

Week Beginning March 13, 2023

Meeting of March 15, 2023

The Board of County Commissioners, Trumbull County, Ohio, met for a Regular Meeting on the 15th day of March 2023, at approximately 10:33 a.m., in the office of said Board, with the following members present:

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

RE: MINUTES

1. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to dispense with reading the minutes of the Regular Meeting dated March 8, 2023, and approve them as distributed/printed.

Yeas: Cantalamessa, Malloy
Nays: Frenchko

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, Frenchko
Nays: None

**RE: CONTRACTS DATED MARCH 8, 2023
DEPARTMENT OF JOB AND FAMILY SERVICES**

3. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to authorize a member of the Board of Trumbull County Commissioners to sign (countersign), on behalf of the Trumbull County Department of Job and Family Services, the contracts per list dated March 8, 2023. Contracts create sixteen (16) training opportunities and ten (10) job opportunities at a total cost of \$165,137.58.00—fully funded through Workforce Innovation and Opportunity Act (WIOA) allocations—*with no County General Revenue Funds requested*; this action per the recommendation of John Gargano, Esq., Director of the Department of Job and Family Services.

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

MS. FRENCHKO STATED SHE WAS VOTING NO BECAUSE NO ONE WAS PROVIDED A COPY OF THE CONTRACTS

The Clerk stated she's never seen contracts associated with Item #3.

Yeas: Cantalamessa, Malloy
Nays: Frenchko

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

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**RE: AWARD BIDS
PURCHASE OF ASPHALT CONCRETE AND
ASPHALT EMULSION (CMS-2S)
2023 – 2024 YEAR**

4. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to award ALL BIDS submitted for the purchase of ASPHALT CONCRETE and ASPHALT EMULSION (CMS-2S) for use by the Trumbull County Engineer, for the period of April 1, 2023 through March 31, 2024; AND to enter into a contract with each company listed for all materials which the companies bid—to be paid for from Highway Fund No. 002-030-1700-1700-1-505304; this action per the recommendation of the Trumbull County Engineer and subject to review and approval of the Prosecutor’s Office.

NOTE: The County Engineer’s Office (*with everything being equal*) will purchase in regards to the best price. However, when purchasing these materials, consideration will be given to plant location and availability of materials.

SPECIAL NOTE: *A copy of the Bid Tabulation shall be recorded on the Journal for record purposes, and shall be made a part of this Resolution.*

ALL BIDS SUBMITTED

| |
|--|
| TRI-COUNTY ASPHALT MATERIALS P.O. Box 338 North Lima, OH 44452 |
| MAR-ZANE, INC. 1450 N. Bailey Road North Jackson, OH 44451 |
| STONECO INC., d/b/a ALLIED CORP. 8920 Canyon Falls Blvd., Suite 120 Twinsburg, OH 44087 |

Yeas: Cantalamessa, Malloy, Frenchko

Nays: None

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**RE: AWARD BIDS
PURCHASE OF BITUMINOUS MATERIALS
2023- 2024 YEAR**

5. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to award ALL BIDS submitted for the purchase of BITUMINOUS MATERIALS for use by the Trumbull County Engineer, for the period of April 1, 2023 through March 31, 2024; AND to enter into a contract with each company listed for all materials which the companies bid—to be paid for from Highway Fund No. 002-030-1700-1700-1-505304; this action per the recommendation of the Trumbull County Engineer and subject to review and approval of the Prosecutor’s Office.

NOTE: The County Engineer’s Office (*with everything being equal*) will purchase in regards to the best price. However, when purchasing these materials, consideration will be given to plant location and availability of materials.

SPECIAL NOTE: A copy of the Bid Tabulation shall be recorded on the Journal for record purposes, and shall be made a part of this Resolution.

BIDS SUBMITTED

| |
|--|
| SUIT-KOTE CORPORATION 10965 McHenry Street Meadville, PA 16335 |
| UNIQUE PAVING MATERIALS CORP. 3393 E. 93 rd Street Cleveland, OH 44105 |
| RUSSELL STANDARD CORPORATION 990 Hazel Street Akron, OH 44305 |
| GEAUGA HIGHWAY CO. 14126 Main Market Rd. Hiram, OH 44234 |

Yeas: Cantalamessa, Malloy, Frenchko

Nays: None

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

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

- **CLAY TRUCKING, INC.**
12485 Madison Rd., Middlefield, OH 44062
Permit No.: AF-016-2023
Permit Effective: March 22, 2023 through March 22, 2024
- **RONYAK BROTHERS PAVING**
14376 N. Cheshire, Burton, OH 44065
Permit No.: AF-018-2023
Permit Effective: March 9, 2023 through March 9, 2024
- **GIBBS CONSTRUCTION, INC.**
2975 N. Salem Warren Rd., Warren, OH 44481
Permit No.: AF-017-2023
Permit Effective: March 22, 2023 through March 22, 2024

Yeas: Cantalamessa, Malloy, Frenchko

Nays: None

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

7. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to concur with the Trumbull County Engineer to grant the Right-of-Way Permits requested by the companies listed. The necessary permit fee has been submitted and approval is subject to the conditions listed on the permit.

- **DOMINION EAST OHIO**, 320 Springside Drive, Akron, OH 44333, to work in the right-of-way of North Road, SE (C.H. 54 B), in order to install a gas service line for address #707. This will be located 2,800 feet south of East Market Street (C.H. 329) in Howland Township.
- **PEOPLES MANAGEMENT, LLP**, P.O. Box 148, Hubbard, OH 44425, to work in the right-of-way of Bedford Rd., SE (C.H. 175 A), in order to install utility service and storm connections. This will be located approximately 700 feet north of State Route 82 in Brookfield Township.
- **ASHLEY HASENAUER**, 3183 South Myers Rd., Geneva, OH 44041-8227, to work in the right-of-way of Custer Orangeville Rd. (C.H. 169 C), in order to install 20 feet of 15” double wall plastic conduit for driveway access. This will be located approximately 3,000 feet north of Drake Stateline Rd (T.H. 188) in Hartford Township.

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

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

8. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, 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 44481
Permit No.: 2023-042
Permit Effective: March 9, 2023 through March 9, 2024

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

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

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

- **H & K LOGGING & LUMBER**
16465 Farley Rd., Middlefield, OH 44062
Permit No.: QF-003-2023
Permit Effective: March 6, 2023 through April 5, 2023

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

**RE: RE-ADVERTISE FOR BIDS AND
ACKNOWLEDGE RECEIPT OF PROPOSAL
TRU-CEMETERY BRIDGE (NEWTON TWP.)**

10. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to acknowledge receipt of the Proposal for the TRU-CEMETERY BRIDGE (NEWTON TWP.) PID 112610 which consists of the rehabilitation of the historic pedestrian bridge, which spans the West Branch of the Mahoning River and connects Newton Township’s east and west cemeteries; **AND** to authorize the Clerk of the Board of Trumbull County Commissioners to **Re-advertise** for sealed bids for the TRU-CEMETERY BRIDGE PROJECT as no bids were received for said Project that was previously advertised on Agenda dated February 1, 2023, Journal Volume 156, Page 25433. The Project is being funded by an 80% Transportation Alternatives Program (TAP) grant obtained through Eastgate Regional Council of Governments with a 20% local match to be provided by Newton Township--*No County General Revenue Funds are required*; this action per the recommendation of the County Engineer.

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

Legal Notice recorded on Journal Page(s)_____.)

**RE: MEMORANDUM OF UNDERSTANDING
AMONG COMMISSIONERS, COUNTY ENGINEER
AND SOUTH PYMATUNING TWP. RELATED TO
BROCKWAY SHARON ROAD IMPROVEMENTS
“PROJECT” -- HARTFORD TOWNSHIP**

11. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to acknowledge and approve a Memorandum of Understanding and additional conditions that will become part of said ‘MOU’ by and among the Board of Trumbull County Commissioners, Trumbull County Engineer and South Pymatuning Township related to the Brockway Sharon Road Improvements “project”, located in Hartford Township (Trumbull County, Ohio) and South Pymatuning Township (Mercer County, Pennsylvania). The western half of Brockway Sharon Road is maintained by Trumbull County and the eastern half of Brockway Sharon Road is maintained by South Pymatuning Township; recommendation of the Trumbull County Engineer.

NOTE: O.R.C. Section 5555.81, states the Board of Commissioners are required to be a party to improvements made to state line roads.

Ms. Frenchko stated the MOU was approved by the Prosecutor’s Office, and she thanked the County Engineer’s Office for the review and verification.

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

MOU recorded on Journal Page(s)_____.)

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**RE: EMPLOYMENT-- MR. ROBERT GILMER
CUSTODIAN -- SANITARY ENGINEER'S DEPT .**

12. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to approve the personnel action for the employment of MR. ROBERT GILMER for the position of CUSTODIAN with the TRUMBULL COUNTY SANITARY ENGINEER'S DEPARTMENT; effective April 3, 2023, Pay Range 3 (0 years) \$14.10- - *pursuant to the authorized job posting from February 1 to 9, 2023*; this action per the recommendation of the Human Resources Department in conjunction with the Sanitary Engineer's Department.

NOTE: This vacancy is due to an employee retirement. Mr. Gilmer successfully passed a pre-employment drug screen, and background check.

Ms. Frenchko stated she would like emails sent out to applicants along with phone calls. She said this is good practice and would provide verification to show applicants were contacted for an interview.

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

**RE: EMPLOYMENT-- CALEIGH BEACH
POSITION OF TELECOMMUNICATOR --
911 CENTER**

13. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to approve the personnel action for the employment of CALEIGH BEACH as a TELECOMMUNICATOR with the TRUMBULL COUNTY 911 CENTER, effective March 19, 2023. Ms. Beach will be paid the rate of \$17.02 per hour and serve a 180-day probationary period; this action per the recommendation of the Human Resources Department in conjunction with the Trumbull County Interim 911 Director.

NOTE: Ms. Beach successfully passed a pre-employment drug screen, background check and skills assessment.

Ms. Frenchko stated the ranking tool used for item #13 is subjective and ranking tools for hiring should be objective. She further stated she didn't receive the Rubrics from Ms. Goldner that is associated with #13. She spoke about splintered hiring practices throughout the County, questioned whether human resources needed additional staff if the county was using decentralized hiring practices, and the importance of having centralized hiring practices throughout the County.

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

**RE: RESIGNATION – MR. CHARLES MILLER
FLOODPLAIN VARIANCE BOARD**

14. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to accept the Resignation of MR. CHARLES MILLER of the TRUMBULL COUNTY FLOODPLAIN VARIANCE BOARD; this action per the recommendation of Julie M. Green, Director of the Trumbull County Planning Commission and Floodplain Administrator, T.J. Keiran.

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

**RE: APPOINT INDIVIDUALS LISTED
FLOODPLAIN VARIANCE BOARD FOR
THREE (3) YEAR TERMS COMMENCING
APRIL 1, 2023 THRU MARCH 31, 2026**

15. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to appoint the individuals listed as Members of the TRUMBULL COUNTY FLOODPLAIN VARIANCE BOARD for three (3) year terms commencing April 1, 2023 through March 31, 2026; this action per the recommendation of Julie M. Green, Director of the Trumbull County Planning Commission and Floodplain Administrator, T.J. Keiran.

SPECIAL NOTE: The two vacancies need filled due to the resignation of Mr. Charles Miller and untimely passing of Mr. Thomas Gladd.

NOTE: The Board of Commissioners adopted the Flood Damage Regulations on September 1, 1994, duly recorded in Journal Volume 90, Page 2388. On May 5, 2010, the Commissioners approved 'Revisions' to the Trumbull County Special Purpose Flood Damage Reduction Regulations to be in compliance with the new Federal Emergency Management Agency (FEMA) Flood Map Updates and to continue in the National Flood Insurance Program.

- **TONY VEITZ**
Registered Environmental Health Specialist
Trumbull County Combined Health District
- **JOHN E. HICKEY**
Director, Trumbull County Emergency Management Agency

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

**RE: LETTER OF SUPPORT FOR FUNDING
THROUGH FY24 (CDS) APPROPRIATION PROCESS
CONSTRUCTION OF LARCHMONT SANITARY SEWER
EXTENSION PROJECT AND OTHER PROJECTS RELATED
TO ECONOMIC DEVELOPMENT OF YOUNGSTOWN AIR
RESERVE STATION AS LISTED -- PLANNING
COMMISSION**

16. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to authorize the Trumbull County Planning Commission to prepare and submit a request for funding through the FY24 Congressionally Directed Spending (CDS) appropriation process for the construction of the Larchmont Sanitary Sewer Extension Project AND authorize the Board of Trumbull County Commissioners to execute a Letter of Support for same. The proposed project consists of extending a 36-inch sanitary sewer line northerly along Larchmont Avenue across the Warren Outer Belt in order to provide sanitary sewer service to dozens of existing businesses and provide development opportunities for underutilized land in Trumbull County AND to authorize the Board of Trumbull County Commissioners to execute a Letter of Support for additional appropriation requests that are being submitted by other entities that include but are not limited to economic development and the sustainability of the Youngstown Air Reserve Station. Copies of these Letters of Support will be provided to the Commissioners on or before their Wednesday Meeting. The request for approving the Letters of Support is necessary due to the pending deadline for the appropriation request of March 19, 2023.

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

Letter recorded on Journal Page(s)_____.)

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**RE: ESTABLISH CREATION OF FUND NO. 101
TO BE KNOWN AS THE COMMISSIONERS'
GRANT FUND**

17. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to establish the creation of the COMMISSIONERS' GRANT FUND, known as FUND 101 for use by the Trumbull County Board of Trumbull County Commissioners. The Fund is being created to account for monies in the amount of \$9,175.00 that was awarded to the Trumbull County Agricultural and Family Education Center for repairs to the steps and observation deck. This grant was obtained through Senator Sandra O'Brien, H.B. 687, and the Ohio Department of Agriculture.

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

**RE: ADOPT 'ANNUAL APPROPRIATION'
RESOLUTION DURING FISCAL YEAR
ENDING DECEMBER 31, 2023**

18. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to adopt the 'ANNUAL APPROPRIATION' Resolution to provide for the current expenses and other expenditures of Trumbull County, during the fiscal year ending December 31, 2023, for the GENERAL FUND 001 and ALL OTHER FUNDS of Trumbull County.

Ms. Frenchko asked for her comments to be in the Record. She stated the Board of Commissioners did not contribute in any way towards developing the Budget. Mr. Cantalamessa called, Point of Order. She further stated developing the budget is the statutory duty of the Board and in Trumbull County, it's been past practice to give that duty to the Auditor and that's not his statutory duty. She said there was no discussion that led to the decisions made for the budget and it's not done like this in any other county for another elected official. Ms. Frenchko further stated she believes the process needs to change.

Yeas: Cantalamessa, Malloy
Nays: Frenchko

**RE: RECORD ALLOCATIONS LISTED 2023 SALES
TAX REVENUE TO THE GENERAL FUND 001**

19. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to record onto the Journal, for record purposes, the allocations as listed from the 2023 Sales Tax Revenues to the General Fund 001.

BUDGET COMMISSION CERTIFICATIONS

| CERTIFICATE DATES | AMOUNT |
|--------------------------|------------------|
| March 6, 2023 --- .75% | \$ 20,703,200.00 |
| March 6, 2023 --- .25% | \$ 8,000,000.00 |

Yeas: Cantalamessa, Malloy
Nays: Frenchko

MS. FRENCHKO VOTED NO BECAUSE THE BOARD OF COMMISSIONERS RECEIVED NO VERIFICATION, IT WAS JUST TOLD TO THE OTHER COMMISSIONERS ON MONDAY AND SHE RECEIVED A PAPER WITHOUT SIGNATURES OR MEETING MINUTES.

****Summarized Discussion regarding Item #19 placed at the end for page numbering purposes******

RE: ADOPT RESOLUTION THAT APPLICATION BE MADE AS PROVIDED IN ORC SECTIONS 5705.15 AND 5705.16, TO TRANSFER SUM OF \$331,636.00 FROM CHILDREN SERVICES BOARD FUND NO. 012 TO “CHILD ASSAULT PROSECUTION UNIT” WITHIN PROSECUTOR’S OFFICE DESIGNATED AS “PROSECUTOR’S STATE GRANT FUND” NO. 104

20. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to adopt a Resolution that application be made as provided in Ohio Revised Code Sections 5705.15 and 5705.16, to transfer the sum of \$331,636.00 from the TRUMBULL COUNTY CHILDREN SERVICES BOARD Fund No. 012 to the “CHILD ASSAULT PROSECUTION UNIT” within the Trumbull County Prosecutor’s Office designated as “Prosecutor’s State Grant Fund” Fund No. 104; AND that the Trumbull County Prosecutor and the Clerk of the Board of Trumbull County Commissioners be and are hereby authorized to take all actions necessary to effectuate this Resolution; and to acknowledge the *Memorandum of Understanding: 2023* between the Trumbull County Children Services Board and the Trumbull County Prosecutor’s Office for 2023 funding for the “Child Assault Prosecution” Unit.

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

RE: AUTHORIZE PAYMENT TO EASTGATE REGIONAL COUNCIL OF GOVERNMENTS FOR 2023 MEMBERSHIP ASSESSMENT

21. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to authorize payment of \$51,594.99 to the EASTGATE REGIONAL COUNCIL OF GOVERNMENTS, City Centre One, 100 E. Federal Street, Suite #1000, *Dues* for the calendar year 2023. Local dues are required to match federal and state funds at various ratios for the Eastgate Regional Council of Governments’ different funding programs.

NOTE: The Commissioners' portion for Membership Assessment will be paid for from Fund No. 001-030-1000-1000-1-505808; the County Engineer’s portion will be paid for from Fund No. 002-030-1700-1700-1-505808; and the Sanitary Engineers’ portion will be paid for from Fund No. 602-030-3000-3020-1-505808.

SPECIAL NOTE: For calendar year 2023, the assessment is calculated using 2020 census population figures and a per capita rate of 43 cents for communities in Mahoning and Trumbull Counties. The assessment is based on the per capita rate recommended by the Eastgate Regional Council of Governments Finance/Executive Committee and approved by the General Policy Board at the December 5, 2022 Annual Meeting.

❖ **Funding Distribution for Trumbull County is as follows:**

- \$17,198.33 – County Commissioners
 - \$17,198.33 -- County Engineer
 - \$17,198.33 – County Sanitary Engineer
- \$51,594.99 – Total**

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

RE: LIQUOR PERMIT

22. 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 Application listed.

TRANSFER CLASS C

| | |
|--------------|---|
| FROM: | DALE R. SOINSKI d/b/a CANDYWOOD CELLAR & PATIO 765 Scoville Rd. N (Vienna Township) Vienna, OH 44473 |
| TO: | CW CELLAR LLC d/b/a CANDYWOOD CELLAR 765 Scoville Rd. N (Vienna Townshp) Vienna, OH 44473 |

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

RE: CONCUR WITH COUNTY 911 CENTER TO UTILIZE SERVICES FOR CONDUCTING EMPLOYMENT BACKGROUND CHECKS BETWEEN COUNTY 911 AND ARMOR RISK MANAGEMENT, LLC

23. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to concur with Trumbull County 911 Center to utilize services for conducting employment background checks between Trumbull County 911 and Armor Risk Management, LLC, P.O. Box 146, Youngstown, Ohio 44501-0146. Trumbull County 911 will pay Armor Risk Management \$700.00 each for the first five (5) dispatcher background investigations, totaling \$3,500.00. Any additional Dispatcher background investigation will be the normal price of \$750.00 each for the remainder of the 2023 calendar year--normally, these investigations take between seven (7) and (10) working days to complete. This contract will be paid from Fund 039-020-1000-1097-1-505507; this action per the request and recommendation of Patty Goldner, Trumbull County 911 Interim Director.

Ms. Frenchko spoke about not receiving a copy of the Request for Qualifications or Request for Quotes regarding Item #23. She spoke about the extremely high turnover at 911 and stated \$750 for each applicant is high. She spoke about wanting a spreadsheet showing who is the best, splintered hiring practices that should be centralized, and the interim human resources director assisting with this process to save county money with a department that is over budget.

Yeas: Cantalamessa, Malloy
Nays: Frenchko

RE: RESCIND AGENDA ITEM DATED 03/01/2023, VOL. 156, PAGE 25501, APPROVING PERSONNEL ACTION FOR EMPLOYMENT OF MS. ALEXANDRA DEVENGENCIE-BUSH TO POSITION OF HUMAN RESOURCES DIRECTOR

24. MOTION: Made by Ms. Frenchko to Rescind Item # 24 which reads as follows:

To Rescind Agenda Item dated March 1, 2023, Volume 156, Page 25501, approving the personnel action for the employment of MS. ALEXANDRA DEVENGENCIE-BUSH to the position of HUMAN RESOURCES DIRECTOR with the Trumbull County Human Resources Department effective, Monday, March 20, 2023, pursuant to the authorized job posting of January 11 to January 27, 2023.

NOTE: Ms. DeVengencie-Bush will be paid \$39.4230 per hour and will serve a 120-day probationary period before moving to Pay Range 15, (7 years) at \$41.6836 per hour.

Ms. Frenchko made the Motion and read the agenda item adding her personnel statements regarding Ms. DeVengencie-Bush's rate of pay and qualifications. Mr. Malloy asked Ms. Frenchko to read what was written within the agenda item and stated there was no discussion at this point. Ms. Frenchko stated she was reading a special note and continued to add language which she referenced as a special note to Item #24. Mr. Malloy stated Ms. Frenchko adding to the agenda item and this was not allowable according to Roberts Rules of Order. Ms. Frenchko said Mr. Malloy's statement regarding Roberts Rules of Order was not true. Mr. Malloy said the note Ms. Frenchko was referring to was not part of the Agenda item and he was watching her write it as she was speaking.

MOTION DIED FOR LACK OF SECOND

RE: POSTING/NATIONAL ADVERTISING FOR POSITION OF HUMAN RESOURCES DIRECTOR

25. To approve the posting and national advertising for the position of Trumbull County Human Resources Director.

NOTE: This position will be advertised in compliance with the County's affirmative action hiring plan, and will be advertised for 30 days nationally with SHRM - Society for Human Resource Management.

MOTION BY MS. FRENCHKO TO TABLE ITEM #25 FOR THE PURPOSE OF RESTRUCTURING.

MOTION TO TABLE DIED FOR A LACK OF A SECOND

There was discussion regarding striking Item #25 from the Agenda and statements that removing Item #25 from the record would be a violation of open records.

ITEM #25 DIED FOR A LACK OF A FIRST

RE: RESOLUTION AUTHORIZING EXPENDITURE FOR RESPONDING TO OR MITIGATING THE PUBLIC HEALTH EMERGENCY FROM AMERICAN RESCUE PLAN ACT FUNDS -- DR METAL ROOFING & CONSTRUCTION

26. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, Resolution Authorizing Expenditure for Responding to or Mitigating the Public Health Emergency from American Rescue Plan Act Funds- DR METAL ROOFING & CONSTRUCTION

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, certain populations may be presumed to have been adversely impacted by the COVID-19 pandemic, including populations located within a Qualified Census Tract (QCT), as well as populations deemed to be “low- to moderate-income” within the meaning of the Final Rule; and

WHEREAS, large portions of Trumbull County are located within the QCT; and

WHEREAS, the Final Rule defines “low income” as households with: (i) income at or below 185 percent of the Federal Poverty Guidelines (FPG) or (ii) income at or below 40 percent of the Area Median Income (AMI); the Final Rule defines “moderate income” as households with: (i) income at or below 300 percent of the FPG or (ii) income at or below 65 percent of the AMI; and the Final Rule clarifies that in calculating the FGP or AMI for populations rather than individual households, the default household size in three; and

WHEREAS, pursuant to the Final Rule, the Youngstown-Warren-Boardman population, the threshold for “low income” is \$40,625 annually and the threshold for “moderate income” threshold is \$65,880; and

WHEREAS, pursuant to the US 2021 Census Data, the median household income from Trumbull County is \$50,258; and

WHEREAS, the Trumbull County population as a whole is either located within the QCT or otherwise falls within the meaning of low- to moderate-income within the meaning of the Final Rule and therefore is presumed to have been adversely impacted by the pandemic; and

WHEREAS, the Final Rule permits expenditures under category one, responding to or mitigating the effects of the COVID-19 pandemic, when the entity has identify a population presumed harmed by the pandemic, and the expenditures reasonably respond to a need created by or exacerbated by the pandemic; and

WHEREAS, the Trumbull County Fair hosts an annual fair which has between 30,000 and 45,000 annually, provides 4-H Programming for the community, which includes 25 education and community groups which serves over 700 Trumbull County youths, hosts several community nonprofit groups, is utilized by community groups for events and fundraisers, and the Fair otherwise hopes to continue to host more events and races for the general public, which will serve the community and attract tourism to the area; and

(Continued)

**26. RE: RESOLUTION -- DR METAL ROOFING & CONSTRUCTION
(Cont'd)**

WHEREAS, the Trumbull County Fair previously determined that the Annex Building roof was inadequate and could not safely serve the needs of the 4-H clubs, County Fair and community at large, and

WHEREAS, replacement of the Annex Building roof is necessary to enable the 4-H clubs, as well as other clubs and events, to continue to safely utilize the facilities at the County Fair; and

WHEREAS, the County has determined that replacing the Annex Building roof, is reasonably responsive and necessary to ensure that Trumbull County residents may continue to have access to educational programming, educational facilities, agricultural programming and facilities, and enable residents to have access to affordable events and other entertainment programming to improve the community and expand tourism.

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 the Annex Building Roof - \$16, 573.10

This Project will be categorized as Expenditure Category EC 2.37 – Economic Impact Assistance – Other

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 assisting a population presumed to have been impacted by the COVID-19 pandemic and responding to the need created by ensuring the continued operation of 4-H programming, and other fair events , which will aid in addressing lost instructional time, as well as other community educational and agricultural programming, providing accessible and affordable community event space, and assisting in expanding community events and promoting tourism.
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:

\$16,573.10 for Annex Building Roof Replacement

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

There was discussion relating the importance of the project and Ms. Frenchko working with ARPA Counsel to get the proper language so it could be on the Agenda to avoid further delay. She spoke about receiving consistent quotes for county projects and creating a proper document for the process instead of just calling in order to protect the county for special audit relating to ARPA Funds. She further stated ARPA Counsel offered to draft a document for obtaining quotes so the departments could plug in their request and needs. Ms. Frenchko asked if the Board would agree to have a proper request of quotes. Mr. Cantalamessa said three quotes were received for the Project, and Ms. Frenchko would understand it better if she would attend the Public Workshop. Ms. Frenchko stated she oversaw construction projects as a HUD Consultant.

Yeas: Cantalamessa, Malloy, Frenchko

Nays: None

**RE: AWARD PROPOSAL
DR METAL ROOFING & CONSTRUCTION
FOR THE REPLACEMENT OF COUNTY FAIR
GROUNDS ANNEX BUILDING ROOF AND TO
FURTHER AUTHORIZE DENNY MALLOY TO
EXECUTE ANY AND ALL DOCUMENTS**

27. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to accept and award the proposal submitted by DR METAL ROOFING & CONSTRUCTION, 3473 State Route 5, Cortland, OH 44410, for the replacement of the Trumbull County Fair Grounds Annex Building Roof, 899 Everett Hull Road, Cortland, OH 44410, in an amount not to exceed \$16,573.10; to be paid from Fund No. 077-011-1000-1000-1-505506: AND to further authorize Denny Malloy, President of the Board of Commissioners to execute any and all documents necessary to effectuate this Agreement: subject to approval from Baker, Dublikar, Beck, Wiley & Matthews, ARPA Legal Counsel; this action per the request of William Hart, Trumbull County Maintenance Supervisor.

OTHER PROPOSALS SUBMITTED

| | |
|---|--------------------|
| DAN FAITH CONSTRUCTION 420 Youngstown Warren Rd. Niles, OH 44446 | \$17,600.00 |
| GC METAL SALES gcmetsales@gmail.com | \$18,831.25 |
| DAVE WILTROUT ROOFING, INC. 976 DeForest Rd. Warren, OH 44484 | \$20,700.00 |

Ms. Frenchko asked if the Board had a problem with women having construction or maintenance experience. Mr. Cantalamessa called, Point of Order.

Yeas: Cantalamessa, Malloy, Frenchko

Nays: None

Proposal recorded on Journal Page(s) _____.)

**RE: AUTHORIZE PAYMENT OF \$380.00 AS SETTLEMENT
IN CASE OF PHILLIP EVANS V. SHERIFF'S
DEPARTMENT, COURT OF COMMON PLEAS
CASE NUMBER 2022-CV-1034**

28. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to authorize payment of \$380.00 as settlement in the case of *Phillip Evans v. Trumbull County Sheriff's Department*, Trumbull County Court of Common Pleas Case Number 2022-CV-1034.

NOTE: In exchange for this payment, Mr. Evans will execute a release of all claims, and agree to a stipulation of dismissal of this case. The payment for this settlement will be made to either Phillip Evans or to his counsel, Attorney Issa Elkhatib, as directed by Trumbull County's outside legal counsel.

Yeas: Cantalamessa, Malloy, Frenchko

Nays: None

Week Beginning March 13, 2023

Meeting of March 15, 2023

****Summarized Discussion regarding Item #19****

Ms. Frenchko said if you want to trust, trust, but at least verify.

The Clerk stated Item #19 cannot be signed until the budget is passed, and employees of the Auditor's Office had to change their schedule for the rest of the week to work on the Budget. The Clerk further stated she would provide the minutes Ms. Frenchko was referring to when she could get to them as there is no extra time, she is working late hours and weekends because the office is so short of staff. Ms. Frenchko stated the Minutes for the Budget Meeting were not provided to anyone to see what occurred. Mr. Malloy stated there was a budget meeting on Monday with Auditor Yoder, and Mrs. Debbie Santangelo who answered all questions from the Board and provided paperwork the Board requested. Ms. Frenchko said the public workshop was pushed back for one Commissioner and there's no surveillance in the (Planning Commission Conference Room. Ms. Frenchko made reference to the Sheriff calling him a thug referencing an incident with her phone. Mr. Cantalamessa called, Point of Order. Ms. Frenchko spoke about interference with a public meeting and having video surveillance in every building where public meetings are held. Ms. Frenchko stated she listened to the tape of the budget meeting. There was discussion about trusting information given to the Board, a lot of information given at the public workshop, request for a budget meeting since last year for the public, and departments being allowed to go into the red and fix it at the end of the year.

Summarized Public Comments:

Mr. Cantalamessa stated the Agenda Items being voted on today were discussed ad nauseam during the Public Workshop that was held on Monday. He said the agenda items were gone over thoroughly and he would make himself available to discuss his position to the press or anyone else after the meeting. He said there are differences in opinion, but he wants to try to expedite the meetings.

Mr. Malloy spoke about an inquiry he received from the 911 Department twice regarding a phone call Ms. Frenchko made to 911 on a recorded line relating to an occurrence at her residence. He stated she called to find out who from 911 leaked information to the press regarding the incident. Mr. Malloy stated he felt the call was a violation of Ethics. Mr. Malloy stated the call was made to 911 and lasted for three and a half minutes that tied up an emergency line. Discussion continued with details about the 911 call, and an email from the assistant at 911. Mr. Malloy stated he talked to the Prosecutor's Office, the Police Chief that handled the call at the residence and he feels the Board needs ask the Attorney General or Special Prosecutor to investigate. Mr. Malloy stated the Prosecutor's Office can't assist as their office represents the entire Board. Ms. Frenchko stated the County Policy states, you're not allowed to share anything with anyone unless it's done through a public records request if you're an employee. Mr. Cantalamessa asked Ms. Frenchko where in the Policy does it state that language exactly, as this information is all public record. Ms. Frenchko spoke about an employee who was disciplined for sharing something that wasn't publically record requested. Mr. Malloy stated, as soon as a 911 call is made, it's public information. Ms. Frenchko said it wasn't about the media—the media did request something, but the information was leaked as information was sent to the organization that is trying to remove her from office. Mr. Malloy discussed the timeline of events. There was discussion regarding ethics and using the title of Commissioner that has knowledge, 911 is for emergencies only. Ms. Frenchko spoke about personal attacks during public meetings. Mr. Malloy said this was the only way to publicly ask Mr. Cantalamessa if they can go over the Prosecutor's head to have someone investigate as there is an open investigation of an occurrence at Ms. Frenchko's house. Ms. Frenchko stated personal attacks and bullying has no place in Government and Mr. Malloy ran on making meetings boring and professionalism. Mr. Malloy said if it were Mr. Cantalamessa, he would be doing the same thing. Mr. Malloy said he was approached by an employee asking him what they should do, and he can't get an answer without addressing it in a public meeting with the consent of the Board. Mr. Malloy stated he was asking for the consent of the Board to advise Mr. Laird and Ms. Goldner what to do with this—he talked to the Prosecutor's Office and he is asking for the consent of the Board. Mr. Cantalamessa said he consented with Mr. Malloy. Mr. Malloy said consent to send documents to the Ethics Commission and Attorney General so it's someone outside of Trumbull County to investigate the 911 call matter see if this was illegal or unethical. Mr. Malloy thanked Mr. Cantalamessa for the second and stated they would ask the Prosecutor's Office for assistance so not one member of the Board is directly involved as to not taint the issue. Ms. Frenchko asked if anyone was divulging into Mr. Cantalamessa deleting his phone records that were public. Mr. Cantalamessa stated Ms. Frenchko was deflecting and he didn't delete one message. Ms. Frenchko spoke about Mr. Cantalamessa's phone being on auto delete. Ms. Frenchko spoke about exculpatory evidence regarding a family member of Mr. Cantalamessa. Mr. Malloy said an employee asked him what they should do, he did his job as Commissioner, in a public setting to address the issue and get consensus from the Board. He stated a copy of the tape was given to Ms. Leonard (Tribune) and Mr. Stan Boney who requested it and he would give a copy of the tape and emails to Mr. Smith (Tribune) if he wanted them. Ms. Frenchko stated County employees should be investigated when they're doing things contrary to policy.

Summarized Comments-(Cont'd):

Ms. Sharon Grover spoke on behalf of the Mespo Historical Society regarding an ARPA Grant Application they applied for related to handicapped and health needs. Ms. Grover asked the Board if they could submit the application the ARPA counsel for review. Mr. Cantalamessa said they spoke about this at the Public Workshop and he is ready to move this application to ARPA Counsel for an opinion. He spoke about the Mespo-area going unnoticed at times and recognized Ms. Grover for growing the historical society by leaps and bounds. Mr. Malloy agreed with Mr. Cantalamessa. Ms. Frenchko spoke about dozens of ARPA applications that were sitting, wanting a public meeting regarding ARPA applications since the County received the funding. Ms. Frenchko requested a public meeting with the remaining applications so applicants aren't waiting for ARPA money. She spoke about the historical society in McDonald who requested funding, but the Board doesn't have a centralized file or excel spreadsheet. There was discussion related to what information should be on the excel sheet, Munis report, showing status update, categories 1, 2, 3, 4, public meeting with all the documents, not leaving communities hanging, a lot that goes into the process, Mr. Misocky, road projects, township, making final decisions, applications being filed correctly on the website, making decisions in public, spending 45 minutes at the Workshop discussing ARPA with Jim Misocky, five or six presentations were given at the last Public Workshop, Board encourages presentations at meetings, concerns of what funds are left and wanting some of the remainder to go to the Townships before the county agencies absorb all of the funding, commitment that the money is spread around, Ms. Frenchko wanting excel spreadsheet that shows status of everything before the ARPA Public Meeting, Mr. Malloy being willing to assist with the report, Ms. Frenchko stated the staff should be doing the report. Ms. Grover spoke about her experience with the ARPA Funding where she filled out the application online and called Mr. Misocky and was in contact with him several times as she first filled out the incorrect application. Mr. Misocky told Ms. Grover to attend the Public Workshop. Ms. Grover said she has spent hours traveling, learning the process and attending workshops. Ms. Frenchko spoke about concerns regarding some applicants not having filled out the correct application. Ms. Grover asked for her new application to be considered to get the handicapped children up the stairwell in the museum. Ms. Grover stressed for applicants to attend the Public Workshops as that's where the work happens and where they figure it all out. She further stated she felt she was taken care of as Mr. Misocky got back with her and she enjoyed attending the workshops. Ms. Frenchko stated many people applied before the website was up and she proposed and their applications are sitting in limbo without any type of feedback and she wants to have a dedicated meeting. Mr. Malloy asked Ms. Frenchko to schedule the meeting and they would attend. Ms. Frenchko the staff needs to put together something where the Board can make their final decisions. She spoke about state legislature, state reps who are looking for projects.

Mr. P.C. Torres, Southington, Ohio, spoke to the Board about the ongoing drug problem in Trumbull County. Mr. Torres said he is living the problem as he has to bury his nephew tomorrow. Mr. Torres said is in recovery, but was a drug addict that was never caught. He said he would like Trumbull County to take the lead against drugs in the Country. Mr. Torres spoke of Dr. Martin Luther King's quote, 'I had a Dream', He spoke about jail and the proper place for alcoholic and drug addicts as he doesn't feel jail can offer rehabilitation. He spoke about the need for a facility that would help addicts learn to live life again. He spoke about having knowledge through living the life as an addict. He said nothing from this or past administrations is being done. Ms. Frenchko excused herself for a brief period and then returned. Mr. Torres continued speaking about families that hide the drug problems, meeting places and half-way houses that help some people. Mr. Torres asked the Board for help and lead the Country in this cause. Mr. Torres asked the Board to please keep in contact if he calls and said he works for the City of Warren Water Department. Mr. Torres spoke about being prophesized five years ago and he wants to help now. Mr. Malloy said he pledged help with funding to help and said Mr. Torres was courageous. Ms. Frenchko spoke about being three years old and experiencing a drug raid and about a family member that still struggles with using. She spoke about being a licensed social worker and people with dual diagnosis, lack of facilities to treat these individuals being a priority of hers, implementation of the opioid abatement strategy, reaching out to state reps because meds used for ADHD such as Adderall are being over prescribed. She further stated she would like physical and mental evaluations before doctors can prescribe certain meds as this can lead to addiction that leads to homelessness. Mr. Cantalamessa agreed with Mr. Torres stating, we are not going to arrest our way out of the problem as a solution. He spoke about being one of the first counties to fight against opioid addiction six years ago and millions of dollars are going to be poured back into the community because of the foresight of Mr. James Misocky and Board members and those funds will go to prevention, education, addiction and treatment. Mr. Cantalamessa spoke about the Mental Health and Recovery Board and the Sheriff's Department taking proper steps towards with the abatement strategy that is going to meet the problem head on. Ms. Amy Giovannone spoke about Mr. Torres and finding a solution to the drug problem. She said going to jail can keep a person with addiction alive until they can get to a proper facility. Ms. Giovannone spoke about her daughter and how she worked with the jail and her probation officers stating she was only in jail long enough until they could get her into an extended rehabilitation center. She went on to speak about facilities and advocates that are needed to work with the people with addiction. She spoke about a facility needed at Sierra's Sanctuary, but they don't have the funding to support it. She spoke about the recovery process and the importance of jail related to keeping people alive until they can seek recovery. Ms. Giovannone asked about holding a meeting with the Board and forming a Committee.

Summarized Comments-(Cont'd):

Mr. Roger Peterson, Bloomfield Township Trustee, thanked the Board, and Mr. Misocky regarding his ARPA application and allowing him to give a small presentation at the Public Workshop. Mr. Malloy asked to move Mr. Peterson's application to ARPA Counsel for an opinion. Mr. Cantalamessa agreed to do so.

Mr. Ed Agler, Director of Agriculture for the County spoke about obtaining a state grant and thanked everyone involved with the process. He thanked Ms. Amy Reeher, SWCD; Mrs. Julie Green, Planning Commission Director; and Senator Sandra O'Brien who brought the grant to them.

Ms. Amanda Hebert spoke about a Facebook post she put on social media regarding animal abuse cases and comments that were made on her post by a county union member. She stated she is a private citizen that lives in the county, but does not work for the County. Mr. Cantalamessa stated he hasn't seen the post, but believes it should be removed if it hasn't already been done because of accusations that don't exist. Mr. Malloy spoke about receiving some heat with some citizens who asked why he didn't vote to terminate. Mr. Malloy said he voted regarding to settle a union grievance for the employee to move to a different department. He said when he started as Commissioner, the matter had already been going on six months. Mr. Malloy said he felt the way it was handled was bungled. and the gentleman deserved a second chance based on that based on how long he was on unpaid leave and lack of communication back and forth. He said if he would have been Commissioner from the beginning, relating to the facts presented, he would have voted with Mr. Cantalamessa to terminate. Mr. Malloy stated he would vote to fire any employee that disrespects, disregards the safety, the feeding or care of animals. He further stated his vote was not on the facts of the case, it was to move the employee away from the dog kennel so he could not return to the kennel. Ms. Frenchko spoke about when the employee was first placed on leave, stating it was done contrary to the ORC. She stated Administrative Leave can only be unpaid if it's related to a felony. She said the Board violated the ORC and also the union contract was violated twice for the same thing. She further stated they were going to have to go to binding arbitration that costs thousands of dollars and there is no doubt in her mind, they would have lost and also given interest as the law states. She further stated the Board acted in the most appropriate fashion to protect the Board against a losing arbitration. Mr. Cantalamessa stated he totally disagreed. Ms. Hebert stated the reason for her post was to give the message of, doing better next time. Mr. Cantalamessa said the dog kennel has made tremendous strides and they are no going backwards. He said they went from a deplorable place to pretty much a zero kill facility. He went on to speak about a new facility for the dog kennel and treating the animals the way they deserve to be treated and hopefully it's a wake-up call that things will not be tolerated. Ms. Frenchko spoke about the First Amendment, following rules, comments from classified employees and union employees based on partisan political activity is considered a misdemeanor, but giving an opinion is within one's rights. There was discussion regarding employees speaking out, being very consistent. Ms. Frenchko said there are classified employees participating in partisan political activity. There was discussion regarding partisan political activity and non-partisan activity, Ms. Frenchko objecting to Mr. Cantalamessa's comments, Mr. Cantalamessa stating they are fact, accusations, and what the Board can and cannot discuss.

Week Beginning March 13, 2023

Meeting of March 15, 2023

RE: ADJOURN

MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to adjourn the Regular Meeting of March 15, 2023 @ approximately 11:56, and to meet again in Regular Session on March 22, 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