr. Fuda when the last time he prepared an RFQ to go out for bid. She said that's not what they do as they have staff. Ms. Frenchko said contrary to what people believe, women can be executives and staff should be working for them. Mr. Fuda said they have a great staff. Ms. Frenchko said she has brought up collaboration software so things can be flagged when their due, and nobodies doing it. Mr. Fuda spoke about Ms. Frenchko not going to any of the departments in the county. Ms. Frenchko called, Point of Order.*

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**RE: OHIO DEPARTMENT OF NATURAL RESOURCES,  
DIVISION OF PARKS AND WATERCRAFT FOR  
PURPOSE OF ESTABLISHING AND/OR MAINTAINING  
AND OPERATING MARINE PATROL PROGRAM TO  
ENFORCE WATERCRAFT LAWS OF OHIO**

**8. MOTION:** Made by Mr. Cantalamessa, seconded by Mr. Fuda, to authorize Frank S. Fuda, President of the Board of Trumbull County, to execute on behalf of Trumbull County, the 2023 Marine Patrol Assistance Agreement with the OHIO DEPARTMENT OF NATURAL RESOURCES, Division of Parks and Watercraft, 2045 Morse Road, Building C-3, Columbus, OH 43229 for the purpose of establishing and/or maintaining and operating a marine patrol program to enforce the watercraft laws of Ohio as set forth in Chapters 1547 and 1548 of the Ohio Revised Code and to enforce those regulations, rules, and ordinances promulgated by state and local authorities that pertain to the operation of watercraft and to provide emergency response to boating accidents on the water. The Agreement is a necessary requirement in order to obtain the 2023 Marine Patrol Assistance Grant applied for by the Trumbull County Sheriff's Office. The estimated cost of the program is up to and not exceeding 34,278.38. The state of Ohio will agree to pay up to 25,708.78 and the local share is up to but not to exceed 8,569.59; this action per the recommendation of the Trumbull County Sheriff's Office and is subject to review and approval of the Prosecutor's Office.

*Ms. Frenchko asked the Board if they were sure they didn't want to wait for the accurate figures. Mr. Cantalamessa said it could be amended at a later time. The Clerk said Mr. Wix gave her the figures and said they could go out for this item now.*

Yeas: Cantalamessa, Fuda

Nays: Frenchko

**MS. FRENCHKO SAID BASED ON THE VERIFICATION SHE RECEIVED YESTERDAY WHICH WAS THE EXACT FIGURES OF THE AMOUNT NEEDED ARE UNKNOWN—NOT THAT SHE DISAGREES. BUT SHE WANTS TO KNOW THE AMOUNT ALLOCATED, SHE HAS TO VOTE NO. SHE SAID THEY COULD WAIT TO APPROVE IT.**

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**RE: CLOSE ROAD - COUNTY ENGINEER**

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

- **FARMINGTON #16 BRIDGE, HOUSEL CRAFT ROAD (T.H. 222 B) located in Farmington Township;** closing location between Stroup Hickox Rd. (C.H. 217) and Hoffman Norton Rd. (C.H. 9213 for soil boring for bridge project  
**Closing Dates: Thursday, December 8, 2022 and Friday, December 9, 2022**  
**Closing Times: 7:00 a.m. until 5:00 p.m. for both days**  
**RECOMMENDED DETOUR:** South on Stroup Hickox Rd. (C.H. 217); East on Geauga Portage Easterly Rd. (C.H. 198); North on Hoffman Norton Rd. (C.H. 213)

*Mr. Fuda said even though no one attended his meeting to discuss this item, he will vote on it as he knows it's important. Ms. Frenchko asked Mr. Fuda if he knew the reason for this item. Mr. Fuda said he did not.*

Yeas: Cantalamessa, Frenchko, Fuda  
Nays: None

**Ms. Frenchko commented about Item #9 stating it was important to test the soil before the bridge is repaired.**

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

**10. 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.

- **JARO TRANSPORTATION SERVICES, INC.**  
975 Post Road NW, Warren, OH 44483

- **Permit No. 2022-142;** effective November 29, 2022 through November 29, 2023

Yeas: Frenchko, Cantalamessa, Fuda  
Nays: None

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

**11. MOTION:** Made by Ms. Frenchko, seconded by Mr. Cantalamessa, 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.

- **T & J HERSHY TRUCKING LTD.**  
8635 Camp Rd., N.W., Dundee, OH 44624  
**Permit No.: AF-079-2022**  
**Permit Effective: December 18, 2022 through December 18, 2023**

Yeas: Frenchko, Cantalamessa, Fuda

Nays: None

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**RE: ADOPT RESOLUTION  
AUTHORIZING EXPENDITURE FOR REVENUE LOSS  
FROM AMERICAN RESCUE PLAN ACT FUNDS FOR  
TRUMBULL COUNTY BOARD OF ELECTION'S  
ROOF REPLACEMENT**

**12. MOTION:** Made by Mr. Cantalamessa, seconded by Mr. Fuda to adopt the Resolution as follows:

**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**, Department of Treasury Final Rule, published on January 6, 2022, and effective April 1, 2022, provides in part that:

Treasury presumes that up to \$10 million in revenue has been lost due to the public health emergency and recipients are permitted to use that amount (not to exceed the award amount) to fund “government services.” [The “standard allowance”]

**WHEREAS**, the Rule further clarifies that recipients can use:

SLFRF funds on government services up to the revenue loss amount, whether that be the standard allowance amount or the amount calculated using the [Final Rule four-step process]. Government services generally include any service traditionally provided by a government, unless treasury has stated otherwise.

(Continued)

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**RE: ADOPT RESOLUTION AUTHORIZING EXPENDITURE FOR REVENUE LOSS  
(Cont'd)**

**WHEREAS**, some common examples of “government services” expressly recognized by Treasury are as follows:

- General government administration, staff, and administrative facilities
- Maintenance or pay-go funded building infrastructure

**WHEREAS**, “Government services is [deemed by Treasury] the most flexible eligible use category under the SLFRF program, and funds are subject to streamlined reporting and compliance requirements;” and

**WHEREAS**, funds utilized pursuant to the standard revenue loss allowance continue to have certain restrictions, including:

- Deposit into pension funds
- Satisfaction of settlements or judgments
- Contributions to financial reserves or “rainy day” funds

**WHEREAS**, the County has identified a project which, in the judgment of the Board, qualifies as a permitted use of the ARPA Funds, in direct support of governmental services, which consists of the following:

Replacement of the roof for the facility used for the Trumbull County Board of Elections (the “Project”).

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

1. The County elected to use the standard allowance by way of the Resolution adopted on April 27, 2022 and its presumption of revenue loss due to the public health emergency and to use the amount authorized herein to fund government services.

2. The Project is hereby authorized and shall be paid for from the ARPA Funds in the amount of/an amount not to exceed: \$473,673.00.

3. The Project described herein serves the objectives of the Act by providing services traditionally provided by a government, namely:

- Public infrastructure support
- General government administration and administrative facilities

4. Accordingly, the Project is in the best interests of the County and is deemed a priority for the community.

5. This Project will be categorized as Expenditure Category EC 6.1 – Provision of Government Services.

1. No obligations paid under the authority of this Resolution were incurred prior to March 3, 2021.

Yeas: Cantalamessa, Fuda, Frenchko

Nays: None



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**RE: AWARD BID  
BOAK & SONS, INC. FOR ROOF REPLACEMENT  
TRUMBULL COUNTY BOARD OF ELECTIONS**

**13. MOTION:** Made by Ms. Frenchko, seconded by Mr. Cantalamessa, to accept and award Bid to the lowest, responsive and responsible bid submitted by BOAK & SONS, INC. 75 Victoria Road, Youngstown, OH 44515 for the Roof Replacement of the TRUMBULL COUNTY BOARD OF ELECTIONS, 2947 Youngstown Warren Road, Warren, OH 44484, in the amount of \$473,673.00 to be paid from ARPA Revenue Replacement Funds and to further authorize Frank S. Fuda, President of the Board of Trumbull County Commissioners, to execute any/all documents required for this agreement on behalf of Trumbull County; subject to approval from Baker, Dublikar, Beck, Wiley & Mathews, ARPA Legal Counsel; this action per the request of Michael J. Sliwinski, P.E., Trumbull County Chief Building Official.

*NOTE:* The award price includes a base bid amount of \$454,044.00 and acceptance of bid alternate No. 1 in the amount of \$19,629.00.

**OTHER BIDS SUBMITTED**

COMPANY	AMOUNT
<b>Groover Roofing &amp; Siding</b> 1101 E. Liberty Street Girard, OH 44420	<b>\$535,860.00</b>
<b>RJK Roofing Solutions</b> 4964 Campbell Road Willoughby, OH 44094	<b>\$619,985.00</b>

Yeas: Frenchko, Cantalamessa, Fuda

Nays: None

*Mr. Fuda said they needed to do this project for many years and they are making a lot of improvements at the Board of Elections. He said the rebid came in less than the first bid. Ms. Frenchko said this is the first project she got off the floor when taking office as she has a building and housing background and it pains her not to see buildings that have not been maintained preventatively and are falling apart. She said this puts millions of dollars worth of election equipment at risk. She said the reason this went out to be rebid is because of her due diligence as it was being awarded to the highest bidder with who had the least experience doing flat roofs. She said she spoke to the Prosecutor's Office when she found there was pre-award contact based on the file, and for those reasons, she caused it to be rebid. She said they now have a company that knows what they are doing and are saving money. Mr. Fuda said one of the problems was some of the contractors weren't able to get supplies so they couldn't do it in the timely manner they were supposed to. Ms. Frenchko said Mr. Fuda's statements were incorrect as there was pre-award contact and the bidders were asked to put it in writing they couldn't get the job done in 90 days.*

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**RE: EXECUTE SEVENTH AMENDMENT TO AGREEMENT OF SUBLEASE BETWEEN COMMISSIONERS AND OHIO DEPARTMENT OF REHABILITATION & CORRECTION**

**14. MOTION:** Made by Mr. Cantalamessa, seconded by Mr. Fuda, to execute a Seventh Amendment to an Agreement of Sublease by and between the BOARD OF TRUMBULL COUNTY COMMISSIONERS and the OHIO DEPARTMENT OF REHABILITATION & CORRECTION, 4545 Fisher Road, Suite D, Columbus, OH 43228 and Accepted and Consented to by the Ohio Building Authority Pertaining to the Financing of a Portion of the Cost of the Trumbull County Community Based Correctional Facility (Northeast Ohio Community Alternative Program (NEOCAP)—Adult Correctional Capital Improvements Projects) Project No. DRC-23CB-13. The Seventh Amendment to Agreement of Sublease is for the total amount of \$579,960.00 to replace flooring throughout the facility which changed the Aggregate amount to \$5,960,370.00. This was requested from the State of Ohio (Treasurer of State) Adult Correction Building to complete capital improvements to the Trumbull County Community Based Corrections Facility; this action per the recommendation of Jake E. Jones, Executive Director of NEOCAP and is subject to review and approval of the Prosecutor’s Office.

**NOTE:** The First Amendment to Agreement of Sublease was adopted by the Board of Trumbull County Commissioners on October 22, 1998. On August 13, 1998, the Board of Trumbull County Commissioners executed the “Letter of Agreement” with the State Department of Rehabilitation and Correction—Agreement formally accepted the Award of an additional \$1,200,000.00 in Construction funds to Plan, Design, Expand, and Build 50 additional beds to the existing Community-Based Correctional Facility which serves Trumbull, Ashtabula, Geauga, Lake, and Portage Counties. The Expansion will total 100 beds for the Facility.

No additional land was needed to be purchased for the expansion. The five-party counties were not requested to contribute towards the construction costs of the Expansion Project.

The Second Amendment to Agreement of Sublease was adopted by the Board of Commissioners on November 21, 2000, in the amount of \$45,000.00 for additional landscaping and a parking lot for the existing Community-Based Correctional Facility.

The Third Amendment to Agreement of Sublease was adopted by the Board of Commissioners on March 4, 2009, duly recorded in Journal Volume 132, Page 14139, in the amount of \$69,000.00 to install a walk-in freezer and to replace an outdated facility door. The Fourth Amendment to Agreement of Sublease was adopted by the Board of Commissioners on November 18, 2015, duly recorded in Journal Volume 143, Page 19483, to install a sewer pump station in the amount of \$234,200.00 and to replace the roof system in the amount of \$117,675.00. The Fifth Amendment to the Agreement of Sublease was adopted by the Board of Commissioners on October 12, 2017, duly recorded in Journal Volume 147, Page 21153, in the amount of \$379,475.00, to replace the entire access control system and repave the parking lot. The Sixth Amendment to Sublease demolished, removed, and replaced the entire existing heating ventilation and air conditioning system at a project cost of \$1,085,000.00 which changed the aggregate amount to \$5,380,350.00.

*Ms. Frenchko said she prefers to vote on things that have already been approved by the Prosecutor’s Office and some paperwork had Paulette Godfrey’s name on it. Mr. Fuda asked the Clerk to explain Item #14. The Clerk said she did send the information to the Prosecutor’s Office for review and she let them know she saw Ms. Godfrey’s name on the paperwork. The Clerk further stated she called and let them know the Board couldn’t move forward until they took Ms. Godfrey’s name off the Resolution. The Clerk said they assured her they were working on it. Ms. Frenchko said she wanted to wait until it was corrected. Mr. Fuda said they told him at his meeting they had to make an adjustment and they did it.*

Yeas: Cantalamessa, Fuda

Nays: Frenchko

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

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RE: AMEND AGENDA ITEM DATED 10/26/2022, JOURNAL VOLUME 155, PAGE 25159, APPROVING AGREEMENT BETWEEN COUNTY SHERIFF, PAUL S. MONROE, AND NEWTON TOWNSHIP BOARD OF TRUSTEES FOR EXPANDED POLICE SECURITY/SERVICE WITHIN GEOGRAPHICAL BOUNDARIES OF NEWTON TOWNSHIP, OHIO. AMENDMENT NECESSARY TO CHANGE AGREEMENT DATE

15. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Fuda, to Amend Agenda Item dated October 26, 2022, Journal Volume 155, Page 25159, approving an Agreement by and between TRUMBULL COUNTY SHERIFF, PAUL S. MONROE, and the NEWTON TOWNSHIP BOARD OF TRUSTEES, 4410 Newton-Bailey Road, P.O. Box 298, Newton Falls, OH 44444, for expanded police security and service within the geographical boundaries of Newton Township, Ohio. The Newton Township Board of Trustees agrees to pay the Trumbull County Sheriff’s Office the total amount of \$54,500.16 per year due and payable on a monthly basis which is to be effective for twenty hours (24) per weekly dedicated service—due and payable on a monthly basis. The contract is effective for the period of August, 2022 through August, 2023—AMENDMENT necessary to change the Agreement date of August, 2022 through August, 2023 to September, 2022 through September, 2023; this action per the request of the Trumbull County Sheriff.

Yeas: Cantalamessa, Fuda, Frenchko  
Nays: None

Ms. Frenchko asked the Board if they were aware of all the increases to the Townships and Villages as she has received calls with complaints.

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RE: ADOPT RESOLUTION AUTHORIZING EXPENDITURE FOR RESPONDING TO OR MITIGATING PUBLIC HEALTH EMERGENCY FROM AMERICAN RESCUE PLAN ACT FUNDS-TRUMBULL NEIGHBORHOOD PARTNERSHIP

16. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Fuda to adopt the Resolution as follows:

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

[Under the Enumerated Eligible Uses for Impacted Households]

The interim final rule included an enumerated eligible use for emergency assistance for burials, home repairs, weatherization, and other needs; these types of programs may provide emergency assistance for pressing and unavoidable household needs.

(Continued)

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**16. RESOLUTION AUTHORIZING EXPENDITURE FOR RESPONDING TO OR MITIGATING THE PUBLIC HEALTH EMERGENCY FROM AMERICAN RESCUE PLAN ACT FUNDS (CONT'D)**

**WHEREAS**, the Final Rule determined that low income households and households within a Qualified Census Tract are presumed adversely impacted by the COVID-19 pandemic; and

**WHEREAS**, the Rule further observes that in defining “low income household” includes whether a household has: (i) income at or below 185 percent of the FPG for the size of its household or (ii) income at or below 40 percent of the AMI for its county and size of household. The option defined a household as moderate income if it has (i) income at or below 300 percent of the FPG for the size of its household or (ii) income at or below 65 percent of the AMI for its county and size of household; and

**WHEREAS**, the Rule further states that nonprofits may serve as subrecipients to carry out eligible programs; and

**WHEREAS**, the Trumbull Neighborhood Partnership (TNP) is a 501(c) nonprofit located in Trumbull County and administers an Emergency Home Repair program to provide completion of emergency home repairs for low income families within the County, and such emergency home repairs include repair or replacement of HVAC systems, hot water tanks, roofs, plumbing and electrical systems and other systems deemed emergencies by TNP; and

**WHEREAS**, the County has determined that TNP’s Emergency Home Repair program qualifies under the Final Rule as an eligible program and is necessary to serve the adversely impacted homes within the community; and

**WHEREAS**, County therefore finds that, in the judgment of the Board, that funding the Emergency Home Program is in the best interest of the County and therefore approves:

A one-time grant in the amount of One Million Dollars subject to the terms of the attached Subgrant Agreement, attached hereto as Exhibit 1 and incorporated herein, for purposes of funding the Emergency Home Repair Project

This Project will be categorized as Expenditure Category EC 2.34 – Assistance to Impacted Nonprofit Organizations (Impacted or Disproportionately Impacted)

**THEREFORE, BE IT RESOLVED** by the Commissioners 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 Act by providing assistance to adversely impacted households in need of emergency home repairs by way of the Trumbull Neighborhood Partnership Emergency Home Repair Program.
3. Accordingly, the Project is in the best interests of the County and is deemed a priority for the community.
4. The Project, a one-time grant to Trumbull Neighborhood Partnership, is hereby authorized and shall be paid for from the ARPA Funds in the amount of \$1,000,000 subject to Exhibit 1, attached hereto and incorporated herein.
5. No obligations paid under the authority of this Resolution were incurred prior to March 3, 2021.

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**RE: AGREEMENT BETWEEN COMMISSIONERS (“BTCC”) AND TRUMBULL NEIGHBORHOOD PARTNERSHIP (“TNP”) FOR ARPA FUNDS FOR OPERATION AND ADMINISTRATION OF EMERGENCY HOME REPAIR PROGRAM**

**17. MOTION:** Made by Mr. Cantalamessa, seconded by Mr. Fuda, to enter into an Agreement by and between Board of County Commissioners of Trumbull County, Ohio (“BTCC”) and the Trumbull Neighborhood Partnership (“TNP”) 736 Mahoning Avenue N.W., Warren, OH 44483, as approved by Baker, Dublikar, Beck, Wiley and Matthews, counsel retained for ARPA Funds for the operation and administration of the Emergency Home Repair Program as fully described in Exhibit A attached hereto and incorporated by reference (“the Program”) AND the BTCC allocates the sum of One Million Dollars (\$1,000,000.00) to TNP from ARPA funds received under H.B. 481, for the exclusive use of (“the Program”) and in full compliance with the terms of the Agreement.

Yeas: Cantalamessa, Fuda, Frenchko  
Nays: None

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

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**RE: PURCHASE OF ONE (1) 2019 FORD TRANSIT XL 15 PASSENGER VAN -- COLE VALLEY CADILLAC--VETERANS SERVICE COMMISSION**

**18. MOTION:** Made by Mr. Cantalamessa, seconded by Mr. Fuda, to authorize the purchase of one (1) 2019 FORD TRANSIT XL 15 PASSENGER VAN, from Cole Valley Cadillac, 4111 Elm Rd NE Warren, OH for the use of the Trumbull County Veterans Service Commission. Total amount for van is \$ 49,440.00. This purchase will be paid for through Fund No. 921-130-1100-1100-1-505410 in the amount of \$49,440.00; this action is per the recommendation of the Board of Veterans Service Commission and the Trumbull County Auditor.

COMPANY	AMOUNT
Cole Valley Cadillac 4111 Elm Rd NE Warren, OH 44483	\$ 49,440.00

**NOTE:** One (1) Vehicle will replace a 2015 Chevy passenger van with around 210,000 miles.

**SPECIAL NOTE:** A vehicle is required for fulfilling our statutory requirement (O.R.C. Section 5901.03 | Organization and duties of commission Sec. (h) Veterans' Services Commissions)-Local Dealerships were contacted: This purchase was approved 10/21/2021, however supply issues, have greatly impacted inventory of new vehicles.

Yeas: Cantalamessa, Fuda  
Nays: Frenchko

**MS FRENCHKO VOTED NO BECAUSE THERE WERE NOT THREE QUOTES AND THAT’S HOW THEIR PROCUREMENT WORKS SO SHE HAS TO VOTE NO—SHE FURTHER STATED ITS NOT BECAUSE ITS NOT NEEDED—SHE JUST WANTS TO SEE A COMPARISON**

**Mr. Fuda stated departments have been having a difficult time getting vehicles and the Veterans Office has tried many times to purchase new vehicles and this one has 33,000 miles on it.**

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

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**RE: INVESTIGATE COMP TIME ACCRUAL VIOLATIONS**

**19. MOTION:** Made by Ms. Frenchko, TO INVESTIGATE FOR COMP TIME ACCRUAL VIOLATIONS.

*Ms. Frenchko said she wanted the language to be what she had some months ago, but this was all*

**MS. FRENCHKO MADE A MOTION FROM THE FLOOR TO HAVE A THIRD PARTY—CLEMENS AND NELSON DO AN INTERNAL INVESTIGATION COUNTYWIDE FOR COMP TIME ACCRUAL VIOLATIONS WITH A SPECIAL NOTE: THERE WAS A WHISTLEBLOWER WHO INFORMED THE BOARD OF INCONSISTENCIES AND PROBLEMS—MS. FRENCHKO SAID ANOTHER NOTE IS WITHIN THE COMMISSIONERS’ OFFICE, OVER THE LAST 1.5 YEARS AN EMPLOYEE HAS ACCRUED 380 SOMETHING HOURS—240 THIS YEAR TO DATE AND THE POLICY STATES ALL COMP TIME MUST BE ACCRUED FROM WORK—NOT FROM HOME—IT HAS TO BE DONE WITH PREAPPROVAL AND SHE HAS FOUND IN THE OFFICE THERE HAS BEEN HUNDREDS OF HOURS GRANTED BY ONLY ONE MEMBER OF THE BOARD OF COMMISSIONERS WITHOUT LETTING ANY OTHER MEMBERS OF THE BOARD KNOW. SHE STATED SHE WANTS TO GET TO THE BOTTOM OF IT AS IT IS COSTING THE TAX PAYERS A LOT OF MONEY.**

*Mr. Fuda said Mr. Newbrough is the one who caught the comp time situation at the Sanitary Engineer’s Department and he’s been investigating it for a period of time. Mr. Fuda said originally the Commissioners’ staff had eight people and now they have four working doing the job seven people are required to do and some of these jobs require a lot of training. He said he had a lady train for a year for one of the jobs. Mr. Fuda told Ms. Frenchko she doesn’t understand the operation of the building as he is there at 8:00 a.m. He said Ms. Frenchko attacks the workers who are doing two jobs and getting paid for one. He addressed the union people and said, it was the truth and they do it because there is no one to do it. He said the Clerk is working 15 hours a day because of the work Ms. Frenchko is requiring—public records request—all of the stuff Ms. Frenchko is requiring staff to do because she doesn’t want them to do their job. Mr. Fuda stated Ms. Frenchko stated the first day she started at the County, she was going to bully certain people out or write them up and fire them. Ms. Frenchko told Mr. Fuda everything he rambled about had no relevance to the matter at hand and they are all dumber for having to have listen to it. Ms. Frenchko said there is a policy that has been adopted that prescribes the way comp time can be accrued and it is not being accrued within the policy and the state auditor will give the county an operational finding which means they are not complying with their own policies and a special investigation could be called to look into it for comp time fraud as it could be ordered to be paid back. She said this is serious business and not personal—it is us violating our policy. Mr. Fuda said he had meeting with the State Auditor that morning and they are discussing those issues. Mr. Fuda told Ms. Frenchko to do some investigation as she doesn’t know the background of the previous employee—people are following what they were trained to do for years and she doesn’t look at any of that—she only accuses. Ms. Frenchko said she looks at the policy. Mr. Fuda said he has to face to work the employees face every day he has seen staff crying and doing more work than their required to do. Mr. Fuda said Ms. Frenchko doesn’t know because she’s not there. Ms. Frenchko said, Point of Order. Mr. Fuda said, no point of order—he wants the truth out. Mr. Cantalamessa said it is ironic that Ms. Frenchko is bringing up policy and procedures and she moved from the floor to hire a law firm to do this investigation without an RFP or RFQ. He asked Ms. Frenchko if that violated every policy and procedure she is going after. Ms. Frenchko said this is a law firm the county just retained for this type of work anyway. Mr. Cantalamessa said it was not and that was a lie and said it has to go out separately for bid. Ms. Frenchko said the company already guides the county on discipline. Mr. Cantalamessa said they would charge for an investigation. He further stated if there’s a scope of services you want, you need to go out for bid. Ms. Frenchko said she had it written that way in a past agenda item and they voted, no. She further stated she asked the Clerk to put the item on as it was put on months ago. She said it would be efficient to use the same legal firm that deals with contracts and discipline. Ms. Frenchko told the Board it they wanted to sweep it under the rug. Mr. Cantalamessa said he will comply with the State Auditor’s Office. Mr. Fuda said he met with the state auditor this morning.*

**MOTION DIED FOR LACK OF A SECOND**

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**RE: TO ENTER EXECUTIVE SESSION FOR CONFERENCE WITH ATTORNEY FOR BOARD OF COMMISSIONERS CONCERNING DISPUTES INVOLVING PUBLIC BODY THAT ARE THE SUBJECT OF PENDING/IMMINENT COURT ACTION**

**20. MOTION:** Made by Ms. Frenchko, seconded by Mr. Cantalamessa, to enter Executive Session @ approximately 11:09 a.m., pursuant to R.C. 121.22(G)(3) for a conference with an attorney for the Board of Commissioners concerning disputes involving the public body that are the subject of pending or imminent court action. In Attendance were: Commissioner Cantalamessa, Commissioner Frenchko, Commissioner Fuda and Attorney Kathleen Minahan.

Yeas: Frenchko, Cantalamessa, Fuda  
Nays: None

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**RE: MOTION TO RECONVENE**

**21. MOTION:** Made by Mr. Cantalamessa, seconded by Mr. Fuda, to Reconvene from Executive Session @ approximately 11:22 a.m. pursuant to Ohio Revised Code 121.22(G)(3) for a conference with an attorney for the Board of Commissioners concerning disputes involving the public body that are the subject of pending or imminent court action.

Yeas: Cantalamessa, Fuda, Frenchko  
Nays: None

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**RE: ENTER INTO EXECUTIVE SESSION TO CONSIDER THE DISMISSAL OR DISCIPLINE OF A PUBLIC EMPLOYEE**

**22. MOTION:** Made by Ms. Frenchko, to go into executive session pursuant to Ohio Revised Code 121.22(G)(1) to consider the dismissal or discipline of a public employee.

*Mr. Cantalamessa asked if their attorney was going into Ex. Session with them. Mr. Fuda asked who was going into Executive Session. Ms. Frenchko said the Board of Commissioners was.. Mr. Cantalamessa asked if the Prosecutor’s Office was attending. Ms. Frenchko said she contacted them and didn’t get a response, but at any rate, they are the executives. Mr. Cantalamessa said he would prefer to have their attorney present. Ms. Frenchko said the Board has done this before. Mr. Fuda said Ms. Frenchko complained about this being done before and didn’t show up, but wants to do it now because it affects her.*

**MS. FRENCHKO MADE A MOTION FROM THE FLOOR TO PLACE MR. CHARLES LEIGHTNER ON UNPAID LEAVE PENDING AN INVESTIGATION AS TO POLICY VIOLATIONS INCLUDING ASSAULT EFFECTIVE IMMEDIATELY**

*Mr. Fuda told Ms. Frenchko this is the same thing she did with the previous human resource person—exactly the same. Ms. Frenchko said there’s a motion on the floor.*

**MOTION DIED FOR LACK OF A SECOND**

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*Ms. Frenchko said the fact these two men know what happened and are going to allow an employee to stay present who so extremely disrespectful who said he didn't work for her, told employees not to do something she asked, refused to give a public record to her and ultimately hit her. Mr. Fuda said Mr. Leightner didn't hit her as there were witnesses there. Mr. Fuda said Mr. Leightner told her he had personal things and when he left the room, she took the documents. Ms. Frenchko said if any of her colleagues were hit or disrespected the way this man did, she would stand behind them—in front of them. Mr. Fuda said he didn't disrespect her. Mr. Cantalamessa said he didn't see or hear, but Mr. Leightner is present at the meeting. Ms. Frenchko said that is why she made a motion so the two of them could find out more and there is an EMT report that shows an injury. Mr. Fuda told Ms. Frenchko there were witnesses in that room. Mr. Cantalamessa said if anyone was hostile, they said it was Ms. Frenchko. Ms. Frenchko said the indicator that everyone ignored when Mr. Leightner spoke during his presentation for Interim Director was when he said he had a woodshop that keeps him from hurting small animals and the Board just glazed over that. Mr. Fuda asked Ms. Frenchko if she was aware he called the Tribune before she did what she did yesterday. Ms. Frenchko said two of their HR Panel members are incredibly uncomfortable with his placement after witnessing the way Mr. Leightner has treated her and they ignored it. Mr. Fuda said Ms. Frenchko has been making up stories for two years. Ms. Frenchko said they were dismissive of women, of her, and of their legal counsel also—always of women, and this needs to stop. Mr. Cantalamessa said this is a very slippery slope and the Board needs to move on. He said there is video, eyewitnesses that state Mr. Leightner never touched Ms. Frenchko. Ms. Frenchko asked the Board if they conducted an investigation. Mr. Cantalamessa said he doesn't have to—the witnesses came out and said it right then. He further stated Ms. Frenchko took personal information out of his binder that Mr. Leightner told her the documents contained personal medical information. Ms. Frenchko said she has it and there's nothing personal on it and what it says is, per Frank Fuda this—per Frank Fuda that-- and Mr. Leightner didn't want to disclose he is working for Frank Fuda. Mr. Fuda said the reason it says his name is because he is there in the morning, she isn't there, and he has to tell him what he has to do. Mr. Fuda explained to Mr. Leightner they had 350 applications... Ms. Frenchko said Mr. Fuda found another Richard Jackson, but one who doesn't understand public records law and their legal counsel is the Prosecutor's Office. Mr. Fuda and Ms. Frenchko discussed the vacancy for the hr director position, a meeting with the hr panel, a candidate that is still interested in the position, the second round selections recommended by the panel where Mr. Fuda said an excellent candidate was selected and wanted to accept the position, but declined after Ms. Frenchko spoke to him. Mr. Fuda stated they had to move to find a person with the background to find a human resource director. He further stated, they have been working without one and it's caused a lot of problems and they're not getting things done—they found an Interim Director to do this. Ms. Frenchko said he hasn't done that and she wanted to check with him to see if he's advertised yet. Ms. Frenchko said he had a file of an employee and he told her something she perceived as being threatening—certainly not on the side of Trumbull County and it sounds like he is there not to serve the best interest of Trumbull County based on her conversation with him and what he had in his file. Mr. Fuda said that is a total lie. Mr. Fuda said he met with Mr. Leightner to discuss the situation they are in and spoke about the need to do hiring. Ms. Frenchko said they need to wait until the new Commissioner takes office.. Mr. Cantalamessa said there are so many accusations and assumptions and that is opening the County to a lot of liability.*

**NO ACTION TAKEN ON ITEM #23 AS EX. SESSION DID NOT OCCUR FOR ITEM #23**



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RE: MOTION TO RECONVENE

23. MOTION: To Reconvene from Executive Session. pursuant to Ohio Revised Code 121.22(G)(1) to consider the dismissal or discipline of another public employee.

*Ms. Kathy Machingo, Trumbull County resident, who lives at 4010 West Lake Rd. near the fairgrounds shared her concerns and strong objection regarding sewer increases, and spoke about an EPA imposed sewer project she had to bare the entire expense of. She said her property taxes are \$4,000/yr with \$700 of that going towards the sewer assessment with interest over a 20-year period. She said in addition, she pays \$28.08 on her sewer bill monthly for a special assessment in addition to the base fees. She said there is no way to measure the usage-- a two-person household is paying the same as a six-person household. She said from 2022 through 2024, her base fee is going up 55 percent and the bill is going to grow to \$90/mo. Because the \$28.08 charge does not end until 2030. She said she doesn't understand why Bazetta and Mosquito Creek got all rolled up with Howland and Vienna. She said the public does not understand the table that was put out by the Sanitary Engineers Dept. She said this is a hardship, especially to senior citizens on a fixed income. Mr. Fuda said Mr. Newbrough would explain if he was there. Ms. Machingo said she didn't think he was approachable. Ms. Frenchko said she was sorry this happened and sometimes you have to make increases, but you have to really look at the situation. Mr. Fuda asked the her if she was part of the consent decree. Ms. Machingo said it was determined that the income level of her development was such, they could afford to pay for the entire assessment, so there was no help for them. She said this fee is out there for a long period of time and no one takes that into consideration when making these decisions. She further stated she can't vote to support any levies with the kind of rates she's paying. Ms. Frenchko spoke about a water rate study and spoke about the residents that can't afford the assessment increases and the county is giving 9 percent raises and when she tries to block those things because they're union negotiated, she's overridden. She said they need to make the increases as minimal as possible. Ms. Frenchko spoke about Mr. Rex Fee stating he did a good job with financial management. Mr. Fuda spoke about Mr. Polivka who wanted the Highway Engineer to also be the Sanitary Engineer. He said the Lake County Engineer told him that would be difficult to do in Trumbull County because of the water plants. Ms. Frenchko told Mr. Fuda he voted for it. Mr. Fuda wanted to compliment the Mayor of West Farmington because she didn't have a consent decree project and was able to work with the EPA to get the funds for the project in West Farmington. Mr. Fuda said he would have Mr. Gary Newbrough and some of his staff members present next week to answer any questions.*

*Ms. Nancy, Business Manager, Youngstown, Ohio, thanked the Board of Commissioners for going out for rebid for the Board of Elections Roof Project stating they saved the county approximately \$100,000 and thanked Ms. Frenchko for spearheading the change in the project. Mayor Shirley McIntosh, the Village of West Farmington spoke about the history of West Farmington and wanted to speak about the potential rate increase. Mayor McIntosh spoke about sending out water quality notices to customers on a quarterly basis, the county's second attempt trying to bring water to Southington Township, and a public meeting she attended at Southington High School where she listened to many residents speak who were opposed to the tax assessment. She said this is where conversations started about West Farmington joining the project. Mayor McIntosh said the condition of West Farmington is why the funding came through for the project—she said her Village is what pushed them to the sweet spot of principal forgiveness. She said discussions of negotiations started and they drilled a viable well. She said conversations started and the EPA didn't want to fund a well for West Farmington—the EPA wanted to fund a well for big regionalization project. She said West Farmington got three million dollars and got their distribution system up to speed. Mayor McIntosh said a major concern she brought up over and over again was disinfection byproducts and she attended every single discussion regarding the Blueprint Project so she is very versed on the project. She stated that she verbalized over and over again, she didn't want to reach the end of the project and still have disinfection byproduct issues. She said she was assured by the 'expert' it was going to be a nonissue.*

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*She said currently she is speaking to the EPA and the County because of another type of disinfection byproduct issue and had to send their second quarterly notice to their customers and are collecting extra samples today—all at a cost to the Village. She said their water has these issues at the point of sale—a master meter where they are purchasing water from Trumbull County and she has a whole stack of results from the master meter. She said she has HAA5 results going back a year ago today. She spoke about Newton Falls treating the water for HAA5 issues. She asked if this was a known issue why the Engineer didn't have it in the engineering model. Mayor McIntosh spoke about contingency funds. She stated until recently, the EPA didn't hold wholesalers accountable and it was kicked on down the line to the end. Mayor McIntosh spoke about Mr. Newbrough stating she didn't think he was approachable. The Mayor said there was some very sloppy work done in the Village and she has a whole page of punch list items she went over with Mr. Newbrough and Burgess and Niple and only a couple of issues were addressed. Mayor McIntosh stated she was putting Mr. Newbrough on notice and is requesting all documentation regarding the punch list items, communication records and line items. She spoke about issues she still has with the EPA and said they told her they needed to do a flush. She said she told them she is not spending a cent to do a flush when the water is bad at the point of sale. She spoke about conversations she's had with Mr. Newbrough regarding sewers. She said the Board of Health was always supportive of West Farmington getting sewers. She spoke about receiving four million dollars in principal forgiveness. She spoke about the water rate increase and West Farmington being a bulk water customer. She said they are wrapping up a project from no help from Trumbull County other than Community Development Block Grant and HSTS money to get their low to moderate income folks connected. She said the Planning Commission has been wonderful to work with and complimented Emily Scott, the new grants coordinator. She said she finished their project with one change order for paving. Mayor McIntosh said there was contingency money left over and they paid for all of her resident's tap. She spoke about the rate increases and the Sanitary Engineer hiring a new engineer, but there's no fat to cut. Mr. Fuda said hiring the engineer is saving the County money. The Mayor said her community has cut the fat through blood sweat and tears. She said many may not like Ms. Frenchko's demeanor, but she knows what it's like working in an environment where you have it coming at you from all sides constantly. She said she has raised a lot of questions that bare investigation. Mayor McIntosh spoke about the recent red wave that just happened stating people are sick of the same old crap with no accountability. Mr. Fuda asked the Mayor to stick to water and sewer discussion. Mayor McIntosh asked Mr. Fuda to let the new Commissioner vote on the increases. Ms. Frenchko spoke about the 2<sup>nd</sup> part of the Blueprint Project that was pulled from the Agenda and spoke about change orders stating it's changing the scope of work. She said she has been telling Mr. Newbrough that you can't change the scope of work with a change order—you have to do a rebid. She said they may have a serious issue at the county as they continue to do things the wrong way. The Mayor said to make sure they receive good water that the contract promises. She said there needs to be answers and accountability as these are taxpayer's dollars. She spoke about Mr. Newbrough and said West Farmington did a project without him. Ms. Frenchko spoke about the water rate increase and a study that was done—and she found out after the fact there's legal questions whether these districts can be consolidated. Mayor McIntosh said she listens to meetings and wanted to bring up the thirty thousand dollars that was lost because someone dropped the ball on snowplows. She said she's not going to pretend to know what happened, but someone should. She said it needs investigated, find out who dropped the ball, change policy and procedure and maybe someone needs to be reprimanded. Ms. Frenchko spoke about comp time and union bargaining for their members and then pass the benefits to directors and upper management. She said it cost taxpayers so much money and they could be saving without passing cost onto customers. The Mayor spoke about not getting any consideration for a project she presented to the entire Board. She continued stating West Farmington had the opportunity to receive House Bill 168 monies and receiving ARPA Funding would have made the project more doable. She said the projects that did get funded were Mr. Newbrough's infrastructure projects. Mr. Fuda said Gary Newbrough was not the Engineer for the Blueprint Project, Randy Smith was. Mayor McIntosh said at the beginning of the project Mr. Smith was the Engineer. Mr. Fuda spoke about Burgess and Niple, the EPA giving forgiveness because of West Farmington having a problem with their water, Southington Township residents having so much frontage it was impossible to do the project as they couldn't afford it. Mr. Fuda said the Engineer decided to solve the problem by running from Newton Falls all the way to West Farmington—this solved the problem with Southington. Mr. Fuda said this happened because of Gary Newbrough's expertise as he and Julie Green went out to all the customers. He said he will have Gary Newbrough attend next week's meeting. Mr. Phil Peg, Vienna Township Trustee, said he has six months as the contract is now up for the Southeast Water District. He spoke about a proposal with Aqua Ohio stating they didn't recommend it and only let them talk to the Board. He said it's his understanding Mr. Newbrough is in negotiations with water for the renewal. Mr. Peg said they wanted to be treated fairly. Ms. Frenchko said things should improve in January as counsel said it's insubordinate for the Engineer not to communicate with her.*

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*Ms. Jamie Sell said she was there to speak on behalf of 24 individuals who wrote complaints about the jail and specifically, Dr. Malvasi. She said she wanted to make some points on their behalf because she is the one who compiled the complaints as they trusted her. She said she guided and assisted them with the appropriate people they needed to go to. She said, to say they can't be trusted is wrong as they are in jail before any court process has occurred and are supposed to be innocent until proven guilty. She spoke of an individual who wasn't given his insulin and heart medication and said his wife is a widow now. She further stated four of the complaints are by employees of the Trumbull County jail. She said medical techs were instructed to call themselves nurses in front of prisoners so the prisoners felt like they had someone that was trained. She said it violates Ohio Law they don't have trained nurses as they are not allowed to work without the supervision of a doctor or a registered nurse. She said the techs would call an LPN for direction, and the LPN would call the doctor. She stated pregnant woman were left to have their baby in their cells and ambulances weren't called until after the fact. She said many lawsuits have been settled for wrongful death out of the jail. Mr. Fuda said these are things they don't know as Commissioners. Ms. Sell said that is why she is informing them. Ms. Sell said she talked to the state jail inspector and he did an investigation and he concluded those things were correct so now the City and the County know that Dr. Malvasi was lying. Mr. Steve Charles spoke about going out for bid 90 days before the expiration of contracts and spoke about the Contract with Auto, Liability and Property coverage will come to an end April 30, 2023. He said the last time the County went out to bid for April 2004 when they used a broker to accept the bids. Mr. Charles said because they don't have the resources, it's the recommendation of the HR Department to hire a broker for this bid. Mr. Fuda asked Steve Charles to discuss what he and Mr. Leightner spoke about regarding Mr. Fuda updating Mr. Leightner. Ms. Frenchko said Mr. Leightner is supposed to help them hire someone expeditiously, not to have him pick up task they have been doing fine with.*

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**RE: ADJOURN**

**MOTION:** Made by Mr. Cantalamessa, seconded by Mr. Fuda, to adjourn the Regular Meeting of December 7, 2022 @ approximately 12:22 p.m., and to meet again in Regular Session on December 14, 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**