

Week Beginning May 15, 2023

Meeting of May 17, 2023

The Board of County Commissioners, Trumbull County, Ohio, met for a Regular Meeting on the 17th day of May 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 Special Regular Meeting dated May 9, 2023 and approve them as distributed and printed.

Yeas: Cantalamessa, Malloy
Nays: Frenchko

MS. FRENCHKO VOTED NO STATING INACCURACIES AND INCORRECTNESS

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

Week Beginning May 15, 2023

Meeting of May 17, 2023

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 May 8, 2023 through May 12, 2023. Complete list of money transfers shall be recorded onto the Journal for record purposes.

❖ Departments/Offices requesting to transfer monies:

• Sanitary Engineers	\$ 74,391.16	Fund # 604
	\$ 3,540.84	Fund # 608
	\$ 27,561.00	Fund # 606

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

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

RE: ADDITIONAL APPROPRIATIONS

4. 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 May 8, 2023 through May 12, 2023. Complete list of additional appropriations shall be recorded onto the Journal for record purposes.

❖ Departments/Offices requesting additional appropriations:

• Commissioners (ARPA)	\$ 4,300.00	Fund # 077
	\$ 7,600.00	Fund # 077
• Common Pleas Court	\$ 4,000.00	Fund # 041

Yeas: Cantalamessa, Malloy
Nays: Frenchko

MS. FRENCHKO VOTED NO STATING THE COMMISSIONERS’ OFFICE AND COMMON PLEAS COURT DID NOT SEND HER AN EXPLANATION AND AS SHE HAS ASKED REPEATEDLY. SHE FURTHER STATED, WHEN PREPARING FOR A MEETING, SHE WANTS TO SEE EXPLANATIONS FOR THE TRANSFERS.

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

Week Beginning May 15, 2023

Meeting of May 17, 2023

RE: TRANSFER APPROPRIATIONS

5. 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 May 8, 2023 through May 12, 2023. Complete list of appropriation transfers shall be recorded onto the Journal for record purposes.

❖ Departments/Offices requesting to transfer appropriations:

• Prosecutor	\$	400.00	Fund # 024
	\$	300.00	Fund # 024
	\$	500.00	Fund # 024
• Sanitary Engineers	\$	40,000.00	Fund # 435
	\$	1,500.00	Fund # 600
	\$	36.14	Fund # 423
	\$	49.84	Fund # 488
• Election Board	\$	3,374.90	Fund # 001
• Comm Devel FY2020	\$	488.25	Fund # 225

MS. FRENCHKO VOTED NO BECAUSE THE PROSECUTOR’S OFFICE DID NOT PROVIDE AN EXPLANATION AND IF THEY WOULD HAVE, SHE WOULD HAVE BEEN ABLE TO VOTE FOR THE TRANSFERS.

Yeas: Cantalamessa, Malloy
Nays: Frenchko

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

RE: ADOPT RESOLUTION CELEBRATING
100TH ANNIVERSARY OF WARREN
CITY FEDERATION OF WOMEN’S CLUBS

6. MOTION: Made by Mr. Cantalamessa, seconded by Ms. Frenchko, to Adopt a Resolution celebrating the 100th Anniversary of the Warren City Federation of Women’s Clubs. The Board of Trumbull County Commissioners recognizes the GFWC Warren City Federation of Women’s Club for their faithful service and dedication in observing the accomplishments that women have made to society both past and present.

Yeas: Cantalamessa, Frenchko, Malloy
Nays: None

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

Week Beginning May 15, 2023

Meeting of May 17, 2023

**RE: AGREEMENT BETWEEN
COUNTY ENGINEER, BOARD OF
COMMISSIONERS, AND ECONOMIC
DEVELOPMENT RAIL II CORPORATION
TO PAVE AND RESURFACE SECTION OF
SOUTH LEAVITT ROAD – WARREN TOWNSHIP**

7. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to approve an Agreement between the Trumbull County Engineer, the Trumbull County Board of Commissioners, and the Economic Development Rail II Corporation, 4319 Belmont Avenue, Youngstown, OH 44505. This Agreement allows Trumbull County to pave and resurface a section of South Leavitt Road a County Road within Warren Township, Trumbull County, Ohio, as presently there is a railroad crossing not in use, in poor condition that would be greatly improved for vehicular travel and safety by completely paving over the railroad crossing.

NOTE: As part of the Trumbull County’s Resurfacing Project, it is the desire of Economic Development Rail II Corporation and Trumbull County to have Trumbull County completely pave over this railroad crossing; this action per the recommendation of County Engineer’s Department.

Yeas: Cantalamessa, Malloy, Frenchko

Nays: None

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

**RE: APPROVE CHANGE ORDER NOS. 1-4
FOUST CONSTRUCTION, INC.
CONSTRUCTION OF EAST MARKET
STREET/NORTH ROAD PROJECT –
COUNTY ENGINEER**

8. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to approve Change Order Nos. 1 - 4 with FOUST CONSTRUCTION, INC. 1700 Wilson Ave., Girard, OH 44420, for the construction of the EAST MARKET STREET/NORTH ROAD PROJECT. Change Order No. 1 is in the amount of \$0.00, Change Order No. 2 is in the amount of \$0.00, Change Order No. 3 is a deduct in the amount of (\$--24,756.06) and Change Order No. 4 is in the amount of \$8,261.77. Change Order Nos. 1-4 result in a decrease of \$16,494.29 to the contract which is now \$518,079.17--to be funded by an 80% CMAQ/STBG Grant received through Eastgate Regional Council of Governments, which is a direct pay. The 20% local match will be provided by Trumbull County Engineer Fund #002-030-1700-1700-1-505548---no General Revenue Funds will be utilized. Change Order Nos. 1 – 4 are necessary to reflect the final quantities of the project; this action per the recommendation of the Trumbull County Engineer and is subject to review and approval of the Prosecutor’s Office.

NOTE: The Commissioners approved the original contract with Foust Construction, Inc. in the amount of \$534,573.46 on June 9, 2021, duly recorded in Journal Volume 153, Page 24052.

Yeas: Cantalamessa, Malloy, Frenchko

Nays: None

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

Week Beginning May 15, 2023

Meeting of May 17, 2023

**RE: ADVERTISE FOR BIDS
2023-2024 PROPOSAL SPECIFICATIONS'
FOR TRAFFIC SIGNAL MAINTENANCE
-COUNTY ENGINEER**

9. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to approve the '2023-2024 Proposal Specifications' for bids for TRAFFIC SIGNAL MAINTENANCE for the County Engineer's Department; AND to authorize the Board of Commissioners' Clerk to advertise for sealed bids for TRAFFIC SIGNAL MAINTENANCE. The contract shall be in effect for a one (1) year period beginning July 7, 2023 and ending July 6, 2024--with the option of two (2) extensions for an additional one (1) year period each; this action per the request of the Trumbull County Engineer.

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

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

**RE: GRANT SPECIAL ANNUAL SUPPLIER
FLEET PERMIT – COUNTY ENGINEER**

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

- **BRINKER DAIRY AND FARM SERVICE**
1859 State Route 45 N., Rock Creek, OH 44084
Permit No.: AF-032-2023
Permit Effective: May 11, 2023 through May 11, 2024

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

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

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

- **P. I. & I. MOTOR EXPRESS, INC.**
P.O. Box 685, Sharon, PA 16146
Permit Nos.: 2023-053 through 2023-054
Permit Effective: May 12, 2023 through May 12, 2024

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

Week Beginning May 15, 2023

Meeting of May 17, 2023

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

12. 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.

- **NORTHEAST OHIO NATURAL CORPORATION**, 8470 Station Street, Mentor, OH 44060, to bore under and work in the right-of-way of Girdle Rd. (C.H. 223 A), in order to install a 1” natural gas service line. This will be located approximately 1,300’ north of Painsville Warren State Rd. (C.H. 206) in Farmington Township.
- **DOMINION EAST OHIO**, 320 Springside Dr., Akron, OH 44333, to work in the right-of-way of Newton Falls Bailey Rd., (C.H. 92A), in order to install as natural gas service line. This will be located approximately 700’ west of Miller Graver Dr., SW (T.H. 103) in Newton Township.
- **BILL YANTZ**, 907 Bristol Champion Townline Rd., Bristolville, OH 44402, to work in the right-of-way of Bristol Champion Townline Rd. (C.H. 198 C), in order to install a concrete catch basin and approximately 170’ of 12” conduit. This will (C.H. 92A), in order to install as natural gas service line. This will be located approximately 2,400 feet west of Downs Rd. (T.H. 207) in Champion Township.

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

**RE: RECEIVE/FILE MONTHLY FINANCIAL
REPORT-TOURISM BUREAU/ MARCH 2023**

13. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to receive and place on file the MARCH 2023 Monthly Financial Report for the TRUMBULL COUNTY TOURISM BUREAU, as submitted by Beth Carmichael, Executive Director.

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

Week Beginning May 15, 2023

Meeting of May 17, 2023

RE: AUTHORIZE DENNY MALLOY TO EXECUTE TRUMBULL COUNTY’S PROFILE PLAN BUDGET REPORT FOR TITLE XX SOCIAL SERVICES BLOCK GRANT AS ADMINISTRATED BY DEPT. OF JOBS AND FAMILY SERVICES

14. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to authorize Denny Malloy, President of the Board of Trumbull County Commissioners, to execute on behalf of Trumbull County, Trumbull County’s Profile Plan Budget Report for the TITLE XX SOCIAL SERVICES BLOCK GRANT as administered by the TRUMBULL COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES. The budgeted funds represent a two (2) year Plan operating through the Federal Fiscal Year periods of October 1, 2023 through September 30, 2024 AND October 1, 2024 through September 30, 2025 to allow for the delivery of Social Service programs (health-related and home health services, as well as Adult Protective Services, Transportation, etc.) to eligible Trumbull County residents—the projected budget for these time periods is \$145,500.00, which is federally funded—for a two-year period not to exceed \$291,000.00; this action per the recommendation of the Trumbull County Department of Job and Family Services and is subject to review and approval of the Prosecutor’s Office.

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

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

RE: CHANGE ORDER NO. 1 CALDWELL TANKS, INC. MINERAL RIDGE HYDRAULICS IMPROVEMENT PROJ -- COUNTY PROJECT NO. 2-W-15

15. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to approve Change Order No. 1 with CALDWELL TANKS, INC., 4000 Tower Road, Louisville, KY 40219, Contract “A”, for the MINERAL RIDGE HYDRAULICS IMPROVEMENT PROJECT, known as County Project No. 2-W-15, located in the Mineral Ridge Public Water System, Weathersfield Township in the amount of \$68,458.65 revising the total contract amount to \$2,060,458.65 --- to be paid from the Ohio Department of Development Water and Wastewater Infrastructure Grant AND Weathersfield Township as outlined below --- no County General Revenue Funds will be utilized. Change Order No. 1 is necessary due to the following:

Item 1. The Access Drive and Parking Area were both damaged due to both Contractors, Contract “A” and Contract “B”, utilizing these areas for ingress/egress of equipment, material deliveries and staging. As a result, additional paving beyond what was initially planned will be performed in the amount of \$76,780.65.

Table with 2 columns: Description and Amount. Includes 'This additional amount will be paid as follows:' with sub-items for Ohio Department of Development Grant, Weathersfield Township, and 'Item 2. Non-Performance of 121 L.F. 12” Storm Sewer, 2 - Catch Basins and 18 S.Y. Rip Rap.' with a Total row.

This action per the recommendation of the project consultant, CT Consultants, Inc., and the Trumbull County Sanitary Engineers Department and is subject to the review and approval of the Prosecutor’s Office and the Ohio Department of Development.

NOTE: The Board of Commissioners approved the original contract with Caldwell Tanks, Inc. in the amount of \$1,992,000.00 on June 30, 2021, duly recorded in Journal Volume 153, Page 24093.

MS. FRENCHKO VOTED NO STATING SHE WANTED TO WAIT UNTIL THE BOARD GETS APPROVAL FROM THE PROSECUTOR’S OFFICE BECAUSE THIS (CHANGE ORDER) WASN’T IN THE ORIGINAL SCOPE OF WORK--EVEN THOUGH PRIMARILY COVERED BY A GRANT. SHE FURTHER STATED WHEN IT CHANGES THE SCOPE OF WORK, IT’S NOT PROPER AND THERE HAVE BEEN MISTAKES BEFORE WHERE CHANGE ORDERS HAVE BEEN PUSHED THROUGH WITHOUT GETTING APPROVAL, AND THIS CAUSED TROUBLE. MS. FRENCHKO FURTHER STATED SHE WANTED TO GET PRE-APPROVAL FROM THE PROSECUTOR’S OFFICE WHICH SHE ASKED FOR THE DAY BEFORE.

Yeas: Cantalamessa, Malloy
Nays: Frenchko

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

Week Beginning May 15, 2023

Meeting of May 17, 2023

**RE: ADOPT A RESOLUTION TO CONCUR
WITH LIBERTY TOWNSHIP TRUSTEES
TO AMEND BELMONT AVENUE
COMMUNITY REINVESTMENT AREA**

16. MOTION: Made by Mr. Cantalamessa, seconded by Ms. Frenchko, to Adopt the following Resolution to concur with the Liberty Township Trustees to amend the Belmont Avenue Community Reinvestment Area to reflect updates to the Ohio Revised Code via Senate Bill 33.

RESOLUTION

WHEREAS, the Board of Trumbull County Commissioners (hereinafter "Board") created the Belmont Avenue Community Reinvestment Area by Resolution dated January 9, 2013, duly recorded in Journal Volume 139, Pages 17207-17210, and amended that by Resolution dated May 11, 2016, duly recorded in Journal Volume 144, pages 19882-19885 to reflect an expansion of the geographic size of the existing Belmont Avenue Community Reinvestment Area, and now wishes to amend that Resolution to reflect updates to the Ohio Revised Code; and

WHEREAS, the Board desires to pursue all reasonable and legitimate incentive measures to assist and encourage development in a specific area of Liberty Township, identified in Exhibit "A," that has not enjoyed reinvestment from remodeling or new construction; and

WHEREAS, the maintenance of existing and construction of new structures in such area would serve to encourage economic stability, maintain real property values, and generate new employment opportunities; and

WHEREAS, the remodeling of existing structures or the construction of new structures in this Community Reinvestment Area constitutes a public purpose for which real property exemptions may be granted; and

WHEREAS, Senate Bill 33 included permanent changes to the Ohio Community Reinvestment Area (CRA) program effective April 4, 2023 and the Board wishes to amend the Resolution accordingly.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of Trumbull County, Ohio that:

Section 1: The area designated as the Belmont Avenue Community Reinvestment Area constitutes an area in which housing facilities or structures of historical significance are located, and in which new construction or repair of existing facilities has been discouraged.

Section 2: Pursuant to ORC Section 3735.66, the Resolution creating the Belmont Avenue Community Reinvestment Area as amended reflects that the Belmont Avenue Community Reinvestment Area is established in, and includes the following area:

The Belmont Avenue Community Reinvestment Area (CRA) contains approximately 3,024 parcels on either side of the Belmont Avenue (State Route 193) corridor in Liberty Township, Trumbull County, Ohio. The southern terminus is Gypsy Lane (County Highway 44-B) and the northern terminus, approximately 3.4 miles north, is Tibbetts Corners Wick Road (County Highway 28). The width of the CRA varies significantly. The total area of the CRA is approximately 1,713 acres, including area within rights-of-way.

Section 3: All properties identified in "Exhibit A" as being within the designated Community Reinvestment Area are eligible for this incentive. This proposal is a public/private partnership intended to promote and expand conforming uses in the designated area. As part of the project, Liberty Township intends to undertake supporting public improvements in the designated area.

(Continued)

Week Beginning May 15, 2023

Meeting of May 17, 2023

RE: Resolution to Amend the Belmont Avenue Community Reinvestment Area - (Continued)

Section 4: Within the Belmont Avenue CRA, the percentage of the tax exemption on the increase in the assessed valuation resulting from improvements to commercial and industrial real property and the term of those exemptions shall be negotiated as follows:

- a) Up to ten (10) years, and up to seventy-five percent (75%) for the remodeling of every dwelling containing more than two housing units and commercial or industrial properties, upon which the cost of remodeling is at least \$5,000, as described in ORC 3735.67, the term and percentage of which shall be negotiated on a case-by-case basis prior to commencement of remodeling.
- b) Up to ten (10) years, and up to seventy-five percent (75%) for the construction of every dwelling containing more than two housing units and new commercial and industrial properties, the term and percentage of which shall be negotiated on a case-by-case basis prior to commencement of construction.

The results of the terms and percentage as negotiated shall be set in writing in a CRA Agreement as outlined in ORC Section 3735.671.

For residential property, a tax exemption on the increase in the assessed valuation resulting from the improvements as described in ORC Section 3735.67 shall be granted upon proper application by the property owner and certification thereof by the designated Housing Officer; the percentage and terms of those exemptions shall be as follows:

- c) Ten (10) years, for the remodeling of every residential dwelling containing not more than two housing units and upon which the cost of remodeling is at least \$2,500, as described in ORC 3735.67, and with such exemption being fifty percent (50%) for each of the ten (10) years.
- d) Ten (10) years, for the construction of dwellings containing not more than two housing units, as described in ORC 3735.67, with such exemption being fifty (50%) for each of the ten (10) years.

Structures exclusively used for residential purposes containing not more than two (2) housing units shall be classified as residential structures. Every dwelling containing more than two (2) housing units is to be classified as commercial.

If remodeling qualifies for an exemption, during the period of the exemption, the exempted percentage of the dollar amount of the increase in market value of the structure shall be exempt from real property taxation. If new construction qualifies for an exemption, during the period of the exemption, the exempted percentage of the structure shall not be considered to be an improvement on the land on which it is located for the purpose of real property taxation.

Section 5: All commercial and industrial projects are required to pay a local annual monitoring fee of one percent of the amount of taxes exempted under the agreement – a minimum of five hundred (\$500) up to a maximum of two thousand five hundred (\$2,500) annually unless waived.

Section 6: To administer and implement the provisions of this Ordinance, the Liberty Township Zoning Inspector is designated as the "**Housing Officer**" as described in ORC Sections 3735.65 through 3735.70.

(Continued)

Week Beginning May 15, 2023

Meeting of May 17, 2023

RE: Resolution to Amend the Belmont Avenue Community Reinvestment Area - (Continued)

Section 7: That a “**Community Reinvestment Area Housing Council**” shall be created, consisting of one (1) member appointed by each of the Trumbull County Board of Commissioners and two (2) members appointed by the Trumbull County Planning Commission. The majority of the forgoing members shall then appoint two (2) additional members who shall be residents Liberty Township. Terms of the members of the Housing Council shall be for three years. An unexpired term resulting from a vacancy in the Housing Council shall be filled in the same manner as the initial appointment was made.

The Community Reinvestment Area Housing Council shall make an annual inspection of the properties within the districts for which an exemption has been granted under Section 3735.67 of the ORC. The Housing Council shall also hear appeals under ORC Section 3735.70.

Section 8: A "**Tax Incentive Review Council**" shall be established pursuant to ORC Section 5709.85 and shall consist of three (3) members appointed by the Trumbull County Board of Commissioners; two (2) members appointed by the Liberty Township Board of Trustees; the Trumbull County Auditor or his designee; and an individual appointed by the Board of Education of the Liberty Township Local School District.

The Tax Incentive Review Council shall review annually the compliance of all agreements involving the granting of exemptions for commercial and industrial real property improvements under Section 3735.671, of the ORC and make written recommendations to the Board as to continuing, modifying or terminating said agreement based upon the performance of the agreement.

Section 9: The Board reserves the right to re-evaluate the designation of the Belmont Avenue Community Reinvestment Area on an annual basis beginning December 31, 2016, at which time the Board may direct the Housing Officer not to accept any new applications for exemptions as described in ORC Section 3735.67.

Section 10: The Board hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, that all deliberations of this Board and of its committees, if any, which resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements, including ORC Section 121.22.

Section 11: The Clerk of the Trumbull County Board of Commissioners, is hereby authorized and directed to provide a certified copy of this Resolution to the Director of the Ohio Department of Development.

Section 12: The Board acknowledges that the approval of any commercial or industrial agreement in the Belmont Avenue Community Reinvestment Area will first be approved by the Liberty Township Board of Trustees as a condition for the agreement to take effect. The Board also acknowledges that Liberty Township may enter into an agreement with the Liberty Local School District in order to have the Township or a company receiving an incentive through an agreement to compensate the school district for tax revenues that they would have received had the property not been exempted from taxation.

Yeas: Cantalamessa, Frenchko, Malloy

Nays: None

Week Beginning May 15, 2023

Meeting of May 17, 2023

**RE: ACCEPT RESIGNATION
MR. RODGER LAIRD
OPERATIONS MANAGER- 911 CENTER**

17. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to accept the Resignation of MR. RODGER LAIRD from his position as OPERATIONS MANAGER with the TRUMBULL COUNTY 911 CENTER, effective May 19, 2023. *Mr. Laird's Resignation Letter shall be recorded onto the Journal for record purposes; this action per the recommendation of the Trumbull County Human Resources Department in conjunction with the Trumbull County 911 Interim Director.*

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

Resignation Letter(s) recorded on Journal Page(s)_____.)

**RE: ESTABLISH CREATION
WOMEN'S THERAPEUTIC DISTRIBUTION
DOCKET FOR USE BY ADULT PROBATION –
FUND NO. 042**

18. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to establish the creation of the WOMEN'S THERAPEUTIC DISTRIBUTION DOCKET, known as FUND NO. 042, for use by the Trumbull County Adult Probation Department.

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

**RE: ESTABLISH CREATION
RE-ENTRY COURT FOR USE BY
ADULT PROBATION- FUND NO. 044**

19. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to establish the creation of the RE-ENTRY COURT, known as FUND NO. 044, for use by the Trumbull County Adult Probation Department.

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

Week Beginning May 15, 2023

Meeting of May 17, 2023

RE: RENEWAL SOFTWARE SUPPORT AND MAINTENANCE AGREEMENT DOCUMENT TECHNOLOGY SYSTEMS LTD AND AUTHORIZE DENNY MALLOY TO EXECUTE SAID AGREEMENT -RECORDER’S OFFICE

20. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to approve the renewal Software Support and Maintenance Agreement with DOCUMENT TECHNOLOGY SYSTEMS LTD, 1729 Portage Trail, Cuyahoga Falls OH 44223, used by the TRUMBULL COUNTY RECORDER’S OFFICE in the amount of \$30,588.00 on the yearly anniversary of the first live day for 5 years from that date, to be paid from the Recorder’s Fund No. 038-011-1500- 1520-1-50550-*Absolutely no County General Revenue Funds will be utilized*; AND to authorize Denny Malloy, President of the Board of Trumbull County Commissioners, to execute said Software Support and Maintenance Agreement on behalf of Trumbull County; this action per the recommendation of Tod Latell, Trumbull County Recorder, and is subject to review and approval of the Prosecutor’s Office.

NOTE: The support and maintenance services under this agreement are exempt from competitive bidding pursuant to ORC 307.86(B)(2), as “the purchase consists of services related to information technology, such as programming services, that are propriety or limited to a single source”. In addition, this contract was recently reviewed by our Prosecutor’s office.

MS. FRENCHKO VOTED NO STATING THE BOARD PASSED A RESOLUTION REQUIRING CONTRACTS THAT WERE EXPIRING BE RE-EVALUATED TO SEE IF THEY COULD GET A BETTER PRICE OR BETTER SERVICE. SHE SAID ALTHOUGH IT’S NOT REQUIRED BY LAW, THE BOARD PASSED THAT WHEN SHE STARTED TO MAKE SURE THEIR GETTING THE RIGHT VENDORS. SHE STATED THE CONTRACT WAS PREPARED BY THE VENDOR AND NOT THE PROSECUTOR’S OFFICE. SHE SPOKE ABOUT A PROBLEM THAT OCCURRED AROUND A MONTH AGO WITH A CLAUSE WITHIN THE AGREEMENT (INDEMNIFICATION ISSUE).

SHE SAID BEFORE THE BOARD PASSES THINGS, THE NEED TO MAKE SURE THEY ARE GETTING THE RIGHT SERVICE, THE RIGHT DATA TECHNOLOGY, AND GETTING THE BEST PRICE. SHE FURTHER STATED SHE WOULD LIKE THE PROSECUTOR’S OFFICE PREPARE THE CONTRACT AS IT MAKES HER FEEL EERIE TO HAVE VENDORS PREPARING CONTRACTS. MS. FRENCHKO STATED THE VENDOR WILL WRITE THE CONTRACT IN THEIR BEST INTEREST.

Yeas: Cantalamessa, Malloy
Nays: Frenchko

RE: RECEIVE/FILE MONTHLY ACTIVITIES -DOG KENNEL/APRIL 2023

21. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to receive and place on file the Monthly Activities Report for the TRUMBULL COUNTY DOG KENNEL for the month of April 2023; as submitted by Michelle Goss, Chief Executive Dog Warden.

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

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

Report recorded on Journal Page(s)_____.)

Week Beginning May 15, 2023

Meeting of May 17, 2023

RE: EXECUTIVE SESSION

22. MOTION: Made by Mr. Malloy, seconded by Mr. Cantalamessa, to go into Executive Session @ approx. 11:07 a.m. pursuant to Ohio Revised Code 121.22(G)(4) to prepare for, conducting, reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment within AFSCME 2493 Bargaining Unit – those present were Mr. Malloy, Mr. Cantalamessa, Ms. Frenchko, and Ms. Alex DeVengencie-Bush.

Yeas: Malloy, Cantalamessa, Frenchko
Nays: None

RE: RECONVENE FROM EXECUTIVE SESSION

23. MOTION: Made by Mr. Malloy, seconded by Mr. Cantalamessa, to Reconvene from Executive Session @ approx. 11:13 a.m. pursuant to Ohio Revised Code 121.22(G)(4) to prepare for, conducting, reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment within AFSCME 2493 Bargaining Unit.

Yeas: Malloy, Cantalamessa, Frenchko
Nays: None

Week Beginning May 15, 2023

Meeting of May 17, 2023

**RE: SETTLEMENT AGREEMENT BETWEEN
BOARD OF COMMISSIONERS, AND AMERICAN
FEDERATION OF STATE, COUNTY, AND
MUNICIPAL EMPLOYEES, AFSCME LOCAL 2493**

24. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to approve the Settlement Agreement between the Trumbull County Board of Commissioners (hereinafter referred to as “Employer”), the American Federation of State, County, and Municipal Employees (AFSCME), Local 2493 as Collective Bargaining representative (also referred to herein as “the Union” and grievant(s).

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

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

RE: LIQUOR PERMIT

25. 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.

CLASS C

NEW:	EL TAPATIO MEXICAN RESTAURANT LLC. d/b/a EL TAPATIO MEXICAN RESTAURANT 3632 Belmont Ave. & Patio Youngstown, OH 44505
-------------	--

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

Week Beginning May 15, 2023

Meeting of May 17, 2023

**RE: ITEM TABLED
ISSUANCE OF CREDIT CARD
TO COMMISSIONER NIKI FRENCHKO**

26. MOTION: Made by Mr. Malloy, seconded by Mr. Cantalamessa, TO TABLE ITEM #26 WHICH READ AS FOLLOWS:

To authorize the necessary steps with an approved financial institution in obtaining the issuance of a credit card at the request of and issuance to Trumbull County Commissioner Niki Frenchko, in accordance with Agenda Item dated January 3, 2023, Vol. 154, Page 25324, renewing the Resolution, as AMENDED (previously adopted by the Board of Trumbull County Commissioners on March 9, 1995, APPROVING the ISSUANCE OF CREDIT CARDS in the name of Trumbull County and designated County offices and individuals authorized to use specific credit cards; and exempting all credit card purchases from the advance estimate requirement.

NOTE: The use (allowable expenses) and issuance of said credit card shall follow the current guidelines under R.C. 301.27.

MS. FRENCHKO MADE A MOTION FROM THE FLOOR TO AMEND THE ITEM #26 TO INCLUDE ALL COMMISSIONERS

MOTION TO AMEND DIED FOR A LACK OF A SECOND

Yeas: Malloy, Cantalamessa, Frenchko
Nays: None

MS. FRENCHKO MADE A MOTION FROM THE FLOOR FOR REIMBURSEMENT FOR THE 2022 DC FLY IN SHE ATTENDED. SHE STATED IT HAD BEEN A YEAR, SHOULD BE DONE, AND THE PROSECUTOR'S OFFICE SAID TO REIMBURSE VERSES SMALL CLAIMS COURT. SHE FURTHER STATED IT WAS REQUESTED LAST WEEK AND SHOULD HAVE BEEN PART OF THE MINUTES. MS. FRENCHKO REQUESTED THE REQUEST FOR REIMBURSEMENT TO BE PLACED ON THE AGENDA NEXT WEEK

MOTION DIED FOR LACK OF A SECOND

**RE: RELEASE FIVE PAYMENTS TO
COVER PREVIOUSLY BILLED/CHARGED
AMOUNTS FOR METHADONE TREATMENT
AND/OR MAT CLAIMS THAT SUBMITTED
AND DENIED UNDER COUNTY'S SELF-FUNDED
PLAN OPTION**

27. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to release five payments for a total of \$24,347.47, from Fund #720-130-8300-8300-1-509141 (Hospital Trust Fund) to cover the previously billed/charged amounts for methadone treatment and/or MAT claims that were submitted and denied under our self-funded plan option.

SPECIAL NOTE: This necessary change will bring us into compliance with the DOL, & the MENTAL HEALTH PARITY ACT.

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

Week Beginning May 15, 2023

Meeting of May 17, 2023

**RE: ACKNOWLEDGE METHADONE
AS AN ALLOWABLE CLAIM UNDER
CURRENT UHC COVERAGE**

28. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to acknowledge methadone as an allowable claim under our current UHC coverage, effective immediately.

SPECIAL NOTE: This necessary change will bring us into compliance with the DOL, & the MENTAL HEALTH PARITY ACT.

Yeas: Cantalamessa, Malloy, Frenchko

Nays: None

**RE: RECEIVE PETITION FOR ANNEXATION FOR
APPROXIMATELY 31.3801 ACRES OF LAND
LOCATED IN HOWLAND AND VIENNA
TOWNSHIPS TO CITY OF NILES AND TO REFER
LEGAL DESCRIPTION OF PERIMETER AND MAP
OR PLAT OF TERRITORY PROPOSED TO BE
ANNEXED TO COUNTY ENGINEER FOR REVIEW**

29. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to adopt a Resolution of the Board of Commissioners of Trumbull County, Ohio, entering upon its Journal the Filing of a Petition for Annexation seeking to annex approximately 31.3801 acres of land located in Howland Township and Vienna Township to the City of Niles, Ohio; Establishing the Board Hearing date of Monday, July 17, 2023, at 10:00 a.m., Warren Ohio time, for said Petition—AND to Refer the Legal Description of the Perimeter and the Map or Plat of the Territory Proposed to be annexed to the Trumbull County Engineer for review.

NOTE: The Agent for the Petitioner, Attorney Nils Peter Johnson, Johnson & Johnson, 12 W. Main Street, Canfield, OH 44406 filed said Petition with the Clerk of the Board on May 15, 2023, 11:19 a.m. *Under the new Annexation Law, the Agent filed this Petition as a “Regular” Annexation—which requires a Public Hearing.*

Yeas: Cantalamessa, Malloy, Frenchko

Nays: None

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

Week Beginning May 15, 2023

Meeting of May 17, 2023

**RE: ACCEPT/FILE CERTIFICATE OF
MEMBERSHIP #38181 (COOPERATIVE
PURCHASING PROGRAM) FROM
STATE OF OHIO DEPARTMENT OF
ADMINISTRATIVE SERVICES**

30. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to accept/file CERTIFICATE OF MEMBERSHIP #38181 from the State of Ohio Department of Administrative Services, L-3686, Columbus, OH 43260-3686 for Trumbull County's participation in the Cooperative Purchasing Program—through the Ohio Department of Administrative Services, Office of Cooperative Purchasing, 4200 Surface Road, Columbus, OH 43228-1395.

NOTE: There is no longer a fee associated with the Certificate of Membership. The Board of Commissioners authorized payment of \$300.00 to the Treasurer, State of Ohio, Department of Administrative Services, for Trumbull County's participation in the Cooperative Program- through the Office of Administrative Services, Cooperative Purchasing on March 23, 2022, Vol., 154, 24667.

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

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

Public Comments:

**MICHAEL SLIWINSKI, TRUMBULL COUNTY BUILDING INSPECTOR
ALEX DEVENGENCIE-BUSH, HUMAN RESOURCES DIRECTOR
COMMISSIONER FRENCHKO
COMMISSIONER CANTALAMESSA
AUDITOR MARTHA YODER
MR. TERRANCE MOTT--YOUNGSTOWN, OHIO
MS. KIMBERLY BLASCO, SERVICE DIRECTOR (CITY OF CORTLAND)
COMMISSIONER DENNY MALLOY**

Week Beginning May 15, 2023

Meeting of May 17, 2023

RE: ADJOURN

MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, to adjourn the Regular Meeting of May 17, 2023 @ approximately 11:40 a.m., and to meet again in Regular Session on May 24, 2023.

Yeas: Frenchko, 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