

Week Beginning January 16, 2023

Meeting of January 19, 2023

The Board of County Commissioners, Trumbull County, Ohio, met for a Regular Meeting on the 19th day of January 2023, at approximately 10:30 a.m., in the office of said Board, with the following members present:

Mauro Cantalamessa, Commissioner
Niki Frenchko, Commissioner
Dennis Malloy, Commissioner

Invocation led by Reverend Todd Johnson.

RE: MINUTES

1. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to dispense with reading the minutes, the Regular Meeting dated January 11, 2023 and dispense with them as distributed/printed.

Yeas: Cantalamessa, Malloy

Nays: Frenchko

MS. FRENCHKO VOTED “NO” STATING THAT THE MINUTES ARE MISSING THE LIST OF ITEMS SHE USED TO MAKE DECISIONS

RE: APPROVE BILLS

2. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, 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, Malloy

Nays: Frenchko

RE: ADOPT COUNTY POLICY RELATED TO CONTRACTS AND PURCHASES OVER \$50K

3. MOTION: Made by Ms. Frenchko, to Adopt the following County Policy: All agenda items related to Contracts and Purchases over \$50,000 must be approved as to Form, Process and Correctness by the Prosecutor’s Office BEFORE being submitted for approval on the Commissioners’ Agenda. Proof of the Prosecutor’s Office must accompany items submitted.

MOTION DIED FOR LACK OF A SECOND

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**RE: ADOPT COUNTY POLICY THAT
ESTABLISHES BEST BID CRITERIA
FOR CAPITAL CONSTRUCTION PROJECTS
AND OTHER ENUMERATED BIDS**

4. MOTION: Made by Ms. Frenchko, to Adopt the following County Policy: All County Departments are required to comply with the existing Resolution adopted on March 7, 2018, that Establishes the Best Bid Criteria for Capital Construction Projects and other enumerated Bids. The Resolution requires evaluation of contractors for lowest and best, when applicable. A Prosecutor's Office opinion and investigation must be sought and presented if exception is requested. Failure to comply will cause employee to be subject to discipline

NOTE: This Resolution was approved on March 7, 2018, Journal Volume 147, Page(s) 21470-21472; however, there has been no oversight or regular compliance.

MOTION DIED FOR LACK OF A SECOND

**RE: REQUIRE COUNTY BUILDINGS TO BE
GRADED WITHIN 90 DAYS IN ORDER TO
PLAN FINANCIALLY FOR PREVENTATIVE
MAINTENANCE**

5. MOTION: Made by Ms. Frenchko, to cause all county buildings to be graded within 90 days, with development of a spreadsheet for each building that includes major systems, dates of installation, upgrades and identification of required upgrades/repairs, and other applicable information.

NOTE: Trumbull county buildings are not graded, nor is there a record of buildings with improvement dates. In order to be fiscally responsible, plan financially and plan for preventative maintenance, this is a required guide.

Preventative maintenance needs have been ignored to the point it costs more for repairs, and has caused the county to demolish its own buildings due to deterioration.

Preventative maintenance can only occur with graded buildings and proper record keeping.

MOTION DIED FOR LACK OF A SECOND

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RE: TABLE ITEM
ALL COUNTY EMPLOYEES UNDER
BOARD OF COMMISSIONERS ARE
REQUIRED TO WORK IN PERSON

6. MOTION: Made by Mr. Malloy, seconded by Mr. Cantalamessa, TO TABLE ITEM #6 WHICH READS AS FOLLOWS:

All county employees under the Board of Commissioners are required to work in person. Remote work that was permitted under Director John Gargano is prohibited. NOTE: COVID pandemic is over and the ability to work remote has been subjective, causing some employee discourse. All other Commissioners' Offices are required to work in person. Policies should be consistent.

There was discussion regarding the CCAO's Best Practices Training Class, consistent policy, Adams County in favor of working from home stating productivity has gone up, tabling agenda items for further research, some employees working from home for various reasons, getting hard numbers of how many employees are working from home, employee's job descriptions reflecting the employee is working from home, no accountability in some situations, VPN access, saving money on worker's compensation, employees more apt not use sick and vacation when working from home. Mr. Cantalamessa asked Mr. John Gargano to do some research, present it to the Board, and they would readdress it. Discussion continued regarding other counties that responded to the questionnaire that was sent out related to working from home, and employee complaints regarding the selection process of who is permitted to work from home. Mr. Cantalamessa did a public record request and asked Ms. Frenchko for a copy of the employee complaints related to the selection process. Discussion continued regarding attending the Public Workshop to receive all information regarding agenda items. Ms. Frenchko spoke about the ability to regulate what is stated in the public meetings as to not to run a foul. Mr. Cantalamessa called, Point of Order stating Ms. Frenchko's statement was her opinion. Discussion continued regarding discussing agenda items at the public workshop that is open to the public and press. Mr. Malloy stated if there are items on the Agenda that he doesn't know the background or hasn't had the chance to research, he will not irresponsibly vote on the items. There was discussion regarding problems within items #4 and #5 which did not receive a second from the Board, the Procurement Policy, best practices, ARPA Funds, exceptions, Prosecutor's Office, in-house counsel regarding the Sanitary Engineer's Office. Mr. Cantalamessa called, Point of Order stating, mistruths. There was a discussion when to use Point of Order during the meeting.

Yeas: Malloy, Cantalamessa, Frenchko
Nays: None

RE: HIRE MR. MICHAEL ESPOSITO OF CLEMENS-NELSON
& ASSOCIATES, INC. TO INVESTIGATE VEHICLE
PURCHASE-SANITARY ENGINEERS DEPT.

7. MOTION: Made by Ms. Frenchko, to hire (*striking the name - MR. MICHAEL ESPOSITO*) Clemens-Nelson & Associates, Inc., 485 Metro Place 5, Suite 200, Dublin, OH 43017, to investigate the vehicle purchase approved by Commissioner Cantalamessa & Commissioner Fuda on November 2, 2022 to determine who was complicit as it relates to bid splitting for this fleet purchase.

NOTE: An investigation was requested by the Prosecutor's Office. This cannot be done at the department level because Mr. Gary Newbrough approves the purchase order who is the Director.

There was discussion without a second regarding waiving privilege on the Prosecutor's second legal opinion, and obtaining a legal opinion from the Attorney General's Office.

MOTION DIED FOR LACK OF A SECOND

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**RE: ADOPT RESOLUTION
AUTHORIZING EXPENDITURE FOR RESPONDING
TO OR MITIGATING THE PUBLIC HEALTH
EMERGENCY FROM AMERICAN RESCUE PLAN
ACT FUNDS- ELECTRICAL UPGRADES FOR
BOARD OF ELECTIONS AND TRANSFER SWITCH
FOR FAMILY COURT**

8. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, 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 Category of Eligible Uses for Public Health and Economic Impacts]-

Mitigating the impact of COVID-19, including taking actions to control its spread . . . , continues to require a major public health response from State, local and Tribal governments.

The need for public health measures to respond to COVID-19 will continue in the months and potentially years to come.

WHEREAS, the Rule further observes that:

Enumerated eligible uses of funds in the first category include support for prevention, mitigation, or other services in congregate settings, as well as ventilation improvements in congregate settings; and

WHEREAS, the U.S. Treasury has recognized Section 603 ARPA Funds may be used to fund “COVID-19 mitigation efforts,” through “[C]apital investments in public facilities to meet pandemic operational needs” (U.S. Treasury Fact Sheet); and,

WHEREAS, the County has identified a project which, in the judgment of the Board, qualifies as a type of project which will respond to and mitigate the effects of the pandemic which consists of the following:

Upgrade of the transfer switch in the Family Court Building to ensure that generator will automatically be operational if the Family Court Building experiences a power outage to ensure the continued operation of the HVAC system for essential air quality, as well as ensured continuity of all security facilities – \$24,949.40.

Electrical upgrades for the Board of Elections building to ensure that the electrical system continues to operate as intended, including optimal continuity of the HVAC system to ensure continued air quality for employees and members of the public - \$43,800

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8. Upgrade of the transfer switch in the Family Court Building and Electrical upgrades for the Board of Elections building (Cont'd)

This Project will be categorized as Expenditure Category EC 1.4 – Prevention in Congregate Settings.

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 improving ventilation and mitigating the spread of the virus in congregate settings.
3. Accordingly, the Project is in the best interests of the County and is deemed a priority for the community.
4. The Project is hereby authorized and shall be paid for from the ARPA Funds in the amount of/an amount not to exceed: \$24,949.40 for the transfer switch and \$48,800 for the electrical upgrades.
5. No obligations paid under the authority of this Resolution were incurred prior to March 3, 2021.

There was discussion related to all ARPA Agenda Items. Ms. Frenchko wanted the items taken off because the Micro-Purchase expired in 2022, misadvising the Board, findings for recovery, suggestion of a new policy that would state three quotes are required, getting one quote not considered good practice, uniform guidance, Mr. Hart obtained quotes, Mr. Misocky explained ARPA items at the Workshop, ARPA deadline to allocate funds, County still having 30 million dollars to allocate, need to get money out to citizens to help recover from pandemic which caused economic crisis, and complying with federal guidelines. Mr. Misocky spoke over the conference bridge regarding the Resolution the micro-purchase threshold resolution that was passed on March, 30, 2022. Ms. Frenchko read the part of the Resolution stating it expired 2022. Ms. Frenchko spoke about the State Auditor and violating guidelines. Mr. Misocky said would call legal counsel immediately. Discussion continued regarding best practice, the uniform guidelines, obtaining three quotes, email from Attorney Rogers, getting jobs accomplished in a timely fashion, getting proper quotes and tax payer's money.

Yeas: Cantalamessa, Malloy

Nays: Frenchko

MS. FRENCHKO VOTED NO BECAUSE THERE IS NOT AN ACTIVE MICRO BIDDING RESOLUTION THAT GOES UP TO \$50,000 AND THE STATE AUDITOR SHOULD BE AWARE

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RE: AWARD PROPOSAL
BECDEL CONTROLS, INC.,
TO PROVIDE ALL LABOR, MATERIALS AND
EQUIPMENT FOR INSTALLATION OF 800 AMP
SERVICE -- BOARD OF ELECTIONS

9. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to accept and award the proposal submitted by BECDEL CONTROLS, INC., 1869 Warren Avenue, Niles, OH 44446, to provide all labor, materials and equipment necessary for installation of an 800 amp service for the Trumbull County Board of Elections Building, 2947 Youngstown Rd., SE, Warren, OH 44484 , a new 800 amp CT cabinet for power company metering, 800 amp Eaton Panel with main breaker and sub breakers to feed existing interior loads, electrical permit and inspection, copper conductors and grounding and all other items as specified in the proposal, from ARPA Fund No. 077-01-1000-1000-1-505506, Category 1, in the amount of \$43,800.00; and subject to approval from Baker, Dublikar Beck, Wiley & Matthews, ARPA Legal Counsel; this action per the request of the Trumbull County Board of Elections and William Hart, Facilities Manager-Maintenance Department.

Ms. Frenchko said she supports the projects, but wants the Board to be cautious if they are not complying with the proper purchasing as with the vehicle purchase. She suggested the Board wait on the items. Mr. Cantalamessa said the items are subject to the approval of Baker, Dublikar, Beck, Wiley and Matthews and if they choose to deem the items invalid, that is their choice.

Yeas: Cantalamessa, Malloy
Nays: Frenchko

MS. FRENCHKO VOTED NO STATING SHE DOESN'T WANT TO DO ANYTHING SUBJECT TO APPROVAL AS SHE ALREADY SPOKE TO COUNSEL.

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

RE: AWARD PROPOSAL
OHIO MACHINERY/DBA/OHIO CAT
FOR INSTALLATION OF TRANSFER SWITCH --
COUNTY FAMILY COURT GENERATOR AS
LISTED

10. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, accept and award the proposal submitted by Ohio Machinery, dba, OHIO CAT, 3993 East Royalton Road, Broadview Heights, OH 44147, for the installation of a transfer switch for Trumbull County Family Court generator, necessary to enable a transfer of power to the generator during outages to maintain electrical power to the HVAC, bi-polar ionization, lighting and essential services to the Juvenile Detention Facility and Family Court operations from ARPA Fund No. 077-011-1000-1000-1-505506, Category 1, in the amount of \$24,949.40; subject to approval from Baker, Dublikar, Beck, Wiley & Matthews, ARPA Legal Counsel; this action per the request of the Trumbull County Family Court Judges and William Hart, Facilities Manager Maintenance Department.

Yeas: Cantalamessa, Malloy
Nays: Frenchko

MS. FRENCHKO VOTED NO BECAUSE SHE ALREADY TALKED TO THEIR ATTORNEY AND BECAUSE THE MICRO-PURCHASE THRESHOLD RESOLUTION IS EXPIRED AND IT SHOULD GO TO THE AUDITOR

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

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**RE: ADOPT RESOLUTION
AUTHORIZING EXPENDITURE FOR REVENUE
LOSS FROM AMERICAN RESCUE PLAN ACT
FUNDS-REMOVAL AND REPLACEMENT OF ALL
ROOF PIPE STACKS BOARD OF ELECTIONS
ROOF TOP**

11. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, 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.

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:

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**11. REMOVAL AND REPLACEMENT OF ALL ROOF PIPE STACKS BOARD OF ELECTIONS
ROOF TOP(Cont'd)**

Replacement of the roof stacks on the Board of Elections Building Roof as part of the roof replacement project. (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: \$25,115.00

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.

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

There was discussion regarding Mr. Bill Hart, questions related to cost and amount of quotes received for Item #11, Clerk giving supporting information related to items. The Clerk spoke regarding providing Ms. Frenchko with all back-up documentation she receives for agenda items. Ms. Frenchko spoke about the process for spending money related to the Revenue Loss Category stating that category requires the Board to follow the local rules. She spoke about her concerns for only having one quote for Item #11. Discussion continued regarding ARPA counsel, County Administrator, doing things on behalf of the tax payers, compliance with Revenue Loss Category for Expenditures, best practice versus the law, Board of Elections needs a new roof, projects needing to move forward, addressing building deterioration, items have been discussed for a long time, bringing up concerns the day of the meeting. Ms. Frenchko stated department heads are not discussing these issues with her. Discussion continued regarding Ms. Frenchko attending the Public Workshop, information tracking system to see what is coming in advance, misapplication of law.

Yeas: Cantalamessa, Malloy

Nays: Frenchko

MS. FRENCHKO VOTED 'NO' STATING THERE WERE NO OTHER QUOTES TO REVIEW AND NO ONE DEEMED IT AS AN EMERGENCY IN ORDER TO COMPLY WITH LOCAL RULES TO COMPLY WITH ARPA EXPENDITURES

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RE: AWARD PROPOSAL
WESTERN RESERVE MECHANICAL FOR REMOVAL
AND REPLACEMENT OF ALL ROOF PIPE STACKS AND
VENTS REQUIRED FOR TRUMBULL COUNTY BOARD
OF ELECTIONS ROOF PROJECT

12. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to accept and award the proposal submitted by WESTERN RESERVE MECHANICAL 3041 South Main Street, Niles, OH 44446, to provide all labor, material and equipment necessary for the removal and replacement of all roof pipe stacks and vents required for the Trumbull County Board of Elections Roof Project, Category, in the amount of \$25,115.00; and subject to approval from Baker, Dublikar, Beck, Wiley & Matthews, ARPA Legal Counsel; this action pursuant to the request of the Trumbull County Board of Elections and William Hart, Facilities Manager-Maintenance Department.

Ms. Frenchko asked if three quotes were obtained for Item #12 stating Revenue Loss requires it. Mr. Cantalamessa said to come to the Public Workshop where it is discussed. Ms. Frenchko spoke about not listening to what department heads say, but rather seeing the quotes. Discussion continued regarding Commissioners making decisions in the 11th hour in the afternoon. Ms. Frenchko said she receives the meeting packet and wants to see all the quotes that were associated with the item. The Clerk stated she can't give Ms. Frenchko what is not given to her and she gives her everything she has. what she Commissioner Frenchko said when she is requesting anything that relates to a contract, bid or purchasing, that the day the Board receives their agenda, they get quotes as well. Mr. Cantalamessa said the Board was given those things. The Clerk stated she gives Ms. Frenchko all back-up documentation and makes her a folder every week for the Regular Meetings. She further stated she had an opinion and Resolution presented to her from Mr. Misocky who is an attorney who received the information from the ARPA Attorney, Ms. Rogers. Mr. Malloy said when further research needs done on items, it can be done in public. Ms. Frenchko stated Attorney Rogers approves ARPA items, but was under the impression the County had an Administrator making sure the process was done correctly. Ms. Frenchko requested in the future for the Clerk to request all quotes from the departments when they submit ARPA items to the Agenda (BOC) email. Discussion continued regarding attending the Public Workshop and hiring Journal Clerks to help staff.

Yeas: Cantalamessa, Malloy
Nays: Frenchko

MS. FRENCHKO VOTED NO STATING SHE WASN'T SURE IF THE BOARD FOLLOWED THEIR LOCAL RULE BECAUSE THERE WERE NO QUOTES AND THE AUDITOR SHOULD LOOK AT THIS ITEM.

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

RE: AMEND AGENDA ITEM DATED 11/30/2022,
VOL. 155, PAGE 25246-25247, TO AWARD BID
TO UNITED CONTRACTORS, INC., FOR
CONSTRUCTION OF THE VOTER ACCESS
IMPROVEMENTS FOR BOARD OF ELECTIONS.
AMENDMENT IS NECESSARY TO CHANGE FUNDING
AS LISTED.

13. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, to amend Agenda Item dated November 30, 2022, Volume 155, Page 25246-25247, to accept and award Bid to the lowest, responsive and responsible bid submitted by UNITED CONTRACTORS, INC., 7126 Brookwood Drive, Brookfield, OH 44403, for construction of the VOTER ACCESS IMPROVEMENTS for the TRUMBULL COUNTY BOARD OF ELECTIONS, 2947 Youngstown Warren Road, Warren, OH 44484, in the amount of \$259,900.00—AMENDMENT is necessary to change Funding from ARPA Revenue Replacement Funds TO ARPA Fund #077-011-1000-1000-1-505506 and to further authorize Frank S. Fuda, President of the Board of Trumbull County

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13. AMEND AGENDA ITEM--AWARD BID TO UNITED CONTRACTORS, INC

Commissioners, to execute any/all documents required for this agreement on behalf of Trumbull County and 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: United Contractors, Inc. was determined the lowest bidder based upon the base bid and the acceptance of bid alternate No.1. Dawn Incorporated had a lower base bid, however with the addition of alternate No. 1 their total bid was more than United Contractors, Inc. Bid alternate No.2 was not accepted.

OTHER BIDS SUBMITTED	
COMPANY	AMOUNT
DAWN INCORPORATED 2861 Sferra Avenue NW Warren, OH 44483	\$260,213.00

Yeas: Frenchko, Cantalamessa, Malloy

Nays: None

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

RE: AMEND RESOLUTION DATED 12/21/2023, VOL. 155, PAGE 25316-25317, AUTHORIZING EXPENDITURE FOR RESPONDING TO OR MITIGATING PUBLIC HEALTH EMERGENCY FROM AMERICAN RESCUE PLAN ACT FUNDS - SECOND HARVEST--AMENDMENT NECESSARY TO CHANGE #4 WITHIN THE RESOLUTION TO READ, THE PROJECT, A ONE-TIME GRANT OF \$370,000, TO SECOND HARVEST IS HEREBY AUTHORIZED AND SHALL BE PAID FOR FROM ARPA FUNDS IN THE AMOUNT OF \$370,000

14. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, 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 enumerated eligible uses to assist in responding to and mitigating the adverse economic effects of the COVID-19 pandemic, which include providing food assistance to low income or other eligible communities; and

WHEREAS, the Rule expressly states that recipients may provide direct food assistance to eligible populations or issue funds to third parties, including nonprofits, which administer food assistance programs, including 18 school pantry sites, 37 emergency food pantry site, 4 emergency meal sites, and 1 homeless shelter; and

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14. AMEND RESOLUTION-- SECOND HARVEST PROJECT(Cont'd)

WHEREAS, the Second Harvest is a 501(c) nonprofit which has partnered with sixty agencies in Trumbull County to provide food assistance to residents located in a Qualified Census Tract or who otherwise qualify as low-income under federal law; and

WHEREAS, Second Harvest as demonstrated an increased need for food assistance among Trumbull County residents; and

WHEREAS, the County has determined that Second Harvest’s request for funding to increase output of food assistance in Trumbull County through its services is an eligible expenditure and necessary to respond to the adverse economic impact created by the COVID-19 pandemic and therefore will agree to:

A one-time grant to Second Harvest in the amount of \$370,000 to be used toward increasing food assistance to Trumbull County residents

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 food assistance by way of a nonprofit to qualifying residents.
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 of \$370,000, to Second Harvest is hereby authorized and shall be paid for from the ARPA Funds in the amount of \$370,000.
5. No obligations paid under the authority of this Resolution were incurred prior to March 3, 2021.

Yeas: Frenchko, Cantalamessa, Malloy
Nays: None

RE: EMPLOYMENT OF FOUR (4) INDIVIDUALS LISTED AS UNIT SUPPORT WORKER II’S --DEPARTMENT OF JOB AND FAMILY SERVICES

15. MOTION: Made by Mr. Cantalamessa, seconded by Ms. Frenchko, to approve the personnel action for the employment of the four (4) individuals listed as UNIT SUPPORT WORKER II’s with the TRUMBULL COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES, effective February 13, 2023. Employees will be paid \$16.58 per hour with full County benefits and serve a nine (9) month probationary period. *The State of Ohio Personnel Action Forms shall be recorded on the Journal for record purposes*; this action per the recommendation of the Trumbull County Department of Job and Family Services.

NOTE: The applicants have completed a BCI/FBI background check and drug/alcohol screening with favorable results.

❖ **New Hire Employees Include:**

- **TYANNA MORALES**
- **NORA MALLETT**
- **PATRICIA LESTER**
- **TIFFANY SIMONE**

Yeas: Frenchko, Cantalamessa, Malloy
Nays: None

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RE: APPROVE MODIFICATION--PURCHASE OF SERVICE CONTRACT #735-22-80 DATED 02/09/2022 BETWEEN DEPT. OF JOB AND FAMILY SERVICES AND GARWIN, INC. MODIFICATION MODIFIES TERM OF CONTRACT

16. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to approve Modification of the Purchase of Service Contract #735-22-80 dated February 9, 2022, Journal Volume 154, Page 24572, by and between the TRUMBULL COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES and GARWIN, INC., 1607 Motor Inn Drive, Girard, OH 444202, in an amount not to exceed \$31,500.00—to be paid from Title XX Federal Funds—*no County General Revenue Funds are requested.* The Modified term is effective September 1, 2022 through September 30, 2022. GARWIN, INC. will provide Title XX Transportation on a loaded mile or additional passenger unit of payment for the provision of ambulatory non-emergency transportation for eligible and approved Trumbull County residents who have no other means of transportation to and from medical providers and facilities located within the defined Title XX service area—MODIFICATION increases Purchase of Service Contract by \$1,500.00 changing total amount not to exceed \$31,500.00 and modified term from September 1, 2022 through September 30, 2022; this action per the recommendation of the Trumbull County Department of Job and Family Services and is subject to review and approval of the Prosecutor’s Office.

Ms. Frenchko asked about the Garwin, Inc. Agreements asking if one of the items on today’s agenda had to do with a prior bid where documents for the bid were received late.

Mr. Gargano said Melissa Binion discussed this at yesterday’s workshop. He further stated the documentation in question dealt with background checks for drivers. There was discussion regarding a Prosecutor’s Opinion relating the bid irregularity, selecting multiple vendors to provide transportation services, and a checklist of all items required within the bid to be provided with Commissioner Frenchko’s Agenda packet so she can look at everything together.

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

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

RE: APPROVE PURCHASE OF SERVICE CONTRACT #850-23-80 BETWEEN DEPARTMENT OF JOB AND FAMILY SERVICES AND GARWIN, INC.

17. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to approve the Purchase of Service Contract #850-23-80 by and between the TRUMBULL COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES and GARWIN, INC., 1607 Motor Inn Drive, Girard, OH 44420, in an amount not to exceed \$500,000.00—to be paid from Federal Pass-Through Funds—*no County General Revenue Funds are requested.* Agreement is effective for the term of October 1, 2022 through September 30, 2023. GARWIN, INC. will provide Non-Emergency Medical Transportation (NEMT) based on a loaded mile or additional passenger unit of payment for the provision of ambulatory non-emergency transportation for eligible and approved Medicaid recipients who have no other means of transportation to travel to and from Title XIX Medicaid providers or Managed Care Providers who provide Medicaid reimbursable services; this action per the recommendation of the Trumbull County Department of Job and Family Services and is subject to review and approval of the Prosecutor’s Office.

Yeas: Cantalamessa, Malloy
Nays: Frenchko

MS. FRENCHKO VOTED ‘NO’ DUE TO BIDDING IRREGULARITIES AND THINGS THAT SHOULD HAVE BEEN INCLUDED IN THE ORIGINAL BID

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RE: APPROVE PURCHASE OF SERVICE CONTRACT #735-23-80 BETWEEN DEPARTMENT OF JOB AND FAMILY SERVICES AND GARWIN, INC.

18. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to approve the Purchase of Service Contract #735-23-80 by and between the TRUMBULL COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES and GARWIN, INC., 1607 Motor Inn Drive, Girard, OH 44420, in an amount not to exceed \$32,000.00—to be paid from Title XX Federal Social Service Funds—no County General Revenue Funds are requested. Agreement is effective for the term of October 1, 2022 through September 30, 2023. GARWIN, INC. will provide Title XX Transportation based on a loaded mile or additional passenger unit of payment for the provision of ambulatory non-emergency transportation for eligible and approved Trumbull County residents who have no other means of transportation to and from medical providers and facilities located within the defined Title XX service area; this action per the recommendation of the Trumbull County Department of Job and Family Services and is subject to review and approval of the Prosecutor’s Office.

Yeas: Cantalamessa, Malloy
Nays: Frenchko

MS. FRENCHKO VOTED ‘NO’ DUE TO BIDDING IRREGULARITIES AND OMISSION OF DOCUMENTS

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

RE: AGREEMENT FOR LEGAL SERVICES BETWEEN PROSECUTOR’S OFFICE AND HOWLAND TOWNSHIP BOARD OF TRUSTEES FOR 2023

19. MOTION: Made by Ms. Frenchko, seconded by Mr. Malloy, to approve the Agreement for Legal Services by and between the TRUMBULL COUNTY PROSECUTOR’S OFFICE and the HOWLAND TOWNSHIP BOARD OF TRUSTEES authorizing the Prosecutor’s Office to serve as Law Director for Howland Township for the term of January 1, 2023 through December 31, 2023. The Prosecutor’s Office shall be paid the sum of \$42,000.00 annually for said services (payable by the Howland Township Board of Trustees \$3,500.00 per month; this action per the request of the Trumbull County Prosecutor’s Office.

NOTE: Agreement may be terminated for any reason by either party upon thirty (30) days written notice.

Assistant Prosecutor, Bill Danso addressed concerns related to Item #19 and the Board seeking outside counsel when there are conflicts of interest for the Prosecutor’s Office to represent the Board of Commissioners. Mr. Danso spoke about the ORC relating to the Prosecutor’s Office representing all townships except for Howland and Liberty that are home rule townships. Mr. Danso stated Howland Township also faces conflicts from time to time and has to hire outside counsel. Mr. Cantalamessa spoke about the Annexation and the cost associated related to hiring outside counsel. Mr. Danso told the Board if they had further concerns, he was sure Howland Township Admin would meet with them to discuss the Agreement. Mr. Danso said the Prosecutor’s Office doesn’t have an Agreement with Liberty as they have their own law director. Mr. Cantalamessa said he was comfortable voting on the Agreement as the conflict the occurs is quite infrequent.

Yeas: Frenchko, Malloy, Cantalamessa
Nays: None

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RE: RECEIVE/FILE ANNUAL REPORT FOR FISCAL YEAR 2022 -- MENTAL HEALTH AND RECOVERY BOARD

20. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, to receive and place on file the Fiscal Year 2022 Annual Report for the TRUMBULL COUNTY MENTAL HEALTH AND RECOVERY BOARD, as submitted by April J. Caraway, Executive Director.

Yeas: Frenchko, Cantalamessa, Malloy
Nays: None

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

RE: RECEIVE/FILE 2022 YEARLY ACTIVITIES REPORT FOR DOG KENNEL

21. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, to receive and place on file the Yearly Activities Report for the TRUMBULL COUNTY DOG KENNEL for 2022; as submitted by Michelle Goss, Chief Executive Dog Warden.
NOTE: Yearly Report shall be recorded on the Journal for record purposes.

Yeas: Frenchko, Cantalamessa, Malloy
Nays: None

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

RE: RECEIVE/FILE MONTHLY ACTIVITIES REPORT FOR MONTH OF DECEMBER 2022— DOG KENNEL

22. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, to receive and place on file the Monthly Activities Report for the TRUMBULL COUNTY DOG KENNEL for the month of DECEMBER 2022; as submitted by Michelle Goss, Chief Executive Dog Warden.
NOTE: Monthly Report shall be recorded on the Journal for record purposes.

Yeas: Frenchko, Cantalamessa, Malloy
Nays: None

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

23. MOTION: Made by Mr. Cantalamessa, seconded by Ms. Frenchko, to concur with the Trumbull County Engineer to grant the Special Annual Supplier Fleet Permits for fleet vehicles to transport aggregate, concrete, construction goods or other like materials (*not to exceed 80,000 lbs. gross vehicle weight*), to sites located upon load posted Trumbull County roadways requested by the companies listed. The necessary permit fee and insurance information have been submitted and approval is subject to the conditions listed on the permit.

- **SOUTHWIND DRILLING CO.**
8480 S. Girdle Rd., Middlefield, OH 44062
Permit No.: AF-006-2023
Permit Effective: February 1, 2023 through February 1, 2024

- **Z-TECH BUILDERS**
3301 Bazetta Road, Cortland, OH 44410
Permit No.: AF-005-2023
Permit Effective: January 12, 2023 through January 12, 2024

Yeas: Cantalamessa, Frenchko, Malloy
Nays: None

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

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

- **JARO TRANSPORTATION SERVICES, INC.**
975 Post Rd. NW, Warren, OH 44483
Permit No.: 2023-002 through 2023-004
Permit Effective: January 12, 2023 through January 12, 2024

Yeas: Cantalamessa, Frenchko, Malloy
Nays: None

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

25. 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.

- **VILLAGE ENERGY COOPERATIVE ASSOCIATION**, 4100 Holiday St., NW., Suite 201, Canton, OH 44718, to work in the right-of-way of Ensign Rd. (C.H. 225C), in order to install a 4" natural gas mainline. This will begin at the Village of West Farmington and extend south approximately 6,700 feet to Old State Rd. (C.H. 206) in Farmington Township.

Yeas: Frenchko, Cantalamessa, Malloy
Nays: None

**RE: QUARTERLY OPERATOR FLEET PERMIT -
COUNTY ENGINEER**

26. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, to concur with the Trumbull County Engineer to grant the Quarterly Operator Fleet Permit to travel upon load posted Trumbull County roadways (*not to exceed 80,000 lbs. gross vehicle weight*), requested by the company listed. The necessary permit fees and insurance information have been submitted and approval is subject to the conditions listed on the permit.

- **SOUTHWIND DRILLING CO.**
8480 S. Girdle Rd., Middlefield, OH 44062
Permit No.: QF-002-2023
Permit Effective: February 1, 2023 through February 1, 2024

Yeas: Frenchko, Cantalamessa, Malloy
Nays: None

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RE: APPROVE 2022 ANNUAL COUNTY HIGHWAY SYSTEM MILEAGE CERTIFICATION

27. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, to approve the 2022 ANNUAL COUNTY HIGHWAY SYSTEM MILEAGE CERTIFICATION, as reported by the Director of the Ohio Department of Transportation (ODOT), in accordance with the provisions specified in the Ohio Revised Code, Section 4501.04 (Distribution of Revenue). *The verified mileage as of December 31, 2021 is 456.697 miles and ODOT records show a net decrease of 0.001 miles making a total of 456.696 miles for 2022; this action per the request of the Trumbull County Engineer.*

NOTE: The Ohio Department of Transportation (ODOT) uses this verified mileage to calculate the amount of road tax money to be paid to Trumbull County. ODOT uses the Location Based Response System data which has been provided by Digital Data Technologies Incorporated with annual redrives. This data has provided and will continue to provide a current, countywide, spatially accurate, and accessible street centerline system for every roadway within Trumbull County.

Yeas: Frenchko, Cantalamessa, Malloy

Nays: None

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RE: RESCHEDULE ROAD CLOSING AS LISTED -- COUNTY ENGINEER

28. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, to grant permission to the County Engineer to RESCHEDULE ROAD CLOSING.

- **WARREN #1 BRIDGE, LAYER ROAD (T.H. 95A) located in Warren Township;** closing location between Hewitt Gifford Rd. (T.H. 84) and Kibbler Toot Rd. (T.H. 136) to perform soil boring for a bridge project
Closing Dates: Wednesday, January 18, 2023 through Thursday, January 19, 2023
Closing Times: 7:00 a.m. until 5:00 p.m. (both days)
RECOMMENDED DETOUR: East on Hewitt Gifford Rd. (T.H. 84; North on South Leavitt Rd. (C.H. 83); West on Kibbler Toot Td. (T.H. 136)

Yeas: Frenchko, Cantalamessa, Malloy

Nays: None

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**RE: ADVERTISE FOR BIDS
TRU-TIBBETTS WICK ROAD IMPROVEMENT
PROJECT, PID #112656 – COUNTY ENGINEER**

29. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, to authorize the Clerk of the Board of Trumbull County Commissioners to advertise for sealed bids for the TRU-TIBBETTS WICK ROAD IMPROVEMENT PROJECT, PID #112656. The project consists of the resurfacing of Tibbetts Wick Road between State Route 11 to U.S. 422 in Liberty and Weathersfield Townships. The project is being partially funded by an 80% Surface Transportation Block Grant (STBG) obtained through the Eastgate Regional Council of Governments—*no General Fund Revenue will be required*; this action per the recommendation of the Trumbull County Engineer.

Ms. Frenchko said Item #29 was designed in-house and that saves the County money.

Yeas: Frenchko, Cantalamessa, Malloy

Nays: None

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

**RE: RESIGNATION - MS. TORI STITLE
POSITION OF DRAFTSPERSON –
SANITARY ENGINEERS DEPARTMENT**

30. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, to accept the resignation of MS. TORI STITLE from her position of DRAFTSPERSON with the TRUMBULL COUNTY SANITARY ENGINEERS DEPARTMENT, effective January 20, 2023. *Ms. Stitle’s resignation letter shall be recorded onto the Journal for record purposes*; this action per the recommendation of the Sanitary Engineers Office and the Human Resource Department.

NOTE: We wish Tori the best of luck in the next chapter of her career!

Yeas: Frenchko, Cantalamessa, Malloy

Nays: None

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RE: AWARD ALL BIDS FOR CONTRACT SERVICES FOR REPAIR WORK OF WATER AND SEWER LINES FOR 2023

31. MOTION: Made by Mr. Cantalamessa, seconded by Ms. Frenchko, to award ALL BIDS submitted for CONTRACT SERVICES FOR REPAIR WORK OF WATER AND SEWER LINES FOR 2023, on a per call or as needed basis for the Trumbull County Sanitary Engineers Department, in accordance with the bid specifications as prepared by the Trumbull County Sanitary Engineer; AND to enter into a Contract with each company for said services—on a per call or as needed basis; this action per the recommendation of the Trumbull County Sanitary Engineers Department.

SPECIAL NOTE: The Trumbull County Sanitary Engineers Department (with everything being equal) will grant all associated work to the best price.

BIDS SUBMITTED

Table with 3 rows listing bid submitters: LEE'S EXCAVATING, INC., KIRILA CONTRACTORS, INC., and S.E.T., INC. with their respective addresses.

Yeas: Cantalamessa, Frenchko, Malloy

Nays: None

Ms. Frenchko asked how the work was distributed to the vendors. Mr. Gary Newbrough explained Lee's Excavating is usually awarded the majority of the work, but if the job is too large and they have to dig down deep, Kirila Contractors and/or S.E.T. Inc. are called for larger jobs.

RE: LIQUOR PERMITS

32. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to notify the Ohio Department of Liquor Control that a public hearing is not requested on the Liquor Permit Applications listed.

TRANSFER CLASS D5

Table with 2 rows showing liquor permit transfer details: FROM RAND LEASING LLC and TO SAM'S SHOP CONVENIENT STORE LLC.

TRANSFER CLASS D5

Table with 2 rows showing liquor permit transfer details: FROM FRIENDLY PARTNERSHIP and TO DEEP LARCHMONT LLC.

Yeas: Cantalamessa, Malloy, Frenchko

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Nays: None

RE: AUTHORIZING EXPENDITURE FOR RESPONDING TO OR MITIGATING THE PUBLIC HEALTH EMERGENCY FROM AMERICAN RESCUE PLAN ACT FUNDS—REPLACEMENT OF 911 FACILITY GENERATOR, 911 FACILITY GENERATOR INSTALLATION COSTS, AND HIGHWAY ENGINEER BUILDING, ENGINEERING COSTS FOR PANELING UPGRADES

33. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to approve expenditure 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 Category of Eligible Uses for Public Health and Economic Impacts]-

Mitigating the impact of COVID-19, including taking actions to control its spread . . . , continues to require a major public health response from State, local and Tribal governments.

The need for public health measures to respond to COVID-19 will continue in the months and potentially years to come.

WHEREAS, the Rule further observes that:

Enumerated eligible uses of funds in the first category include support for prevention, mitigation, or other services in congregate settings, as well as ventilation improvements in congregate settings; and

WHEREAS, the U.S. Treasury has recognized Section 603 ARPA Funds may be used to fund “COVID-19 mitigation efforts,” through “[C]apital investments in public facilities to meet pandemic operational needs” (U.S. Treasury Fact Sheet); and,

WHEREAS, the U.S. Treasury Final Rule Overview includes in its list of specifically enumerated eligible uses: “Ventilation system installation and improvement;” and

WHEREAS, the County has identified a project which, in the judgment of the Board, qualifies as a type of project which will respond to and mitigate the effects of the pandemic which consists of the following:

- Replacement of 911 Facility Generator - \$37,804
- 911 Facility Generator Installation Costs - \$13,480
- Trumbull County Highway Engineer Building, engineering costs for paneling upgrades to ensure that all rooms have adequate airflow - \$38,625

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(Continued)

33. RESOLUTION AUTHORIZING EXPENDITURE 911 FACILITY GENERATOR, 911 FACILITY GENERATOR INSTALLATION COSTS, AND HIGHWAY ENGINEER BUILDING, ENGINEERING COSTS FOR PANELING (Cont'd)

This Project will be categorized as Expenditure Category EC 1.4 – Prevention in Congregate Settings.

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 improving ventilation and mitigating the spread of the virus in congregate settings.
3. Accordingly, the Project is in the best interests of the County and is deemed a priority for the community.
4. The Project is hereby authorized and shall be paid for from the ARPA Funds in the amount of/an amount not to exceed \$89,909
5. No obligations paid under the authority of this Resolution were incurred prior to March 3, 2021.

Ms. Frenchko had questions regarding Item #34 related to the 911 facility generator stating she thinks it's good to have separate quotes. Mr. Malloy said Mr. Hart went over this Item at the Workshop and stated Becdel was recommended for installation and that's why it's split as the other company doesn't do installation. Discussion continued relating to the items within Item #33 relating to all being under 50,000 and considered a micro purchase that expired last year.

Yeas: Cantalamessa, Malloy

Nays: Frenchko

MS. FRENCHKO VOTED 'NO' BECAUSE WE AREN'T COMPLIANT WITH THE MICRO-PURCHASE THAT EXPIRED LAST YEAR AND THE AUDITOR SHOULD LOOK AT IT.

**RE: AWARD PROPOSAL
PHILLIPS SEKANICK ARCHITECTS, INC.
TO PROVIDE ENGINEERING SERVICES, PROJECT DESIGN DRAWINGS, PLANS AND SPECIFICATION OR BID DOCUMENTS AND CONSTRUCTION ADMINISTRATION FOR COUNTY ENGINEER'S OFFICE IMPROVEMENTS PROJECT**

34. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to accept and award the proposal submitted by PHILLIPS SEKANICK ARCHITECTS, INC., 142 East Market Street, Warren, OH 44481, to provide engineering services, project design drawings, plans and specification for bid documents and construction administration for Trumbull County Engineer's Office Improvements Project located at 650 North River Road, Warren, OH 44483; project improvements include a new heat pump, air conditioning, windows, bi-polar ionization to promote elimination of Covid-19 virus in the office air quality and new electrical panels necessary to support the project improvements needed to maintain the essential services and operations of the Engineer's Offices, from ARPA Fund No. 077-011-1000-1000-1-505610 Category 1, in the amount of \$38,625.00; subject to approval from Baker, Dublikar, Beck, Wiley & Matthews, ARPA Legal Counsel; this action per the request of the Trumbull County Engineer and William Hart, Facilities Manager-Maintenance Department.

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(Continued)

Mr. Malloy asked Ms. Frenchko if she was questioning Item #34. Ms. Frenchko stated she supports all the projects that are on—just not the process relating to the category. Discussion continued regarding ARPA categories, professional services, Agenda Item #4, tabling the items, expiration of Micro-Purchase Threshold Resolution, 2022 Resolution terms carrying over to 2023, legal argument of what’s reasonable, legal opinion, acting in good faith. Mr. Malloy said the ARPA agenda items are subject to approval from ARPA legal Counsel. Ms. Frenchko said the County does not have a County Administrator or Purchasing Director to approve process and its’ not the job of ARPA Counsel to do so as they are approving what is an eligible expense and category.

Yeas: Cantalamessa, Malloy
Nays: Frenchko

MS. FRENCHKO VOTED NO BECAUSE SHE STILL HAS QUESTIONS AND DOESN’T WANT TO RECEIVE A FINDINGS FOR RECOVERY

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

**RE: ACCEPT PROPOSAL
OHIO CAT TO PROVIDE NEW GENERATOR --COUNTY
911 CENTER BUILDING**

35. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to accept and award the proposal submitted by Ohio Machinery, dba, OHIO CAT, 3993 East Royalton Road, Broadview Heights, OH 44147 to provide a new generator for Trumbull County 911 Center Building, 911 Howland Wilson Rd., Warren, OH 44484, necessary to maintain power during power outages for the essential services and operations of the 911 center, as well as to the HVAC, bi-polar ionization, lighting and essential equipment of the 911 Center from ARPA Fund No. 077-011-1000-1000-1-505402 , Category 1, in the amount of \$37,804.00; subject to approval from Baker, Dublikar, Beck, Wiley & Matthews, ARPA Legal Counsel; this action per the request of William Hart, Facilities Manager-Maintenance Department.

Yeas: Cantalamessa, Malloy
Nays: Frenchko

MS. FRENCHKO VOTED NO BECAUSE THERE IS NO MICRO BIDDING POLICY IN EFFECT RIGHT NOW THAT ALLOWS THE BOARD TO PROCEED WITHOUT THREE QUOTES AS BEST PRACTICE AND IT SHOULD BE AUDITED

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**RE: AWARD PROPOSAL
BECDEL CONTROLS, INC., TO PROVIDE
ALL LABOR, MATERIALS AND EQUIPMENT
NECESSARY FOR INSTALLATION OF NEW
GENERATOR/TRANSFER SWITCH –
COUNTY 911 BUILDING**

36. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to accept and award the proposal submitted by BECDEL CONTROLS, INC., 1869 Warren Avenue, Niles, OH 44446 to provide all labor, materials and equipment necessary for the installation of a new generator and transfer switch for the Trumbull County 911 Building, 911 Howland Wilson Rd., Warren, OH 44484, as specified in the proposal, from ARPA Fund No. 077-011-1000-1000-1-505506, Category 1, in the amount of \$13,480.00; and subject to approval from Baker, Dublikar Beck, Wiley & Matthews, ARPA Legal Counsel; this action per the request of William Hart, Facilities Manager-Maintenance Department.

Yeas: Cantalamessa, Malloy
Nays: Frenchko

MS. FRENCHKO VOTED NO BECAUSE THERE IS NO MICRO BIDDING POLICY IN PLACE WITH A \$50,000 THRESHOLD AND THEY HAVE TO GO BACK TO THE ARPA UNIFORM GUIDANCE THAT STATES THERE SHOULD BE THREE QUOTES AS ITS OVER \$10,000, AND THIS HASN’T BEEN DONE AND STATED IT SHOULD BE AUDITED

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RE: ADOPT RESOLUTION TO APPROVE PROPOSED VACATION OF JOY AVENUE, MARY AVENUE AND SCHOOL STREET IN LOTS 1 THROUGH 59, INCLUSIVE, IN BROOKFIELD HEIGHTS PLAT NO. 1 LOCATED IN BROOKFIELD TOWNSHIP

37. MOTION: Made by Mr. Cantalamessa, seconded by Ms. Frenchko, to adopt a Resolution to Approve the proposed Vacation of JOY AVENUE, MARY AVENUE AND SCHOOL STREET IN LOTS 1 THROUGH 59, INCLUSIVE, IN THE BROOKFIELD HEIGHTS PLAT NO. 1 located in BROOKFIELD TOWNSHIP.

NOTE: The Public Viewing was held on January 5, 2023, at 2:30 p.m. at the site of the proposed Vacation. A Public Hearing was held on January 12, 2023, at 11:30 a.m. in the Board of Trumbull County Commissioners' Hearing Room.

Yeas: Cantalamessa, Frenchko, Malloy
Nays: None

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

RE: AWARD PROPOSAL SATOLLI CARPET AND FLOORCOVERING FOR CARPET REPLACEMENT -- FAMILY COURT PROSECUTOR'S OFFICE

38. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to accept and award to the proposal (quote) submitted by SATOLLI CARPET AND FLOORCOVERING, 361 High St. Warren, OH 44481 for the carpet replacement at TRUMBULL COUNTY FAMILY COURT PROSECUTOR'S OFFICE, 220 South Main St. Warren, OH 44481, in the amount of \$4,958.30 (labor and haul away of old carpeting are included in amount,) to be paid from Fund number 001-011-1000-1030-1-505409.

OTHER QUOTES SUBMITTED

Table with 2 columns: COMPANY, AMOUNT. Rows include Tondo Carpets, Inc (\$5,265.59) and Pro Flooring (\$7,961.48).

NOTE: For replacement of original carpet.

Ms. Frenchko spoke about the way the quotes were requested, Policy and Procedures, proof of following procedures, quotes for #38 were in writing, and phone calls verses written request for quotes. Ms. Frenchko about a vendor who had installation problems with a seam in the carpeting and one installer.

Yeas: Cantalamessa, Malloy
Nays: Frenchko

MS. FRENCHKO VOTED NO BECAUSE OF THE QUALITY OF THE MOST RECENT INSTALL

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RE: AWARD PROPOSAL
TONDO CARPETS, INC. FOR CARPET
REPLACEMENT -- FAMILY COURT DOMESTIC
CLERK'S OFFICE

39. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to accept and award the proposal (quote) submitted by TONDO CARPETS, INC., 1222 Keefer Rd. Girard, OH 44420 for the carpet replacement at TRUMBULL COUNTY FAMILY COURT DOMESTIC CLERK'S OFFICE located at 220 South Mains St., Warren, OH 44481 in the amount of \$4,361.62 (labor and haul away of old carpeting are included in amount), to be paid from Fund number 001-011-1000-1030-1-505409.

OTHER QUOTES SUBMITTED

Table with 2 columns: COMPANY, AMOUNT. Rows include Pro Flooring (\$6,307.99) and Satolli Carpet and Floor Covering (\$4,685.06).

NOTE: For replacement of original carpet.

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

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RE: AWARD PROPOSAL
TONDO CARPETS, INC. FOR CARPET
REPLACEMENT -- 5 OFFICES
STONE BUILDING 4TH FLOOR

40. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to accept and award proposal (quote) submitted by TONDO CARPETS, INC., 1222 Keefer Rd. Girard, OH 44420 for the carpet replacement at 5 OFFICES OF THE TRUMBULL COUNTY STONE BUILDING 4TH FLOOR located at 108 High St., Warren, OH 44481 in the amount of \$3,155.50, (labor and haul away of old carpeting are included in amount), to be paid from Fund number 001-011-1000-1030-1-505409.

OTHER QUOTES SUBMITTED

Table with 2 columns: COMPANY, AMOUNT. Rows include Pro Flooring (\$3980.88) and Satolli Carpet and Floor Covering (\$3504.04).

NOTE: For replacement of original carpet.

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

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**RE: RESCIND AGENDA ITEM DATED 01/11/2023,
JOURNAL VOL. 155, PAGE 25356
EMPLOYMENT -- MS. AMANDA ADAMS
FOR POSITION OF JOURNAL CLERK 1
COMMISSIONERS' OFFICE**

41. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to Rescind Agenda Item dated January 11, 2023, Journal Volume 155, Page 25356, for the employment MS. AMANDA ADAMS for the position of JOURNAL CLERK 1 with the Trumbull County Commissioners' Office effective January 17, 2023, Pay Range 4 (4 years); *pursuant to the authorized job positing from August 31, 2022 through September 30, 2022*; this action per the recommendation of the Human Resources Department.

Yeas: Cantalamessa, Malloy, Frenchko

Nays: None

THE CLERK OPENED A BID DURING THE COMMISSIONERS' REGULAR MEETING OF JANUARY 19, 2023. THE BID WAS NOT OPENED AT THE BID OPENING THAT TOOK PLACE ON JANUARY 12, 2023, AT 11:00 A.M., BECAUSE THE SHIPPING PACKAGE WAS NOT MARKED AGGREGATE MATERIALS AND THE STAFF DID NOT KNOW THE BID WAS AN AGGREGATE BID. THE SHIPPING PACKAGE WAS LABELED THOMAS CORBO, HOLCIM AND RECEIVED BY THE COMMISSIONERS' OFFICE IN A TIMELY MANNER. THE CLERK OPENED THE SEALED BID IN THE PUBLIC MEETING FOR FULL TRANSPARENCY. THE BID WAS OPENED AND THE REQUIRED FORMS WERE PRESENT, ALONG WITH A CERTIFIED CHECK.

Summarized Comments:

Mr. Cantalamessa spoke about a donation of over \$200,000 received from Mr. Curtis Quiggle's Estate to be used for the Trumbull County Dog Kennel. Mr. Quiggle was a long-time supporter of the Dog Kennel and sadly passed away.

Mr. Anthony Tedesco, Union President representing DJFS spoke in regards to Item #6. Mr. Tedesco discussed DJFS employees working from home and the language within Tabled Item #6 relating to employee discourse. Discussion continued related to jobs that don't allow employees to work from home, productivity going up, sick time being down, and morale being up amongst employees. Questions were asked if shifts were staggered, if everyone had the ability to work from home, if it was subjective, does everyone have get a chance to work from home, is it rotated, is it fair. Discussion continued regarding, rotation with phone banks job duties, monitoring, phone usage, pandemic, health and safety dealing with influenza and RSV, DJFS being largest agency in the County, and ARPA monies. Ms. Frenchko spoke about prohibition on participating on partisan political activity of the policy and procedure manual, union employees participating in meetings to remove Ms. Frenchko, violating the ORC, enforcing policy, CBA, EEOC and OCRC-treating protected classes equally, union employees being treated equally, union member that has been on unpaid leave related to alleged misdemeanor, creating liability by not treating employees equally, request to Board to cause employees to comply with policy. Mr. Malloy spoke about criticizing employees, moral, finding different approach with employees, moving forward and not backward, leadership, trust in department heads, and respect for employees. Ms. Frenchko asked the Board to instruct Mr. Gargano to conduct an investigaion related to what the Board was copied on. Mr. Malloy stated Mr. Gargano needed to handle his staff the way he sees fit and not blanket statement all DJS staff. Mr. Malloy spoke in regards of Ms. Frenchko's treatment of employees. Ms. Frenchko said for the record, Mr. Malloy ran a foul and she had nothing to do with that statement. Discussion continued regarding speaking to legal counsel, defending employees who are treated wrongly or being disrespected without cause, CCAO HR video, employees violating county policy and law, minority group, equally implementing policy, assumptions, violations of social media policy by Board member, Commissioners not considered employees, leading by example, Elected officials being allowed to campaign and discuss things, investigating employees of Commissioners' staff along with DJFS. Ms. Frenchko stated as a

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public record that the majority of the Board agrees to investigate DJFS employee for policy violation. Mr. Cantalamessa stated for best practice, he believed it needed to be voted on.

Mr. Anthony Tedesco, DJFS Union President asked the Board not to put too much stock into one or two complaints from employees regarding the working from home issue.

Mayor Ben Kyle, Hubbard, said he was present on behalf of the EMA Exec Board and thanked Mr. Malloy for attending their meeting. He said there are great people in place that can move the County forward especially with safety forces. He spoke about a conversation he had with Congressman Joyce and appreciates the support of the safety forces.

There was discussion regarding the ODOT State Route 82/46 Exchange regarding the waterline. Mr. Matt Blair told Ms. Frenchko her statement regarding filing pleadings against the State were incorrect. He spoke about a letter he wrote in response to Mr. Danso and stated his legal arguments. Mr. Blair stated he and Mr. Danso were discussing options and it should not be discussed at this time. Ms. Frenchko commented further and Mr. Blair told Ms. Frenchko she was improperly discussing privileged communication and asked her to cease and desist. Discussion continued as to what was considered privileged, instructions to staff not to communicate with Ms. Frenchko. Mr. Blair stated Ms. Frenchko was inaccurate and staff was present to attest to it. Discussion continued regarding an audio tape, Sanitary Engineer's legal counsel, project going to be moved just a matter of reimbursement. Mr. Danso, project being delayed, paying money without the Board's approval, mental illness, public statements, E-mails to Mr. Ron Watson, Mr. Watson having no authority, not finding out until December, discussion held at the public workshop with Mr. Fuda, lies, insubordinate unprofessional treatment of Ms. Frenchko, corrective action and evaluation, ordering employees to meet with a Commissioner, bringing order to meetings, disrespect, \$403,000 vehicle purchase issue, insults, interruptions, competitive bidding. Mr. Cantalamessa called, Point of Order asking Ms. Frenchko to lower her tone. Discussion continued regarding Prosecutor's Opinion that was released that stated misapplication of law and finding for recovery for purchases, sending issue to Attorney General's Office for an opinion.

Mr. Kelly Glenn, Niles resident addressed Ms. Frenchko about her treatment of Mr. Fuda, a water incident involving Mike Salamone, employees, and the health and treatment of his wife.

Ms. Frenchko spoke about Partisan Political Activity as she is an elected official.

Mr. Glenn spoke about people's rights.

RE: ADJOURN

MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to adjourn the Regular Meeting of January 19, 2023 @ approximately 12:40 p.m., and to meet again in Regular Session on January 25, 2023.

Yeas: Cantalamessa, Malloy, Frenchko

Nays: None

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

DENNIS MALLOY, PRESIDENT

MAURO CANTALAMESSA, COMMISSIONER

NIKI FRENCHKO, COMMISSIONER

ATTEST:

PAULA J. VIVODA-KLOTZ, CLERK