

Week Beginning April 10, 2023

Meeting of April 12, 2023

The Board of County Commissioners, Trumbull County, Ohio, met for a Regular Meeting on the 12th day of April 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

RE: MINUTES

1. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy to dispense with reading the minutes of the Regular Meeting dated April 5, 2023, and approve them as distributed and 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: TRANSFER MONIES

3. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy Pursuant to Ohio Revised Code Section 5705.14, to transfer monies as submitted to the Trumbull County Auditor’s Office between the dates of April 3, 2023 through April 7, 2023. *Complete list of money transfers shall be recorded onto the Journal for record purposes.*

❖ Departments/Offices requesting to transfer monies:

• Sanitary Engineers	\$ 103,533.17	Fund # 496
	\$ 435,331.67	Fund # 487
	\$ 24,132.67	Fund # 479
	\$ 18,099.50	Fund # 484

Yeas: Cantalamessa, Malloy
Nays: Frenchko

MS. FRENCHKO VOTED NO STATING THERE WAS NO DETAILED EXPLANATION PROVIDED

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

RE: DECREASE APPROPRIATIONS

4. **MOTION:** Made by Mr. Cantalamessa, seconded by Mr. Malloy to approve decrease appropriations, as submitted to the Trumbull County Auditor’s Office between the dates of April 3, 2023 through April 7, 2023. *Complete list of additional appropriations shall be recorded onto the Journal for record purposes.*

• Senior Services \$ 501,782.00 Fund # 065

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

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

RE: ADDITIONAL APPROPRIATIONS

5. **MOTION:** Made by Mr. Cantalamessa, seconded by Mr. Malloy, to approve additional appropriations, as submitted to the Trumbull County Auditor’s Office between the dates of April 3, 2023 through April 7, 2023. *Complete list of additional appropriations shall be recorded onto the Journal for record purposes.*

❖ **Departments/Offices requesting additional appropriations:**

• Commissioners (ARPA)	\$ 41,917.00	Fund # 077
• Sheriff	\$ 20,437.56	Fund # 710
• Commissioners’ Grant Year 2023	\$ 773,150.00	Fund # 065
• Comm Mental Health Board	\$ 1,000,000.00	Fund # 009
• Highway Engineer	\$ 762,340.00	Fund # 002
• Comm Development FY22	\$ 1,971.93	Fund # 258
	\$ 2,611.55	Fund # 258

Yeas: Cantalamessa, Malloy
Nays: Frenchko

MS. FRENCHKO VOTED NO STATING SHE DID NOT RECEIVE PART OF THE EXPLANATIONS

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

RE: TRANSFER APPROPRIATIONS

6. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy to transfer appropriations, as submitted to the Trumbull County Auditor’s Office between the dates of April 3, 2023 through April 7, 2023. *Complete list of appropriation transfers shall be recorded onto the Journal for record purposes.*

❖ Departments/Offices requesting to transfer appropriations:

• Common Pleas Court	\$ 500.00	Fund # 001
• Dom Rel/Juvenile Court	\$ 1,000.00	Fund # 033
	\$ 1,100.00	Fund # 001
• County Courts	\$ 500.00	Fund # 035
• Sanitary Engineers	\$ 21,000.00	Fund # 602
	\$ 26,000.00	Fund # 604
	\$ 10,000.00	Fund # 612
• Health Board	\$ 1,000.00	Fund # 959
• Comm Development FY20	\$ 795.23	Fund # 225

Yeas: Cantalamessa, Malloy

Nays: Frenchko

MS. FRENCHKO VOTED NO STATING SOME OF THE DEPARTMENTS AND ELECTED OFFICIALS ARE REFUSING TO PROVIDE EXPLANATIONS

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

**RE: AMENDED CERTIFICATE NO. 4-2023
COUNTY BUDGET COMMISSION**

7. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy to receive the Amended Certificate of the County Budget Commission No. 4 - 2023, for the fiscal year beginning January 1, 2023, dated April 12, 2023, increasing estimated resources in the funds listed:

• Highway Engineer	Fund # 002
• Commissioners’ Grant Year 2023	Fund # 065
• Senior Services	Fund # 065
• Sheriff (Rotary)	Fund # 710

Yeas: Cantalamessa, Malloy, Frenchko

Nays: None

MS. FRENCHKO MADE A MOTION FROM THE FLOOR TO MOVE UP THE RESOLUTION FOR AGENDA # 25 AHEAD OF EXECUTIVE SESSION, ITEM #8

MR. CANTALAMESSA SECOND THE MOTION MADE BY MS. FRENCHKO

Yeas: Frenchko, Cantalamessa, Malloy

Nays: None

ITEM #25 WAS READ AND THE RESOLUTION WAS PRESENTED FOR 2023 PLAYERS OF THE YEAR

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RE: EXECUTIVE SESSION

8. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, to go into Executive Session @ approx. 10:40 a.m. pursuant to R.C. 121.22(G)(3) to conference with an attorney for the Trumbull County Board of Commissioners concerning a dispute involving the Board of Commissioners that is the subject of pending court action – those present were, Mr. Cantalamessa, Ms. Frenchko, Mr. Malloy, Attorney Downey, Ms. Helen Sudhoff, and Mrs. Alex DeVengencie-Bush.

Yeas: Frenchko, Cantalamessa, Malloy
Nays: None

RE: RECONVENE FROM EXECUTIVE SESSION

9. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to go Reconvene from Executive Session @ approx. 11:19 a.m. pursuant to Ohio Revised Code 121.22(G)(3).

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

**RE: APPROVE EMPLOYMENT--MR. RONALD EXLINE
POSITION OF LABORER-TRUMBULL COUNTY
SANITARY ENGINEER'S DEPARTMENT
EFFECTIVE APRIL 13, 2023**

10. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to approve the personnel action for the employment of MR. RONALD EXLINE for the position of LABORER-BWWTP with the TRUMBULL COUNTY SANITARY ENGINEERS DEPARTMENT; effective Thursday April 13, 2023, Pay Range 3 (0 years) \$14.10 - - *pursuant to the authorized job posting from March 6 through March 14, 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 transfer. Mr. Exline has a Class B CDL license with Tanker endorsement and has successfully passed a FMCSA Clearinghouse query, a pre-employment drug screen and background check

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

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**RE: AMEND AGENDA ITEM DATED APRIL 5, 2023
PURCHASE OF FORD E-450 DRW CUTAWAY
MOUNTED MAINLINE TV INSPECTION TRUCK FROM
MTECH – SANITARY ENGINEER’S DEPT.—
AMENDMENT NECESSARY TO CORRECT AMOUNTS
FROM EACH APPROPRIATION**

11. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to amend Agenda Item dated April 5, 2023, Journal Volume 156, Page 25591, to authorize the purchase of a Ford E-450 DRW Cutaway Mounted Mainline TV Inspection Truck, from MTECH – 7401 1st Pl, Cleveland, OH 44146, for the use of the Trumbull County Sanitary Engineers Department, in the total amount of \$387,247.90 (through the Ohio State Purchasing STS Pricing Contract Number: 800905 Index STS670) **AMENDMENT** is necessary to correct the amounts paid from each appropriation. \$239,676.97 will be paid from Fund No. 423-080-3000-3020-1-505410 and \$147,570.93 will be paid from Fund No 423-080-3000-3025-1-505410 based on a sewer customer breakdown.

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

Agreement recorded on Journal Page(s)_____.)

**RE: PRIVATE EXTENSION AGREEMENT
EXTENSION OF THIRTEEN (13) SANITARY
SEWER SERVICE CONNECTIONS AND
INSTALLATION OF FOUR (4) NEW WYES
WITH CHARLES RECSER –COUNTY
PROJECT 1-S-23**

12. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to enter into a Private Agreement for the extension of thirteen (13) sanitary sewer service connections and installation of four (4) new wyes and service connections in accordance with the Ohio Revised Code Section 307.73 with Charles Recser, along Saddlebrook Lane (Private), Bazetta Township, Trumbull County Combined Sanitary Sewer District, Mosquito Creek Sub District, known as Project No. 1-S-23, subject to the approval of the Prosecutors Office.

MS. FRENCHKO MADE A MOTION FROM THE FLOOR TO TABLE THIS BECAUSE SHE DOES NOT HAVE BACK-UP DOCUMENTATION FROM THE PROSECUTOR’S OFFICE ABOUT THE LANGUAGE BEING CORRECT

Ms. Frenchko stated she sent an email yesterday and have not heard anything

MOTION DIED FOR LACK OF SECOND

Mr. Newbrough stated Attorney Danso and sent a response that everything was okay with the Prosecutor’s Office regarding Item #12. Ms. Frenchko stated she did not receive a response and asked to see the email. Mr. Newbrough stated he didn’t bring it to the meeting. Ms. Frenchko asked him to forward it.

Yeas: Cantalamessa, Malloy
Nays: Frenchko

MS. FRENCHKO STATED SHE WAS VOTING NO BECAUSE SHE DIDN’T SEE THE PRE-APPROVAL FROM THE PROSECUTOR’S OFFICE AND SHE FURTHER STATED SHE WOULD LIKE TO SEE THESE THINGS BEFORE THE MEETING.

The Clerk stated the Agenda item was sent to Attorney Danso by Mr. Miller on April 6, 2023

Agreement recorded on Journal Page(s)_____.)

MS. FRENCHKO MADE A MOTION FROM THE FLOOR TO REQUIRE THE CLERK TO HAVE PROOF THAT ITEMS ARE APPROVED AS TO FORM AND PROCESS BY THE PROSECUTOR’S OFFICE BEFORE ADDING THEM TO THE AGENDA

MOTION DIED FOR LACK OF SECOND

The Clerk asked Mr. Malloy if she may speak and stated she received a previous email from Attorney Toth stating the Prosecutor’s Office could not be the gatekeeper for all of the Agenda items and she reasonably sends items, talks to them, and works with them as much as she can. The Clerk further stated she saw Mr. Miller sent the item to Attorney Danso. Ms. Frenchko called, Point of Order, stating the Clerk is not a member of the Board. Mr. Malloy stated the Clerk was providing educational information and reiterating what she spoke about yesterday at the Public Workshop.

**RE: AGREEMENT BETWEEN COMMISSIONERS
AND CITY OF WARREN, OHIO
FOR WASTE COLLECTION SERVICES**

13. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to approve an Agreement by and between the BOARD OF TRUMBULL COUNTY COMMISSIONERS and the CITY OF WARREN, OHIO, for WASTE COLLECTION SERVICES for various County Buildings as listed, for a two (2) year period commencing July 1, 2023 and ending June 30, 2025. Pricing is all-inclusive, (Monthly Total \$2,321.00—Annual Total \$27,852.00) -- no additional charges will be permitted during the contract period—including fuel, EPA, and Administrative. **SPECIAL NOTE:** This contract is exempt from the bidding process pursuant to ORC 307.86(C). **IMPORTANT NOTE:** The rates for the various locations are per month except for jail compactor which is as needed basis.

CITY OF WARREN

SERVICE ADDRESS	SIZE	SERVICE FREQUENCY	MONTHLY RATE
911 Center 911 Howland Wilson Road	6 yard	1 x per week Tuesday	\$ 97.00
Administration Building 160 High Street, NW	8 yard	5 x per week Monday thru Friday	\$382.00
Vehicle Maintenance 605 Panther Avenue	6 yard	1 x per week Monday	\$ 97.00
Health Department 176 Chestnut Street	6 yard	1 x per week Tuesday	\$ 97.00
Family Court 220 Main Street, SW	6 yard	3 x per week Monday/Wednesday/Friday	\$190.00
Stone Building 108 High Street	8 yard	3 x per week Monday/Wednesday/Friday	\$234.00
Wean Building 347 N. Park Avenue	8 yard	3 x per week Monday/Wednesday/Friday	\$234.00
Board of Elections 2947 Youngstown Road	4 yard	1 x per week Tuesday	\$ 60.00
Sanitary Engineers 842 Youngstown-Kingsville Road	4 yard	1 x per week Tuesday	\$ 60.00
Dept. of Job & Family Services 280 N. Park Avenue	6 yard	5 x per week Monday thru Friday	\$291.00
Highway-Cortland 3654 Warren-Meadville Road	8 yard	1 x per week Tuesday	\$105.00
Highway Engineering 650 North River Road	2 yard	1 x per week-Wednesday	\$ 47.00
650 North River Road	6 yard	1 x per week-Wednesday	\$ 97.00
Talmer Bank Building 185 East Market Street	8 yard	2 x per week Monday/Wednesday	\$170.00
Agricultural Building 520 W. Main Street, Cortland	4 yard	1 x per week Tuesday	\$ 60.00
Veterans’ Services 253 East Market Street	3 yard	1 x per week Tuesday	\$ 50.00
Dog Kennel 7501 Anderson Avenue	3 yard	1 x per week Wednesday	\$ 50.00
Jail Compactor	30 yard	(As needed)	\$80.00/per haul \$56.00/per ton disposal

Yeas: Cantalamessa, Malloy
Nays: Frenchko

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MS FRENCHKO MADE A MOTION TO TABLE AGENDA ITEM 13 BEFORE THE CLERK WAS FINISHED READING THE ITEM IN ORDER TO OBTAIN AT LEAST TWO QUOTES TO SHOW THIS IN FACT IS THE BEST RATE

Ms. Frenchko stated it won't hurt anything, it is just in good faith.

MOTION DIED FOR LACK OF SECOND

THE CLERK FINISHED READING THE AGENDA ITEM

MR. CANTALAMESSA MADE A MOTION TO APPROVE ITEM #13 AND READ THE SPECIAL NOTE: This contract is exempt from the bidding process pursuant to ORC 307.86(C).

Yeas: Cantalamessa, Malloy

Nays: Frenchko

The vote occurred here, but was moved after agenda item #13 for page numbering purposes

MS. FRENCHKO VOTED NO BECAUSE OTHER QUOTES WEREN'T SHOPPED AROUND FOR

There was discussion regarding the Agreement being exempt from bidding, due diligence to the residents, presentation with back-up information at the public workshop.

Agreement recorded on Journal Page(s)_____.)

**RE: AUTHORIZE MAURO CANTALAMESSA
EXECUTE SUBDIVISION AND SPECIAL
DISTRICT SETTLEMENT PARTICIPATION FORM**

14. **MOTION:** Made by Ms. Frenchko, seconded by Mr. Cantalamessa, to authorize Mauro Cantalamessa, Trumbull County Commissioner, to execute the Subdivision and Special District Settlement Participation Form and any other required documents, on behalf of Trumbull County, as a "Governmental Entity", to allow Trumbull County to participate in the "Allegran Settlement" and the "Teva Settlement" Agreement dated November 22, 2022 regarding the claims pending in In re National Prescription Opiate Litigation, MDL No. 2804.

NOTE: Commissioner Cantalamessa has an established DocuSign account on behalf of Trumbull County from prior opioid litigation.

There was discussion regarding Mr. Misocky adding Agenda Item #14 after discussion at the public workshop, and a statement the item was added after the Clerk received the language from Mr. Misocky. Ms. Frenchko asked for items that are added to be placed at the end of the agenda so she can follow her notes. Mr. Cantalamessa spoke about Item #14 stating it was related to the One Ohio National Lawsuit with the manufacturers--not distributors. He further explained the Allegran and Teva Settlements and said it was a win for Trumbull County. Ms. Frenchko asked if there was a copy of the settlement participation form. Mr. Cantalamessa said Mr. Misocky discussed it at the public workshop, is the point person relating to Item #14, and he had the documentation. Mr. Malloy stated it has already been negotiated by the lawyers. There was discussion relating to Mr. Misocky working on the Opioid Settlements, drainage districts, ARPA, and statements Mr. Misocky was a former employee of the Commissioners' Office, audit issues, statement that employees need to be doing work associated with that elected official's duties, working in conjunction with Auditor, statutory duties of Auditor, saving money, 1.5 mill win for County, requesting a copy of documentation, statement of Tabling Item #14, voting on things that haven't been reviewed, counsel reviewed settlement, and Mr. Misocky being responsible for the county potentially receiving millions of dollars.

MS. FRENCHKO VOTED NO BECAUSE SHE HASN'T REVIEWED ANYTHING, HASN'T RECEIVED ONE THING RELATED TO ITEM #14 AND IT SHOULDN'T HAVE BEEN PLACED ON THE AGENDA BY THE CLERK UNLESS SHE HAD THE ITEM AND GAVE IT TO THE COMMISSIONERS AND

SHE SHOULD BE THE GATEKEEPER TO MAKE SURE THINGS GOING ON THE AGENDA HAVE BEEN REVIEWED BY THE COMMISSIONERS.

The Clerk stated she was told to put the item on the Agenda at the Public Workshop by the Majority of the Board. Mr. Malloy stated Ms. Frenchko should have attended as it's a good thing for the citizens of Trumbull County.

Yeas: Cantalamessa, Malloy

Nays: Frenchko

RE: RENEW CONTRACT BETWEEN COMMISSIONERS AND DIRECTION HOME OF EASTERN OHIO, INC. FOR SOCIAL ASSISTANCE MANAGEMENT SYSTEM ("SAMS") TO ACCESS AGENCY'S SOCIAL ASSISTANCE MANAGEMENT SYSTEM

15. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to exercise Trumbull County's option to renew the contract by and between the BOARD OF TRUMBULL COUNTY COMMISSIONERS and DIRECTION HOME OF EASTERN OHIO, INC., f/k/a Area Agency on Aging 11, Inc., 1030 N. Meridian Road, Youngstown, OH 44509, for access to the agency's SOCIAL ASSISTANCE MANAGEMENT SYSTEM (the "SAMS") for an additional one (1) year period, effective March 1, 2023 through February 29, 2024. The base cost for this program is \$5,000.00 annually plus the renewal of license fees for providers is \$446.08 per license. Five (5) licenses are needed at this time for a total amount including the base cost of \$7,230.40-to be paid for from Senior Levy Fund No. 065-050-1000-1000-1-505551-*no General Revenue Funds will be utilized*; this action per the recommendation of Diane M. Siskowic-Jurkovic, CPA, Senior Levy Administrator, and is subject to review and approval of the Prosecutor's Office.

NOTE: The Board of Commissioners approved the original contract with Area Agency on Aging 11, Inc. for the SAMS Program on January 20, 2011, duly recorded in Journal Volume 136, Page 15674. Renewal of the contract on May 31,2012, duly recorded in Journal Volume 138, Page 16742-with the Modification of Rates being approved on September 20, 2012, duly recorded in Journal Volume 138, Page 16972. Renewal of the contract was approved on February 6, 2013, duly recorded in Journal Volume 139, Page 17277. Renewal of the contract was approved on April 28, 2014, duly recorded in Journal Volume 141, Page 18222. Renewal of the contract was approved on April 22, 2015, duly recorded in Journal Volume 143, Page 19025. Renewal of the contract was approved on April 20, 2016, duly recorded in Journal Volume 144, Page 19830. Renewal of the contract was approved on April 26, 2017, duly recorded in Journal Volume 146, Page 20700. Renewal of the contract was approved on May 16, 2018, duly recorded in Journal Volume 148, Page 21614. Renewal of the contract was approved on June 5, 2019, duly recorded in Journal Volume 150, Page 22425. Renewal of the contract was approved on April 29, 2020, duly recorded in Journal Volume 151, Page(s) 23149-23150. Renewal of the contract was approved on March 10, 2021, duly recorded in Journal Volume 153, Page(s) 32817. Renewal of the contract was approved on April 13, 2022, duly recorded in Journal Volume 154, Page(s) 24724.

Ms. Frenchko's asked if there was a letter from the County requesting the renewal and asked if the letter existed.

Mrs. Siskowic Jurkovic explained how they have been renewing the Agreement. She stated Direction Home sent her a letter stating they want to renew.

Yeas: Cantalamessa, Malloy, Frenchko

Nays: None

Agreement recorded on Journal Page(s)_____.)

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**RE: EMPLOYMENT – MS. CRYSTAL HUNSICKER
POSITION OF POUND KEEPER –DOG KENNEL**

16. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to approve the personnel action for the employment of MS. CRYSTAL HUNSICKER for the position of POUND KEEPER with the TRUMBULL COUNTY DOG KENNEL; effective April 17, 2023, Pay Range 3 (0 years) \$14.10 per hour; pursuant to the authorized job posting; this action per the recommendation of the Human Resources Department in conjunction with the Dog Kennel Department.

NOTE: Ms. Hunsicker successfully completed a BCI background check and drug/alcohol screening with favorable results.

Yeas: Cantalamessa, Malloy

Nays: Frenchko

MS. FRENCHKO STATED THIS POSITION WASN'T EVEN ON THE BOOKS IT WAS A PART-TIME JOB LEFT UNFILLED ONCE A DEPUTY POSITION WAS CREATED AND NOW IT'S BEING CONVERTED TO FULL TIME AND HASN'T BEEN FILLED FOR A NUMBER OF YEARS, SHE WAS VOTING NO.

**RE: TRANSFER MR. MICHAEL DELBONO,
LABORER – SANITARY ENGINEER'S DEPT.
TO POSITION OF DEPUTY DOG WARDEN
TRUMBULL COUNTY DOG KENNEL**

17. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to approve the transfer of MR. MICHAEL DELBONO, Laborer, Sanitary Engineer, Pay Range 3 (3 years) \$16.26, to the position of DEPUTY DOG WARDEN, Dog Kennel, Pay Range 4 (3 years) \$17.53 with the TRUMBULL COUNTY DOG KENNEL; effective April 17, 2023; pursuant to the authorized job posting; this action per the recommendation of the Human Resources Department in conjunction with the Dog Kennel Department.

Yeas: Cantalamessa, Malloy

Nays: Frenchko

MS. FRENCHKO VOTED NO STATING THE EMPLOYEE LACKS ANY SHRED OF EXPERIENCE RELATING TO THE JOB POSTING.

There was discussion relating to this being a bargaining position that employees bid on, questions if there was a degree in feeding dogs, and a requirement of 6 to 18 months of job experience working with dogs.

**RE: AUTHORIZE COUNTY ENGINEER
TO PURCHASE SODIUM CHLORIDE
FOR 2023-2024 WINTER FILL AND
EXECUTE "PARTICIPATION AGREEMENT"**

18. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, pursuant to Section 5513.01 (B) of the Ohio Revised Code., to authorize the Trumbull County Engineer to Purchase SODIUM CHLORIDE (Rock Salt) through the Ohio Department of Transportation for the 2023-2024 Winter Fill; AND to execute the "Participation Agreement" with the State of Ohio Department of Transportation, Office of Contracts, Purchasing Services, authorizing the participation of Trumbull County in this Contract (Contract 018-24) to purchase Sodium Chloride (Rock Salt), and agreeing to be bound by the invitation, terms, conditions—to be paid for from the Engineer's Fund No. 002-030-1700-1700-1-505202; this action per the recommendation of the Trumbull County Engineer and is subject to review and approval of the Prosecutor's Office.

Yeas: Cantalamessa, Malloy, Frenchko

Nays: None

(Agreement recorded on Journal Page(s)_____.

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

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

- **P. I. & I. MOTOR EXPRESS, INC.**
P.O. Box 685, Sharon, PA 16146
Permit No.: 2023-046
Permit Effective: April 3, 2023 through April 3, 2024

Yeas: Frenchko, Cantalamessa, Malloy
Nays: None

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

20. 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.

- **HEISS EQUIPMENT & H & H LAND CLEARING, LLC**
P.O. Box 179, Middlefield, OH 44062
Permit No.: AF-022-2023
Permit Effective: April 26, 2023 through April 26, 2024
- **HAUSER SERVICES LLC**
P.O. Box 1161, Middlefield, OH 44062
Permit No.: AF-023-2023
Permit Effective: April 28, 2023 through April 28, 2024
- **TRUMBULL CEMENT PRODUCTS CO, INC.**
2185 Larchmont Ave, NE Warren, OH 44483
Permit No.: AF-024-2023
Permit Effective: April 15, 2023 through April 15, 2024
- **TRUMBULL COUNTY LOGGING CO, INC.**
9446 Bundysburg Road, Middlefield, OH 44062
Permit No.: AF-025-2023
Permit Effective: April 26, 2023 through April 26, 2024
- **BOB’S TREE SERVICE & STUMP REMOVAL, LLC.**
1052 N. River Rd., Warren, OH 44483
Permit No.: AF-026-2023
Permit Effective: April 26, 2023 through April 26, 2024
- **DARRELL L. RATHBURN**
2750 Mahan Denman Rd., Cortland, OH 44410
Permit No.: AF-027-2023
Permit Effective: April 29, 2023 through April 29, 2024

Yeas: Cantalamessa, Malloy, Frenchko
Nays: Non

RE: AWARD BID- U.S. BRIDGE, A DIVISION OF THE OHIO BRIDGE CORPORATION FOR TRU-CH-206D (PAINSVILLE WARREN STATE RD.) (SOU #26) BRIDGE REHABILITATION PROJECT

21. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to award the lowest, responsive and responsible Bid as submitted by U.S. BRIDGE division of THE OHIO BRIDGE CORPORATION, P.O. Box 757, 201 Wheeling Ave., Cambridge, OH 43725, for the TRU-CH-206D (Painsville Warren State Rd.) SOU#26 BRIDGE REHABILITATION PROJECT located in Southington Township, in the amount of \$203,232.76-- funded at 100% by a Bridge Funding Program grant received through the County Engineer’s Association of Ohio (CEAO), which will be direct pay—*No Highway or General Funds are required*; AND to enter into a contract; this action per the recommendation of the Trumbull County Engineer and is subject to review and approval of the Prosecutor’s Office.

NOTE: Engineer’s Estimate = \$216,450.00

OTHER BIDS SUBMITTED

COMPANY	AMOUNT
JET EXCAVATING COMPANY 4345 E. South Range Road New Middletown, OH 44442	\$335,000.00

Yeas: Cantalamessa, Malloy, Frenchko

Nays: None

RE: CLOSE ROADS

22. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to grant permission to the County Engineer to Close the Roads listed.

- **MORREL RAY ROAD (T.H. 247B) MEC #2 Bridge located in Mecca Township;** closing location between State Route 88 (C.H. 83) and Mahan Denman Rd. (T.H. 240) for bridge repairs.

Closing Dates: Immediately until further notice

RECOMMENDED DETOUR: *East on State Route 88; North on Hoagland Blackstub Rd. (C.H. 203); West on Mahan Denman Rd. (T.H. 240)*

- **STODDARD HAYES RD. (T.H. 249C) located in Johnson Township;** closing location between Fisher Corinth Rd. (C.H. 248) and Davis Peck Rd. (C.H. 288) for a culvert replacement.

Closing Dates: Monday, April 17, 2023 through Friday, May 5, 2023

RECOMMENDED DETOUR: *West on Davis Peck Rd. (C.H. 288); South on SR 193; East on Fisher Corinth Rd. (C.H. 248)*

Yeas: Cantalamessa, Malloy, Frenchko

Nays: None

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**RE: ADVERTISE FOR BIDS
ADULT PROBATION DEPARTMENT
TO ACCEPT PAYMENTS BY FINANCIAL
TRANSACTION DEVICE**

23. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to authorize the Board of Trumbull County Commissioners' Clerk to advertise for sealed bids for the TRUMBULL COUNTY ADULT PROBATION DEPARTMENT TO ACCEPT PAYMENTS BY A FINANCIAL TRANSACTION DEVICE.

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

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

**RE: RECEIVE/FILE 2022 ANNUAL REPORT-
GIRARD MUNICIPAL COURT AND FORWARD
A COPY OF REPORT TO AUDITOR**

24. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to receive and place on file the 2022 Annual Report of the GIRARD MUNICIPAL COURT as submitted by Judge Jeffrey D. Adler; AND to forward a copy of said report to the Trumbull County Auditor's Office. Report is filed pursuant to the Ohio Revised Code Section 1901.14 (A) (4).

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

**RE: 2023 PLAYERS OF THE YEAR-
PLANNING COMMISSION**

25. MOTION: Made by Mr. Cantalamessa, seconded by Ms. Frenchko, to Concur with the Trumbull County Planning Commission and recognize through Resolution the 2023 TRUMBULL COUNTY PLAYERS OF THE YEAR: Thomas Cardiero of the Girard School District and Sophia Hook of the Brookfield School District.

Yeas: Cantalamessa, Frenchko, Malloy
Nays: None

**ITEM #25 WAS READ AND VOTED ON AFTER ITEM #8 AND BEFORE
EXECUTIVE SESSION FOR TIME PURPOSES**

RE: AMEND AGENDA ITEM DATED NOVEMBER 30, 2022, JOURNAL VOL. 155, PAGE(S) 25250-25251, TO ALLOW DENNY MALLOY, PRESIDENT TO EXECUTE PUBLIC DEFENDER AGREEMENTS ON BEHALF OF FORMER COMMISSIONER FRANK S. FUDA

26. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to Amend Agenda Item dated November 30, 2022, Journal Volume 155, Page(s) 25250-25251, entering into Agreements with the MUNICIPALITIES listed for services of the PUBLIC DEFENDER’S OFFICE, 250 East Broad Street, Suite 1400, Columbus, OH 43215--per their request passed by their respective City Councils. Amounts listed in said Agreements shall be paid to the County, in accordance with the terms stipulated therein—AMENDMENT necessary to allow Denny Malloy, President of the Board of Commissioner to sign Agreements on behalf of former Commissioner Frank S. Fuda.

Yeas: Cantalamessa, Malloy

Nays: Frenchko

MS. FRENCHKO VOTED NO STATING SHE DIDN’T RECEIVE ENOUGH INFORMATION REGARDING ITEM #26

RE: ADOPT A RESOLUTION TO MAINTAIN THE RECORD OF PROCEEDINGS FOR THE TRUMBULL COUNTY BOARD OF COMMISSIONERS BY ELECTRONIC MEANS

27. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to Adopt a Resolution to Maintain the Record of Proceedings for The Trumbull County Board of Commissioners by Electronic Means

WHEREAS, Ohio Revised Code 305.10 authorizes the Board of Trumbull County Commissioners to adopt a resolution directing the clerk to maintain a full record of the proceedings by electronic means;

WHEREAS, Ohio Revised Code 9.01 allows the Board of Trumbull County Commissioners to maintain a full record of the proceedings by audio or video recordings;

WHEREAS, Ohio Revised Code 305.11 authorizes the Board of Trumbull County Commissioners to orally approve the electronic record of proceedings from the previous meeting after the clerk certifies that the entire record of proceedings at that meeting is completely and accurately captured by audio or video recording;

WHEREAS, the Board of Trumbull County Commissioners now audio or video records all meetings and work sessions to make them available to the public; and,

(Continued)

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RE: ADOPT A RESOLUTION TO MAINTAIN RECORD PROCEEDING BY ELECTRICAL MEANS (Cont'd)

WHEREAS, the Board of Trumbull County Commissioners finds that making the audio or video recordings the official record of the Board of Trumbull County Commissioners is the most transparent and efficient manner to serve the residents of Trumbull County and to document the actions of the Board of Trumbull County Commissioners.

THEREFORE, BE IT RESOLVED, that the Board of Trumbull County Commissioners hereby adopts this Resolution to maintain the full record of the proceedings by audio or video recording of all meetings and work sessions and that these recordings shall take the place of any written meeting minutes created by the clerk.

THEREFORE, BE IT FURTHER RESOLVED, that the Board of Trumbull County Commissioners shall orally approve the audio or video recordings from the prior meeting after the clerk certifies that the recordings completely and accurately capture the record of proceedings at that meeting.

THEREFORE, BE IT FURTHER RESOLVED, that the Board of Trumbull County Commissioners hereby directs the clerk to maintain a written summary of the record of the proceedings only if the audio or video recording of any meeting or work session malfunctions.

THEREFORE, BE IT FURTHER RESOLVED, that the Board of Trumbull County Commissioners direct the clerk to promptly prepare, file, and maintain and make available for public inspection the audio or video recordings of all meetings and work sessions.

THEREFORE, BE IT FURTHER RESOLVED, that it is found and determined that all actions of the Board of Trumbull County Commissioners concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Trumbull County Commissioners and that all deliberations of the Board of Trumbull County Commissioners that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

THEREFORE, BE IT FURTHER RESOLVED, that this Resolution shall be effective on the earliest date allowed by law.

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Summarized Discussion:

There was discussion relating to Item #27, questions if this item was discussed in Ex. Session, attorney-client privilege, statement that item was discussed with Mr. Malloy and his counsel, procedure other counties follow, state attorney general open meeting manual, public record request of what documents were sent to Mr. Malloy, any Commissioner can put an item on the agenda, statement that Mr. Malloy will consult with his counsel regarding the public record request, Ms. Frenchko stating employees in Commissioners' Office received raises to absorb additional duties of employee leaving, minutes being time consuming, Commissioners' Office going from four to seven employees, Ms. Frenchko asking to re-evaluate the need for additional staff, comp time hours, workshop minutes behind because of shortage of employees, still working at maximum capacity, county spending \$65,000 for video equipment to be more efficient, statements of false narratives, catching up on months of workshop minutes, staff still working in maximum capacity, changing narrative to keep staff at a level that's not needed, statements of seven employee still being understaffed with a county with the same demographics, and County not having an Administrator or Budget Finance Manager.

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

RE: ADOPT A RESOLUTION FOR THE BOARD OF TRUMBULL COUNTY COMMISSIONERS TO HOLD A SPECIAL MEETING ON TUESDAY, APRIL 25, 2023, AT 1:30 P.M. TO DISCUSS PENDING AND FUTURE ARPA APPLICATIONS AND ANY OTHER ARPA RELATED MATTERS

28. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to adopt a Resolution, for record purposes, for the Board of Trumbull County Commissioners to hold a SPECIAL MEETING on TUESDAY, APRIL 25, 2023, at 1:30 p.m., in the Commissioners' Hearing Room, 5th Floor, 160 High Street, NW, Warren, OH 44481. The Special Meeting will be to discuss pending and future American Rescue Plan Act 'ARPA' Applications with applicants, the public, and the press, and to discuss any other ARPA related matters.

There was a question when the Special Meeting was decided, statement the special meeting was decided at the Public Workshop, deadline to set the Special Meeting, wanting to set the meeting to move forward and not make the public wait, and Mr. Ed Agler looking for space for special meeting.

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

Discussion relating to a spreadsheet Ms. Frenchko requested from staff. Mr. Malloy stating there was a spreadsheet with Ms. Frenchko's name on the signing table. Ms. Frenchko stated she sent an email requesting paperwork to be brought off the signing table to her, and a statement by Ms. Frenchko that she doubts the spreadsheet includes everything she requested. Ms. Frenchko asked the staff if they were listening to the meeting, to bring the spreadsheet to her.

MR. MALLOY MADE A MOTION FROM THE FLOOR TO

Mr. Malloy stated this is to reiterate something that has already been done before but he wanted to do it officially now that he is a Commissioner. He further stated this was a Motion to except the procedure for signing agenda item back-up documents this was originally dated December 15, 2022.

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**RE: ADOPT A SIGNING POLICY
IN THE TRUMBULL COUNTY
COMMISSIONERS' OFFICE**

MOTION: Made by Mr. Malloy, seconded by Mr. Cantalamessa, to reiterate and accept the procedure for signing Agenda back-up documents, that was originally signed on December 15, 2022, prior to Mr. Malloy taking office, and to clarify some concerns regarding the execution of Agenda back-up documents and follow procedure for obtaining signatures as follows: An original of the documents will be placed at the front receptionist table, only by clerks of the department, when completed to make them available for signing by the three commissioners. No originals may be removed from the table for any reason. No original document maybe altered, amended, written on without prior approval by majority of the Board of Commissioners. The approving parties of the documents will regularly visit the office and sign the appropriate original documents and leave them on the table for processing. This must be done in a timely manner to prevent delays in processing. The Clerks will collect the executed documents on a daily basis and process them as required.

Mr. Cantalamessa seconded the Motion from the Floor stating this was common office etiquette.

Ms. Frenchko stated the employees do things the way they want to. She said the employees asked the Board to sign off on what they want, policy was created in December with Mr. Fuda and Mr. Cantalamessa and was contrary to Sunshine when it was signed. There was discussion relating to the verbiage, approval by majority of the Board, policy should have been edited, statements that the policy binds a Commissioner, statement that Commissioners can't implement policy on other Commissioners, statements of sliding in documents to be signed, and policy prevents writing on documents and contracts.

Yeas: Malloy, Cantalamessa

Nays: Frenchko

SUMMARIZED COMMENTS:

Human Resources Director, Alex DeVengencie-Bush, discussed finding a solution for departments obtaining a pre-agenda review from the Prosecutor's Office, instead of the responsibility being solely on the Clerk as the department heads have knowledge of their agenda items. Ms. DeVengencie-Bush stated she isn't sure if it's part of the Clerk's duties. Ms. Frenchko suggested the Clerk being the gatekeeper and sending items back to departments if items don't come with proof of pre-review. Ms. Frenchko made statements relating to an Agreement with Heritage and the Commissioners not receiving the approved version before they voted on the Agreement, statement that Commissioners are the contracting authority for all the departments, Ms. Frenchko stating the Heritage agreement not being done by the Commissioners' Office the right way. The Clerk stated Ms. Frenchko's statement regarding the Commissioners' staff not doing the Heritage Agreement was false information. Ms. DeVengencie-Bush spoke about roles and responsibilities, and providing staff with a process and procedure. Discussion continued regarding a letter Assistant Prosecutor Toth sent stating the Prosecutor's Office sent, and statement by Ms. Frenchko that Mr. Danso prefers to approve things before hand as to process, form and correctness. The Clerk stated she worked with most of the departments, and works with the Prosecutor's Office on many of the Agenda items for pre-approval, but many items are administrative decisions. Ms. Frenchko stated she would prefer a stamp from the Prosecutor's Office that approves items as to process, form and correctness to prevent mistakes. Ms. Frenchko spoke of errors and advice the Prosecutor's Office has found in the past. Ms. Frenchko asked for Ms. DeVengencie's input on some of items (policies) on today's agenda.

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SUMMARIZED COMMENTS:

Ms. DeVengencie-Bush stated she wanted to make sure roles and responsibilities were clear. There was further discussion relating the Heritage Agreement, and statements the Prosecutor's Office will look and sign off on Private Extension Agreements before the Board of Commissioners sign them. Discussion regarding Mr. Michael Salamone and past contracts, statements of false information, statements the Prosecutor's Office sign agreements before the Board, Commissioners' employee having additional duties listening to the meeting, letting public in for comments related to new video/audio system, union to union bidding for new position and a five-day clause that exists so employee can go back to old position if they aren't able to perform new duties, statements employee didn't have direct experience other candidates did.

Mrs. Diane Siskowic-Jurkovic wanted clarification on item #26 because she has to change the signatory from Mr. Fuda to Mr. Malloy. The Clerk said Ms. Jurkovic should ask the Prosecutor's Office as it could be a different situation.

Mrs. Jurkovic spoke about an item she put pulled off of the agenda and stated it would be placed back on next week. There was discussion relating to ODOT requirements, internal policies for contracting, an email from Ms. Frenchko relating to voting on the contracts, questions how Ms. Jurkovic would prepare a contract if she wasn't sure what the Board was awarding, explanation of process, approved versus negotiating the contract, checklist that gives order of requirements, Ms. Jurkovic stating ODOT said she and Mr. Salamone were following procedure, completing contracts based on award, copies of documents will be forwarded to the Board, statement that Ms. Frenchko is asking for a new process.

Ms. Beth Bigham, Regional Representative for Senator J.D. Vance thanked the Board for all they do. She spoke about touring the Children Services Department and thanked them for their efforts in supporting Child Abuse Prevention Month. She offered her offices services for letters of support the county may have or any other matters.

Mrs. Darlene Fuda, Niles, Ohio spoke about Ms. Frenchko and her treatment of the Clerk.

Mr. Ed Agler, Director of the Agricultural Center spoke about the project he is heading and his conversation with Senator O'Brien. He stated he was happy with the way things were going and he would keep the Board updated.

Ms. Frenchko asked if the human resources director was working on a process for getting things signed and wanted help obtaining explanations of the appropriations. Mrs. Yoder explained the process and stated their responsibility is to make sure the money is there. She further stated Ms. Frenchko said she didn't receive an explanation from the Auditor's Office last week, and she shared the email showing her office did send and explanation. Ms. Frenchko further stated she wants to see a paper trail and it only takes three minutes to give an explanation. There was discussion regarding preparing/approving the budget and whose responsibility it is.

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RE: ADJOURN

MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to adjourn the Regular Meeting of April 12, 2023 @ approximately 12:15, and to meet again in Regular Session on April 19, 2023.

Yeas: Cantalamessa, Malloy
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