

Week Beginning July 10, 2023

Meeting of July 12, 2023

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

PRIOR TO THE ROLL CALL MS. FRENCHKO MADE A MOTION FROM THE FLOOR TO MOVE AGENDA NO. 17 TO THE BEGINNING OF THE MONEY AS COMMISSIONERS' COUNSEL FOR THE ANNEXATION IS PAID HOURLY.

THE CLERK READ AGENDA ITEM NO. 17

**PROCLAMATION PRESENTATION BY THE BOARD OF COMMISSIONERS
TRUMBULL COUNTY FAIRGROUNDS (HISTORICAL STAGE)**



4-H PRESENTATION

DISCUSSION:

MR. MALLOY
MS. ASHLEE MEARDITH
MS. ISABELLA BAILEY
MR. BROCK PIERCE
MS. LILLIAN BAILEY
MS. JORJA BONAR
MR. HUNTER MILLER
MS. TRACIE SHOCKEY
MR. LUCAS SUTLIFF
MS. ABIGAIL TOTTEN

MR. MALLOY STATED THE BOARD WAS GOING TO TAKE A SHORT RECESS AT 11:20 A.M.

MS. FRENCHKO MADE A MOTION TO RECONVENE, SECONDED BY MR. CANTALAMESSA

RE: RECONVENE FROM RECESS

MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, to reconvene from recess at approximately 11:38 a.m.

Yeas: Frenchko, Cantalamessa, Malloy
Nays: None

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RE: MINUTES

1. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to dispense with reading the minutes of the Regular Meeting dated July 6, 2023, and accept and approve the video recording of the July 6, 2023, Commissioners' Regular Meeting as the Official Meeting Minutes.

Yeas: Cantalamessa, Malloy
Nays: Frenchko

MS. FRENCHKO VOTED NO STATING SHE DID NOT RECEIVE THE MINUTES UNTIL THIS MORNING AND DIDN'T HAVE TIME TO REVIEW

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: ADDITIONAL APPROPRIATIONS

3. 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 July 3, 2023 through July 7, 2023. Complete list of additional appropriations shall be recorded onto the Journal for record purposes.

❖ Departments/Offices requesting additional appropriations:

- Health Board \$ 134,168.00 Fund # 971
- NEOCAP \$ 229.20 Fund # 991

Yeas: Cantalamessa, Malloy
Nays: Frenchko

MS. FRENCHKO VOTED NO STATING THE BACK UP WAS MISSING FROM HER PACKET AND SHE NEEDS TO REVIEW THE INFORMATION BEFORE VOTING

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

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RE: TRANSFER APPROPRIATIONS

4. 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 July 3, 2023 through July 7, 2023. Complete list of appropriation transfers shall be recorded onto the Journal for record purposes.

❖ Departments/Offices requesting to transfer appropriations:

• Comm Devel FY20	\$	22,660.80	Fund # 225
• Comm Devel FY21	\$	4,862.00	Fund # 229
• Comm Devel FY22	\$	465.00	Fund # 258
• Health Board	\$	2,000.00	Fund # 974
	\$	14,800.00	Fund # 979
• Health Board FY23	\$	3,662.00	Fund # 971
• Common Pleas	\$	200.00	Fund # 001
	\$	17,400.00	Fund # 055
• Family & Children First Council	\$	900.00	Fund # 994
• NEOCAP	\$	146,571.37	Fund # 990

Yeas: Cantalamessa, Malloy

Nays: Frenchko

MS. FRENCHKO VOTED NO STATING THE BOARD HASN’T REVIEWED ANY OF THEM AND SHE HASN’T EITHER AND ALSO WASN’T PROVIDED ANYTHING

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

RE: AMENDED CERTIFICATE NO. 12-2023
COUNTY BUDGET COMMISSION

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

• Health Board FY24	Fund # 971
• NEOCAP	Fund # 991

Yeas: Cantalamessa, Malloy

Nays: Frenchko

MS. FRENCHKO VOTED NO STATING THE SAME REASONS

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RE: APPROVE SCHOOL RESOURCE OFFICER AGREEMENT BETWEEN COMMISSIONERS, SHERIFF PAUL S. MONROE AND CHAMPION LOCAL SCHOOL DISTRICT BOARD OF EDUCATION FOR THE 2023-2024 FISCAL SCHOOL YEAR

6. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to approve a School Resource Officer Agreement by and between the TRUMBULL COUNTY COMMISSIONERS, TRUMBULL COUNTY SHERIFF PAUL S. MONROE and the CHAMPION LOCAL SCHOOL DISTRICT BOARD OF EDUCATION, 5976 Mahoning Avenue, NW, Warren, OH 44483 for police protection and services for the Champion Local School District, its buildings and activities, personnel, students and public on site for the 2023-2024 academic fiscal school year (July 1, 2023 through June 30, 2024). The Champion Local School District agrees to pay the Trumbull County Sheriff's Office \$63,578.58—due and payable at the end of the term of contract; this action per the request of the Trumbull County Sheriff and is subject to review and approval of the Prosecutor's Office.

SPECIAL NOTE: The Sheriff agrees to furnish one (1) deputy sheriff to the Champion Local School District for the purpose of security with Statutory Power to enforce the law during times school is in session and shall be subject to use by the Sheriff during the period only in times of emergency. The supervision and discipline of said deputy shall be the responsibility of the Sheriff.

NOTE: Agreement is pursuant to the provisions of amended Ohio Revised Code Sections 311.29 and 3313.951.

Discussion:
Ms. Frenchko
Mr. Cantalamessa
Mr. Malloy

Yeas: Cantalamessa, Malloy
Nays: Frenchko

MS. FRENCHKO VOTED NO STATING NOTHING WAS SUBMITTED TO PROVE THAT ALL COSTS WERE COVERED

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

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RE: APPROVE SCHOOL RESOURCE OFFICER AGREEMENT BETWEEN COMMISSIONERS, SHERIFF PAUL S. MONROE AND NEWTON FALLS LOCAL SCHOOL DISTRICT BOARD OF EDUCATION FOR THE 2023-2024 FISCAL SCHOOL YEAR

7. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to approve a School Resource Officer Agreement by and between the TRUMBULL COUNTY COMMISSIONERS, TRUMBULL COUNTY SHERIFF PAUL S. MONROE and the NEWTON FALLS LOCAL SCHOOL DISTRICT BOARD OF EDUCATION, 4410 Newton-Bailey Road, P.O. Box 298, Newton Falls, OH 44444 for police protection and services for the Newton Falls Local School District, its buildings and activities, personnel, students and public on site for the 2023-2024 academic fiscal school year (July 1, 2023 through June 30, 2024). The Newton Falls Local School District agrees to pay the Trumbull County Sheriff's Office \$63,578.58—due and payable at the end of the term of contract; this action per the request of the Trumbull County Sheriff and is subject to review and approval of the Prosecutor's Office.

SPECIAL NOTE: The Sheriff agrees to furnish one (1) deputy sheriff to the Newton Falls Local School District for the purpose of security with Statutory Power to enforce the law during times school is in session and shall be subject to use by the Sheriff during the period only in times of emergency. The supervision and discipline of said deputy shall be the responsibility of the Sheriff.

NOTE: Agreement is pursuant to the provisions of amended Ohio Revised Code Sections 311.29 and 3313.951.

Yeas: Cantalamessa, Malloy
Nays: Frenchko

MS. FRENCHKO VOTED NO STATING THERE IS NO PROOF THE HARD COSTS ARE COVERED AND NOTHING WAS PROVIDED TO THE BOARD OF COMMISSIONERS

DISCUSSION:

- Mr. Cantalamessa
- Ms. Frenchko
- Ms. Frenchko called Point of Order
- Mr. Malloy

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

RE: REAPPOINT INDIVIDUALS LISTED TRUMBULL COUNTY LOCAL CORRECTIONS PLANNING BOARD JULY 30, 2023-JULY 29, 2026

8. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to reappoint the individuals listed as Members of the TRUMBULL COUNTY LOCAL CORRECTIONS PLANNING BOARD, for a three (3) year term commencing July 30, 2023 and ending July 29, 2026; this action per the request of Tracy S. Hunt, Chief Probation Officer.

- **HONORABLE PHILLIP M. VIGORITO**
Judge, Newton Falls Municipal Court
- **HONORABLE JEFFREY D. ADLER**
Judge, Girard Municipal Court

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

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**RE: CHANGE ORDER NO. 2 (FINAL)
CALDWELL TANKS, INC.
MINERAL RIDGE HYDRAULICS
IMPROVEMENT PROJECT
COUNTY PROJECT NO. 2-W-15**

9. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to approve Change Order No. 2 (FINAL) 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 a *reduction of (\$20,000.00)* revising the total contract amount to \$2,040,458.65 as a result of the Electrical Company Charges Allowance Bid Item not being utilized; 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(s) 24093. On May 17, 2023 duly recorded in Journal Volume 156, Page(s) 25701, the Commissioners approved Change Order No. 1 in the amount of \$68,458.65 revising the total contract amount to \$2,060,458.65.

Yeas: Cantalamessa, Malloy, Frenchko

Nays: None

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

**RE: RECEIVE/FILE JUNE 2023 MONTHLY
ACTIVITIES REPORT-DOG KENNEL**

10. 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 JUNE 2023; as submitted by Michelle Goss, Chief Executive Dog Warden.

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

Discussion:

Ms. Frenchko

Ms. Paula J. Vivoda-Klotz, Clerk

Mr. Malloy

Yeas: Cantalamessa, Malloy, Frenchko

Nays: None

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

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**RE: APPROVE PROMOTION – MR. LARRY INFANTE
FISCAL SPECIALIST –TRUMBULL COUNTY
DEPT. OF JOB AND FAMILY SERVICES**

11. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to approve the promotion of MR. LARRY INFANTE as a FISCAL SPECIALIST (non-bargaining employee) with the TRUMBULL COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES, effective July 31, 2023. Mr. Infante will be paid \$24.61 per hour with full County benefits. He will be required to service a nine (9) month probationary period; this action per the recommendation of John Gargano, Esq., Director of the Trumbull County Department of Job and Family Services.

Yeas: Cantalamessa, Malloy
Nays: Frenchko

MS. FRENCHKO VOTED NO STATING THE INDIVIDUAL SELECTED RANKED HIGHER BECAUSE HE SCORED HIGHER IN THE SUBJECTIVE CATEGORIES AND THE OTHER CANDIDATES HAVE MORE EXPERIENCE AND EDUCATION. SHE FURTHER STATED THERE WAS NO BACK UP INFORMATION RELATIVE TO THE TESTING AND INTERVIEW. SHE ALSO ASKED THE COUNTY TO LOOK INTO THE PROCESS AND MAKE SURE DEPARTMENTS PROVIDE THE INFORMATION SO THEY CAN MAKE DECISIONS AS HER PACKET ONLY HAD THE SCORE SHEET

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

12. 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.

- **HEMLY TOOL SUPPLY, INC.**
16600 Thompson Rd., Thompson, OH 44086
Permit No.: AF-038-2023
Permit Effective: July 5, 2023 through July 5, 2024

- **DIAMOND WELL SERVICES, LLC**
P.O. Box 328, Warren, OH 44481
Permit No.: AF-039-2023
Permit Effective: July 5, 2023 through July 5, 2024

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

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

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

➤ **DOMINION EAST OHIO**, 320 Springside Drive, Akron, OH 44333, to bore under and work in the right-of-way of Everett East Rd., (C.H. 22A), in order to install a gas service line. This will be located approximately 1,000 west of Albright McKay Rd SE (C.U. 167) in Brookfield Township and Hubbard Townships.

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

**RE: ADVERTISE FOR LETTERS OF INTEREST
ENGINEERING SERVICES FOR TRU-S. MAIN
STREET (WARREN CITY NO.1) BRIDGE
PID 118731 –COUNTY ENGINEER**

14. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to concur with the Trumbull County Engineer’s Department and authorize the Clerk of the Board of Trumbull County Commissioners to ADVERTISE for LETTERS OF INTEREST for Engineering Services for the TRU-S. MAIN STREET (Warren City No. 1) BRIDGE PID 118731; this action per the recommendation of the Trumbull County Engineer.

NOTE: The Legal Notice will be placed in the local newspaper, DemandStar and the Ohio Department of Transportation Consultant Services’ Website for additional coverage.

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

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

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RE: SELECT GPD GROUP FOR MOST QUALIFIED ENGINEERING FIRM PY2022 CDBG CRITICAL INFRASTRUCTURE GRANT-B-X-22-1CS-1-TOWNSEND AVENUE STORM DRAINAGE IMPROVEMENTS PROJECT AND AUTHORIZE PLANNING COMMISSION TO BEGIN SCOPING AND PRICE PROPOSAL NEGOTIATION PROCESS WITH GPD GROUP - LIBERTY TWP.

15. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to concur and authorize The Trumbull County Planning Commission to:

- Select GPD Group, 100 Federal Plaza East, Suite 200, Youngstown, Ohio 44503 as the Most Qualified Engineering Firm to perform the necessary professional engineering services required for the completion of the PY2022 CDBG Critical Infrastructure Grant-B-X-22-1CS-1-Townsend Avenue Storm Drainage Improvements Project; Liberty Township; and
- Authorize the staff of the Trumbull County Planning Commission to begin the scoping and price proposal negotiation process with GPD Group to be carried out in coordination with Liberty Township and the Trumbull County Engineer's Office

NOTE: A Request for Qualification Statements was advertised in the *Tribune Chronicle* on June 6, 2023, and posted on DemandStar with a deadline of June 27, 2023. Two professional firms returned a Qualification Statement by the deadline: 1). New River Engineers, Inc., 507 Richland Avenue, Suite 201, Athens, Ohio 45701 and 2). GPD Group, 100 Federal Plaza East, Suite 200, Youngstown, Ohio 44503. Three public officials reviewed and ranked both firms according to the ranking criteria and forms attached. GPD Group was ranked highest between the two firms. The advertisement for the Request for Statements of Qualifications for this project was authorized by the Board of Commissioners on June 1, 2023, Journal Volume 156, Page 25739.

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

MS. FRENCHKO VOTED YES STATING THERE WAS SELECTION COMMITTEE THAT WORKED FROM THE SAME DEPARTMENT, THEY JUSTIFIED THE SELECTION BY GIVING A CRITICAL EVALUATION THAT WAS BASED ON THEIR NOTES AND SCORING

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**RE: SUBGRANT AGREEMENT G-2425-15-0162
BETWEEN OHIO DEPT. OF JOB & FAMILY
SERVICES, COMMISSIONERS, TRUMBULL
COUNTY WORKFORCE DEVELOPMENT
BOARD, AND TRUMBULL COUNTY
DEPT. OF JOB AND FAMILY SERVICES
JULY 1, 2023-JUNE 30, 2025**

16. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to authorize the Subgrant Agreement G-2425-15-0162 between the Ohio Department of Job and Family Services, The Trumbull County Board of Commissioners, The Trumbull County Workforce Development Board, and The Trumbull County Department of Job and Family Services for the period of July 1, 2023 to June 30, 2025. This agreement establishes terms, conditions, and requirements governing the administration and use of allocated funds for workforce development activities in the local area from the Workforce Innovation and Opportunity Act.

NOTE: The Board of Commissioners are to sign the Subgrant Agreement and return the original for submission to the State as soon as possible. A fully executed copy will be returned to the Commissioners' Office upon obtaining signature by ODJFS Director, Matt Damschroder.

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

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

****Item #17 was read at the beginning of the meeting so hired counsel could go first****

**RE: PUBLIC DISCUSSION – ATTY. ROBERT BURKEY
ANNEXATION OF 31.3801 ACRES FROM
HOWLAND AND VIENNA TWP. TO
CITY OF NILES, OHIO**

17. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, Public Discussion with Attorney Robert Burkey regarding procedural matters that will take place during the Public Hearing for the proposed Annexation of 31.3801 Acres from Howland and Vienna Townships to the City of Niles, Ohio.

NOTE: The Public Hearing will take place on July 17, 2023, at 10:00 a.m., in the Commissioners' Hearing Room, 5th Floor, 160 High Street, NW, Warren, OH 44481.

COMMISSIONER FRENCHKO STATED A VOTE WAS NOT REQUIRED FOR PUBLIC DISCUSSION

Yeas: Cantalamessa, Malloy, Frenchko
Nays: None

Discussion:
Attorney Robert Burkey
Mr. Malloy
Ms. Frenchko
Mr. Cantalamessa
Auditor Yoder

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MS. FRENCHKO MADE A MOTION FROM THE FLOOR TO HIRE NAGY BAKER COURT REPORTING & VIDEO CONFERENCING FOR COURT REPORTING SERVICES FOR THE PUBLIC HEARING FOR THE PROPOSED ANNEXATION OF AT THE RATE OF \$175 PER HOUR FOR THE FIRST TWO HOURS AND \$80 THEREAFTER (SUBJECT TO CONFIRMATION) BY ATTORNEY ROBERT BURKEY, SECOND BY MR. CANTALAMESSA

RE: AUTHORIZE HIRING NAGY-BAKER COURT REPORTING & VIDEO CONFERENCING FOR THE PUBLIC HEARING OF PROPOSED ANNEXATION OF 31.3801 ACRES FROM HOWLAND AND VIENNA TWPS. TO CITY OF NILES, OHIO

MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, to hire Nagy-Baker Court Reporting & Video Conferencing, 100 E Federal St., Youngstown, OH 44503, for court reporting services at the rate of \$175 per hour or the first two hours and \$80 thereafter, for the annexation hearing of 31.3801 acres from Howland and Vienna Township to the City of Niles, Ohio; subject to confirmation by Attorney Robert Burkey.

Discussion Before Vote:
Mr. Cantalamessa

Yeas: Frenchko, Cantalamessa, Malloy
Nays: None

DISCUSSION:
Attorney Robert Burkey
Ms. Frenchko
Mr. Malloy

COMMISSIONERS' COMMENTS:
Mr. Malloy
Ms. Frenchko
Mr. Cantalamessa

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RE: ADJOURN

MOTION: Made by Mr. Cantalamessa, seconded by Mr. Malloy, to adjourn the Regular Meeting of July 12, 2023 @ approximately 12:02 p.m., and to meet again in Regular Session on July 19, 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