

**Week Beginning November 15, 2021**

**Meeting of November 17, 2021**

The Board of County Commissioners, Trumbull County, Ohio, met for a Regular Meeting on the 17th day of November 2021, in the office of said Board, with the following members present:

Mauro Cantalamessa, Commissioner  
Niki Frenchko, Commissioner  
Frank S, Fuda, Commissioner

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**RE: MINUTES**

**1. MOTION:** Made by Mr. Fuda, seconded by Mr. Cantalamessa, to dispense with reading the minutes of the Workshop Session dated November 9, 2021 and the Regular Meeting dated November 10, 2021.

Yeas: Fuda, Cantalamessa  
Nays: Frenchko

*Commissioner Frenchko requested to table Item No. 1 because she didn't have sufficient time to review the minutes from the prior week's meeting.*

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**RE: APPROVE BILLS**

**2. MOTION:** Made by Mr. Fuda, seconded by Ms. Frenchko, 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: Fuda, Frenchko, Cantalamessa  
Nays: None

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**RE: ADDITIONAL APPROPRIATIONS**

**3. MOTION:** Made by Mr. Fuda, seconded by Ms. Frenchko, to approve additional appropriations, as submitted to the Trumbull County Auditor's Office between the dates of November 8, 2021 through November 12, 2021. *Complete list of additional appropriations shall be recorded onto the Journal for record purposes.*

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

• Commissioners	\$ 327,551.26	Fund # 928
	\$ 200,115.16	Fund # 076
	\$ 49,065.00	Fund # 403
• Ag Building	\$ 41.80	Fund # 465
	\$ 375.00	Fund # 465
• Auditor	\$ 217,375.94	Fund # 921
• Youth Serv Grant Yr	\$ 2,821.92	Fund # 136
• Co. Transit Fund FY21	\$ 20,182.91	Fund # 940

Yeas: Fuda, Frenchko, Cantalamessa  
Nays: None

Document(s) recorded on Journal Page(s) \_\_\_\_\_.)

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RE: TRANSFER APPROPRIATIONS

4. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko, to transfer appropriations, as submitted to the Trumbull County Auditor’s Office between the dates of November 8, 2021 through November 12, 2021. Complete list of appropriation transfers shall be recorded onto the Journal for record purposes.

❖ Departments/Offices requesting to transfer appropriations:

- CSEA \$ 3,000.00 Fund # 006
- \$ 1,000.00 Fund # 006
- Building Dept. \$ 333.24 Fund # 001
- Prosecutor \$ 10,000.00 Fund # 024
- Coroner \$ 60.00 Fund # 001
- \$ 40.00 Fund # 001
- \$ 411.91 Fund # 001
- Clerk of Courts \$ 500.00 Fund # 036
- Sanitary Engineers \$ 400.00 Fund # 600
- \$ 2,700.00 Fund # 600
- JFS \$ 415,000.00 Fund # 003
- Election Board \$ 107.36 Fund # 001
- Children Services \$ 5,200.00 Fund # 012
- \$ 500,000.00 Fund # 012
- MetroParks \$ 1,828.25 Fund # 981
- Soil Conservation \$ 1,000.00 Fund # 980
- \$ 550.00 Fund # 980
- \$ 1,000.00 Fund # 980

Yeas: Fuda, Frenchko, Cantalamessa

Nays: None

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RE: AMENDED CERTIFICATE NO. 32-2021  
COUNTY BUDGET COMMISSION

5. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko, to receive the Amended Certificate of the County Budget Commission No. 32 - 2021, for the fiscal year beginning January 1, 2021, dated November 17, 2021, increasing estimated resources in the funds listed:

- County Transit Fund Fund # 940

Yeas: Fuda, Frenchko, Cantalamessa

Nays: None

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

**6. MOTION:** Made by Ms. Frenchko, seconded by Mr. Fuda, 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.

- **OHIO EDISON**, 730 South Ave., Youngstown, OH 44502, to work in the right-of-way of Sodom Hutchings Road (C.H. 45C), in order to rebuild and reconductor the pole line along Sodom Hutchings Rd, pole 518-119 to 517-71 with 3 phase 3336.4 AAC Conductor. This will begin at Everett Hull Rd. (T.H. 193) and extend south approximately 1.25 miles south on Sodom Hutchings Road located in Fowler Township.
- **OHIO EDISON**, 730 South Ave., Youngstown, OH 44502, to work in the right-of-way of Sodom Hutchings Road (C.H. 45 D), in order to rebuild and reconductor the pole line along Sodom Hutchings Rd, pole 516-39 to 516-57. This will be located between Bradley Brownlee Rd. (C.H. 192) and Everett Hull Rd. (T.H. 193) located in Fowler Township.

Yeas: Frenchko, Fuda, Cantalamessa

Nays: None

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

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

- **DAVE FISHER JR.**  
2416 Housel Craft Rd., Bristolville, OH 44402  
**Permit No.: QF-011-2021**  
**Permit Effective: November 12, 2021 through February 10, 2022**

Yeas: Frenchko, Fuda, Cantalamessa

Nays: None

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

**8. MOTION:** Made by Ms. Frenchko, seconded by Mr. Fuda, 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.

- **O.K. BRUGMANN, LLC**  
4083 Mennonite Rd., Mantua, OH 44255  
P.O. Box 189, Middlefield, OH 44062  
**Permit No.: AF-059-2021**  
**Permit Effective: November 12, 2021 through November 12, 2022**
  
- **JOHN BROWN TRUCKING, INC.**  
8063 Southern Blvd  
P.O. Box 9954, Youngstown, OH 44513  
**Permit No.: AF-057-2021**  
**Permit Effective: November 17, 2021 through November 17, 2022**
  
- **R & J TRUCKING, INC.**  
8063 Southern Blvd  
P.O. Box 9954, Youngstown, OH 44513  
**Permit No.: AF-056-2021**  
**Permit Effective: November 17, 2021 through November 17, 2022**

Yeas: Frenchko, Fuda, Cantalamessa  
Nays: None

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**RE: APPROVE DRAFT UPDATE  
COUNTY HIRING POLICY**

**9. MOTION:** Made by Mr. Fuda, seconded by Mr. Cantalamessa, to Approve the DRAFT update of the County Hiring Policy to be included in the Trumbull County Policies and Procedures Manual; this action per the recommendation of the Human Resources Department.

Yeas: Fuda, Cantalamessa  
Nays: Frenchko

*Commissioner Frenchko spoke about missing components in the draft that she believed were important and therefore voted no.*

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RE: AWARD PROPOSAL  
YOHO ACTION SEPTIC TANK & SUPPLY, INC.  
REPLACEMENT OF FOUR (4) HOME SEWAGE  
TREATMENT SYSTEMS-PLANNING COMMISSION

10. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko, to award the lowest and best proposal as submitted by YOHO ACTION SEPTIC TANK & SUPPLY, INC., 5982 Risher Road, Leavittsburg, OH 44430 for replacement of four (4) Home Sewage Treatment Systems (HSTS) in the total amount of \$70,104.00—to be paid for from Fund No. 258-070-5121-5106-1-505556—no County General Revenue Funds will be utilized. The proposal award is contingent upon review and approval of the Ohio Environmental Protection Agency (EPA); this action per the recommendation of Julie M. Green, Trumbull County Grants Manager.

NOTE: The four (4) income-qualified households are being assisted through the Home Sewage Treatment System Reserve Program.

Yeas: Fuda, Frenchko, Cantalamessa  
Nays: None

Document(s) recorded on Journal Page(s)\_\_\_\_\_.)

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RE: AWARD PROPOSAL  
MURRAY SEPTIC & EXCAVATING, INC.  
REPLACEMENT OF ONE (1) HOME SEWAGE  
TREATMENT SYSTEMS-PLANNING COMMISSION

11. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko, to award the lowest and best proposal as submitted by MURRAY SEPTIC & EXCAVATING, INC., 3445 Winners Circle, Canfield, OH 44406 for the construction of one (1) Home Sewage Treatment Systems (HSTS) in the total amount of \$14,569.00—to be paid for from Fund No. 258-070-5121-5106-1-505556—no County General Revenue Funds will be utilized. The proposal award is contingent upon review and approval of the Ohio Environmental Protection Agency (OEPA); this action per the recommendation of Julie M. Green, Trumbull County Grants Manager.

NOTE: The one (1) income-qualified household is being assisted through the OEPA WPCLP.

Yeas: Fuda, Frenchko, Cantalamessa  
Nays: None

Document(s) recorded on Journal Page(s)\_\_\_\_\_.)

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RE: PUBLISH NOTICE OF INTENT/EXECUTE DOCUMENTS  
TO REQUEST RELEASE OF FUNDS-TRUMBULL  
COUNTY PY2021 CDBG COMMUNITY DEVELOPMENT  
PROGRAM: B-F-21-1CS-1

12. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko, to authorize the Trumbull County Commissioners' Clerk to publish a "Notice of Intent to Request Release of Funds" in the Legal Section of the local newspaper as required for the Environmental Review Record, Trumbull County PY2021 CDBG COMMUNITY DEVELOPMENT PROGRAM; B-F-21-1CS-1; AND to authorize Mauro Cantalamessa, President of the Board of Trumbull County Commissioners, to execute any related documents for completing the environmental review process (the Request for Release of Funds and the Certification for Federally Funded State Projects); this action per the recommendation of the Trumbull County Planning Commission and is subject to review and approval of the Prosecutor's Office.

NOTE: The Notice shall be published in the Legal Section of the Tribune Chronicle on Tuesday, November 23, 2021. The ERR record must be posted and readily available for public inspection on http://commissioners.co.trumbull.oh.us/.

SPECIAL NOTE: The Trumbull County Planning Commission has completed an Environmental Review Record for the project.

Yeas: Fuda, Frenchko, Cantalamessa  
Nays: None

Document(s) recorded on Journal Page(s)\_\_\_\_\_.)

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**RE: CHANGE ORDER NO. 1  
N.E.S. CORPORATION  
PARKMAN-MESOPOTAMIA ROAD RECONSTRUCTION  
PROJECT-PLANNING COMMISSION**

**13. MOTION:** Made by Mr. Fuda, seconded by Ms. Frenchko, to approve Change Order No. 1 as submitted by N.E.S. CORPORATION, 2981 Independence, Cleveland, OH 44115 for the PARKMAN-MESOPOTAMIA ROAD RECONSTRUCTION PROJECT—Mesopotamia Township. Change Order No. 1 is for \$52,252.01—revising the total contract amount to \$422,071.01. Change Order is necessary for an adjustment of quantities with an extended completion date through April 10, 2022 being funded through Grant Fund No. 225-030-5119-5108-1-505548 in the amount of \$46,504.29 and from the County Engineer’s Fund No. 002-030-1700-1700-1-505548 the amount of \$5,747.72; this action per the recommendation of the Trumbull County Planning Commission.

**NOTE:** The Board of Commissioners awarded the original contract to N.E.S. Corporation in the amount of \$369,819.00 on October 15, 2020, duly recorded in Journal Volume 152, Page 25313.

Yeas: Fuda, Frenchko, Cantalamessa

Nays: None

Document(s) recorded on Journal Page(s)\_\_\_\_\_.)

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**RE: CONTRACTS DATED NOVEMBER 17, 2021  
DEPARTMENT OF JOB & FAMILY SERVICES**

**14. MOTION:** Made by Mr. Fuda, seconded by Ms. Frenchko, to authorize a member of the Board of Trumbull County Commissioners to sign (countersign), on behalf of the Trumbull County Department of Job and Family Services, the contracts per list dated November 17, 2021. Contracts create three (3) training opportunities and three (3) job opportunities at a total cost of \$249,655.64—fully funded through Workforce Innovation and Opportunity Act (WIOA) allocations—with no County General Revenue Funds requested; this action per the recommendation of John R. Gargano, Esq., Director of the Trumbull County Department of Job and Family Services.

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

**Commissioner Frenchko wanted to verify that this agenda item would not cost the County money.**

Yeas: Fuda, Frenchko, Cantalamessa

Nays: None

Document(s) recorded on Journal Page(s)\_\_\_\_\_.)

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**RE: SPECIAL PROJECTS COORDINATOR  
DEVISE RANKING TOOL TO RANK COUNTY  
AMERICAN RESCUE PLAN APPLICATIONS**

**15. MOTION:** Made by Ms. Frenchko to assign the Trumbull County Special Projects Coordinator the task to devise and develop a RANKING TOOL for use by the Board of Commissioners to effectively assess and rank COUNTY AMERICAN RESCUE PLAN APPLICATIONS.

*NOTE:* The ranking may be accomplished by assigning a numerical value to each of the ranking criteria. This tool would provide a transparent way for Commissioners to select and vet projects based on their overall benefit to County residents. The tool would provide methods to assess potential financial payback and/or quality of life benefits. Such tool would also provide instructions for applicants on how to apply for funding as well as clear advice on state guidelines for use of ARP funds. Such a tool would be made available to Commissioners no later than November 30, 2021. The draft submitted would be assessed by Commissioners as to suitability and possible modification if necessary. Such ranking tool would be approved by the Commissioners and made available for public use no later than December 15, 2021.

**MOTION DIED FOR LACK OF SECOND**

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**RE: CREATE/ADVERTISE FOR A NINE-PERSON CITIZEN  
ADVISORY PANEL TO EVALUATE COUNTY  
AMERICAN RESCUE PLAN APPLICATIONS**

**16. MOTION:** Made by Ms. Frenchko to create a NINE-PERSON CITIZEN ADVISORY PANEL to evaluate American Rescue Plan Projects Applications to the Board of Commissioners based on the ranking instrument developed by our Special Projects Coordinator, and to ADVERTISE for interested applicants.

*NOTE:* Advisory panel members may not be elected officials or local government employees. Applicants must reside in Townships. Each Commissioner shall select three appointees. A public meeting will be held to present project proposals after the ranking tool and ARP Citizen Advisory Panel are approved and established.

**MOTION DIED FOR LACK OF SECOND**

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**RE: SPECIAL PROJECTS COORDINATOR  
TO COORDINATE TRAINING FOR ROBERTS RULES  
OF ORDER**

**17. MOTION:** Made by Ms. Frenchko to assign the Trumbull County Special Projects Coordinator the task of coordinating training to the Board of Commissioner for the ROBERTS RULES OF ORDER for the purpose of conducting county business at workshops and meetings more professionally, and to limit the focus to county business.

*NOTE:* The county adopted the Roberts Rules of Order at our Reorganizational Meeting, but has yet to conduct a meeting in adherence to these rules of order. The Board of Commissioners recognizes that the public deserves professional meetings.

**MOTION DIED FOR LACK OF SECOND**

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**RE: COUNTY POLICY TO ACCOUNT FOR TIME**

**18. MOTION:** Made by Ms. Frenchko to ADOPT THE FOLLOWING TIME ACCOUNTABILITY HUMAN RESOURCES POLICY:

All employees under the jurisdiction of the Commissioners are required to use a time clock if one is present in their building. All employees must also account for their time by submitting a weekly timesheet that specifies the number of hours worked daily on each task and/or project. The hours will detail the number of hours worked on specific projects and tasks at fifteen (15) minute minimum increments. This time sheet must be signed by the employee attesting to the honesty of the time and duties reported. False reporting is grounds for discipline up to and including termination.

**NOTE:** Contrary to the HR directors report that all employees clock in, Trumbull County 911 has gone years without employees clocking in or accounting for their time. Employees were instructed to clock in at the end of September 2021, however, the time clock has not been working, so they are still not clocking in. This will also serve as a much needed tool to identify necessity of positions, streamlining and to eliminate duplication of duties.

**MOTION DIED FOR LACK OF SECOND**

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**RE: JOB ADVERTISEMENT POLICY**

**19. MOTION:** Made by Ms. Frenchko to ADOPT THE FOLLOWING JOB ADVERTISEMENT HUMAN RESOURCE POLICY AS PART OF THE COUNTY POLICY:

All non-union jobs shall be internally posted and externally advertised for thirty (30) days. Jobs will be advertised with Indeed, Ohio Means Jobs, the Trumbull County website, Jobs Now, the Black Ministerial Alliance, Organizacion Civica y Culture Hispana Americana (OCCHA) and with Inspiring Minds (*note: all are at no cost to the county, Jobs Now is TV advertising with WKBN in conjunction with the Youngstown Warren Regional Chamber of Commerce*). Paid searches will be done for director, assistant director, executive and department head positions.

Interim positions will be posted internally for seven (7) days, and ranking will take place based on past performance evaluations, and an objective ranking instrument.

**NOTE:** Non-union promotions are currently made from within without advertising. Interim positions are given without internal posting, and jobs have been passed off to personal picks of commissioners. This new policy would serve to promote fairness in hiring, prevent cronyism and nepotism, attract the most talented and educated candidates, and has the potential to increase diversity in management and higher ranking positions. This would be an update to the Affirmative Action Plan which was developed this year. The County is deficient in Hispanic representation within its workforce according to the EEO guidelines

**MOTION DIED FOR LACK OF SECOND**

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**RE: ADOPT RANKING SYSTEM FOR HIRING**

**20. MOTION:** Made by Ms. Frenchko to ADOPT THE FOLLOWING RANKING SYSTEM FOR HIRING AS A HUMAN RESOURCE POLICY:

All applicants for county employment will be objectively ranked based on relevant knowledge, experience, education, and proper fit for the position based upon a uniform county ranking tool.

**NOTE:** The ranking tool will be developed by HR and approved by the Board of Commissioners by December 8, 2021. Non-classified positions have traditionally been filled without ranking tools. This policy will ensure all applicants are equally and fairly considered for county employment.

**MOTION DIED FOR LACK OF SECOND**



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**RE: DETAILED JOB DESCRIPTIONS**

**21. MOTION:** Made by Ms. Frenchko to ensure that ALL Trumbull County employees under the jurisdiction of the Board of Commissioners have a detailed job description on file with the Human Resources office by December 1, 2021. Ensure ALL job descriptions which have not been revisited in more than five (5) years are updated by January 5, 2022. This task will be coordinated by the Human Resources Director who will submit the original job descriptions and new job descriptions to the Board of Commissioners, underscoring any modifications, and include the date of the original and new job descriptions. All new job descriptions and modifications made in 2021 and moving forward must be approved by the Board of Commissioners.

**NOTE:** A Countywide job description update has not been done since the 1990's. The Commissioner's Office has had an employee without a job description for many years; the special projects coordinator position was only developed in October of 2021 once this issue was raised. The county Workers Compensation Administrator is currently classified as a Clerk with an extremely old job description. It is necessary to know what staff does, to determine if they are critical, paid appropriately, and to determine if cross training is needed so all duties can be carried out seamlessly in the absence of particular employees.

**MOTION DIED FOR LACK OF SECOND**

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**RE: PERFORMANCE EVALUATIONS**

**22. MOTION:** Made by Ms. Frenchko to ADOPT THE FOLLOWING HUMAN RESOURCE POLICY RELATED TO PERFORMANCE EVALUATIONS:

Performance evaluations will be done annually beginning in December 2021. All staff will be evaluated by their department head. Commissioners office staff will be evaluated by each member of the Board of Commissioners individually. All department heads will be evaluated by each member of the Board of Commissioners individually. Evaluations will be kept in the personnel file for the duration of their employment with Trumbull County.

Failure of Department heads to conduct evaluations is grounds for discipline.

**NOTE:** The evaluation tool for each department will be created by the department head. The evaluation tool for the department heads will be developed by the Human Resources Department that must be completed by December 1, 2021. Trumbull County has not historically conducted evaluations of management and non-classified employees. This is necessary to appropriately evaluate staff for promotions, raises, to give constructive feedback, and recognition for good work. This is a customary industry practice in organizations the size of the County; it has not been done. This tool can also be used to identify the necessity of positions and to ensure employees filling the positions are a good fit.

**MOTION DIED FOR LACK OF SECOND**

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**RE: CAMPAIGNING ON COUNTY PROPERTY**

**23. MOTION:** Made by Ms. Frenchko to INCLUDE THE FOLLOWING IN THE COUNTY POLICY & PROCEDURE MANUAL RELATED TO POLITICAL CAMPAIGNING ON COUNTY PROPERTY:

No campaigning for or against political candidates or issues may take place on county property. This includes but is not limited to fundraiser ticket sales, scheduling appearances, sending political advertisements on behalf of candidates, preparing speeches, gift baskets, taking political phone messages, collecting money for advertisements and sponsorships, or asking county staff for commitment to vote for anyone or any issue.

Department Heads are responsible for ensuring campaign activity does not happen in their offices or by their staff. Violation of this policy will result in progressive discipline for classified employees, and termination of fiduciary employees.

**NOTE:** Historically, taking messages for political advertising, reservations being taken for political appearances, sending political advertisements, and collecting money for such advertisements is documented as having occurred in the Commissioners' Office for Commissioners Cantalamessa and Commissioner Fuda. Prosecutors opinions have been sought over this matter which Commissioner Frenchko is willing to release. County Staff expressed campaigning by Commissioners and for commissioners being ignored by Department heads. This is contrary to the Ohio Revised Code, Ohio Ethics Commission policy and Election law. The citizens deserve to know that their county employees are not participating in political activity in public buildings.

**MOTION DIED FOR LACK OF SECOND**

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**RE: JOIN WRTA**

**24. MOTION:** Made by Ms. Frenchko to ADOPT A RESOLUTION FOR TRUMBULL COUNTY TO JOIN THE WESTERN RESERVE REGIONAL TRANSIT AUTHORITY (WRTA) BY:

Adopting the provisions of an amendment to Ordinance No. 83153, as amended by Ordinances No. 83414, No. 84009, and No. 84309 and further amended by ordinance No. 07-313, each passed by the Council of the City of Youngstown and which created the Western Reserve Transit Authority, to add and include the County of Trumbull to and within the Western Reserve Transit Authority pursuant to Section 306.321 of the Ohio Revised Code and approving authorizing related matters.

**NOTE:** The Board of Commissioners recognizes the positive impact of regional transit on promoting economic growth, increasing employment opportunities for County residents, improving the quality of life, stabilizing population loss, improving property values, and believes the citizens of Trumbull County should have the opportunity to vote on the matter. Many organizations and boards have requested that we join WRTA. The Mayors of Warren, Niles, Lordstown, Girard, and Cortland support Trumbull County joining WRTA; the Board of Commissioners values their input, and we are grateful for their advocacy of their residents.

**MOTION DIED FOR LACK OF SECOND**

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**RE: EXECUTE EMERGENCY RESOLUTION TO ACCEPT MATERIAL TERMS OF THE ONE OHIO SUBDIVISION SETTLEMENT WITH JANSSEN/JOHNSON & JOHNSON NATIONAL OPIOID SETTLEMENT AGREEMENT**

**25. MOTION:** Made by Mr. Fuda, seconded by Ms. Frenchko, to ADOPT AND EXECUTE AN EMERGENCY RESOLUTION TO ACCEPT THE MATERIAL TERMS OF THE ONE OHIO SUBDIVISION SETTLEMENT WITH JANSSEN/JOHNSON & JOHNSON PURSUANT TO THE ONE OHIO MEMORANDUM OF UNDERSTANDING CONSISTENT WITH THE TERMS OF THE JULY 21, 2021 NATIONAL OPIOID SETTLEMENT AGREEMENT.

To Adopt and Execute an Emergency Resolution Authorizing Mauro Cantalamessa , President of the Board of Trumbull County Commissioners ( herein “Board”) to execute the Participation Agreement for the OneOhio Subdivision Settlement with Janssen/Johnson&Johnson pursuant to the OneOhio Memorandum of Understanding regarding the pursuit and use of potential opioid litigation settlement funds and consistent with the material terms of the July 21, 2021 proposed National Opioid Distributor Settlement Agreement available at <https://nationalopioidsettlement.com/>.

**WHEREAS**, Trumbull County, Ohio is a county formed and organized pursuant to the Constitution and laws of the State of Ohio; and

**WHEREAS**, the people of the State of Ohio and its communities have been harmed by misfeasance, nonfeasance and malfeasance committed by certain entities within the Opioid Pharmaceutical Supply Chain; and

**WHEREAS**, the State of Ohio, through its Attorney General, and certain Local Governments, through their elected representatives and counsel, are separately engaged in litigation seeking to hold Opioid Pharmaceutical Supply Chain Participants accountable for the damage caused by their misfeasance, nonfeasance and malfeasance; and

**WHEREAS**, the State of Ohio, through its Governor and Attorney General, and its Local Governments share a common desire to abate and alleviate the impacts of that misfeasance, nonfeasance and malfeasance throughout the State of Ohio; and

**WHEREAS**, the State and its Local Governments, subject to completing formal documents effectuating the Parties Agreements, have drafted and Trumbull County has adopted, and hereby reaffirms its adoption of, a OneOhio Memorandum of Understanding (“MOU”) relating to the allocation and the use of the proceeds of any potential settlements described; and

**WHEREAS**, the MOU has been collaboratively drafted to maintain all individual claims while allowing the State and Local Governments to cooperate in exploring all possible means of resolution; and

**WHEREAS**, the [Board or Council] understands that an additional purpose of the MOU is to create an effective means of distributing any potential settlement funds obtained under the MOU between the State of Ohio and Local Governments in a manner and means that would promote an effective and meaningful use of the funds in abating the opioid epidemic throughout Ohio, as well as to permit collaboration and explore potentially effectuation earlier resolution of the Opioid Litigation against Opioid Pharmaceutical Supply Chain Participants; and

(Continued)

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RE: OPIOID SETTLEMENT AGREEMENT(Cont'd)

WHEREAS, nothing in the MOU binds any party to a specific outcome, but rather, any resolution under the MOU requires acceptance by the State of Ohio and the Local Governments; and

WHEREAS, a settlement proposal is being presented to the State of Ohio and Local Governments by distributors AmerisourceBergen, Cardinal, and McKesson (collectively the "Settling Distributors") to resolve governmental entity claims in the State of Ohio using the structure of the OneOhio MOU and consistent with the material terms of the July 21, 2021 proposed National Opioid Distributor Settlement Agreement; and

WHEREAS, the Board wishes to agree to the material terms of the proposed National Opioid Distributor Settlement Agreement with the Settling Distributors (the "Proposed Settlement"):

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF THE TRUMBULL COUNTY COMMISSIONERS OF WARREN, OHIO.

Section 1. That Board hereby accepts the Proposed Settlement on behalf of Trumbull County, OH, pursuant to the terms of the OneOhio MOU.

Section 2. That it is found and determined that all formal actions of the Board relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Section 3. This Resolution is hereby declared to be an emergency measure, necessary for the preservation of the public peace, health, welfare and safety of Trumbull County, OH. The reason for the emergency is to ensure prompt pursuit of funds to assist in abating the opioid epidemic throughout Ohio.

Yeas: Fuda, Frenchko, Cantalamessa
Nays: None

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RE: GO INTO EXECUTIVE SESSION TO
DISCUSS 9-1-1 CENTER LITIGATION

26. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko, to go into Executive Session at approximately 10:51 a.m.to discuss ongoing litigation regarding the 9-1-1 Center. In attendance were Commissioner Cantalamessa, Commissioner Frenchko, Commissioner Fuda and Attorney Michael Fredericka via telephone.

Commissioner Frenchko read a verse from the Bible.

Yeas: Fuda, Frenchko, Cantalamessa
Nays: None

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RE: RECONVENE FROM EXECUTIVE SESSION

27. MOTION: Made by Ms. Frenchko, seconded by Mr. Fuda, to Reconvene from Executive Session at approximately 11:00a.m.

Yeas: Frenchko, Fuda, Cantalamessa
Nays: None

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**Comments:**

*Mayor Shirley McIntosh from the Village of West Farmington spoke about the behavior of the Commissioners during their weekly meetings.*

*Mayor McIntosh also inquired about the status of evaluating the American Rescue Plan Funds Project requests and that she is growing tired of the excuses and delays.*

*Mayor McIntosh asked Commissioners Cantalamessa and Fuda why they vote Commissioner Frenchko's agenda items down without a rebuttal or solution for the items.*

*There was a heated discussion amongst the three (3) Commissioners and Mayor McIntosh regarding the above.*

*Shara Taylor of the Commissioners' Office spoke about concerns pursuant to the Commissioners' Workshop conducted the previous day.*

*A heated discussion between Ms. Taylor, and the three (3) Commissioners was held with regards to social media, staff meetings, and employees' salaries and their duties.*

*Commissioner Frenchko moved to adjourn but then said "Point of Personal Privilege" because she needed to take a break for personal reasons. She left the meeting at approximately 11:30 a.m. and returned at 11:39 a.m.*

*Paula Vivoda Klotz, Clerk of the Board of Commissioners, wanted it noted for the record that she believed her personal space was invaded by Commissioner Frenchko when the Commissioner reached over her to adjust the volume on the Recorder that tapes the meeting.*

*Daryl Black, Mecca Township Trustee, spoke about the Commissioners channeling their energy to help obtain natural gas service for the Township. The Commissioners addressed his concerns.*

*Mayor Shirley McIntosh, West Farmington Mayor wanted it known that a broadband agreement with Spectrum will not benefit West Farmington.*

*Jacqueline Inlenfeld spoke about respect for others and wanted to clarify that she is a resident of Trumbull County. Ms. Inlenfeld also spoke about Commissioner Frenchko's agenda items and that the people of Trumbull County want change. Furthermore, Ms. Inlenfeld asked about WRTA and a heated discussion between the Commissioners regarding placing the WRTA issue on the ballot in May, economic development and being proactive on the issue of transportation was held.*

*Christine Glenn of the Commissioners' Office commented on the issue of staff complaints filed against Commissioner Frenchko and refuted the claim made by Commissioner Frenchko that everyone recently received a raise who filed a complaint against her.*

*Daryl Black asked for clarification on the draft letter to the PUCO in an effort to obtain natural gas service to West Mecca residents and the Commissioners addressed his concern.*

*Mr. Black also asked if the Interim Director at 9-1-1 was going to be named the permanent director because he felt she was doing a great job. Commissioner Cantalamessa commented that he has heard good reports on Ms. Goldner's job performance. Commissioner Frenchko spoke about advertising for the position and that she was concerned about a recent incident regarding a 9-1-1 employee who requested special accommodations based on a disability. Commissioner Cantalamessa said all documentation regarding the incident was sent to the Board of Commissioners.*

(Continued)

Week Beginning November 15, 2021

Meeting of November 17, 2021

*Comments cont'd*

*Commissioner Frenchko and Clerk Paula Vivoda-Klotz had an additional discussion/encounter regarding the recorder used to tape the meeting and invading one's personal space.*

*County Engineer Randy Smith spoke about a townships' meeting scheduled for that evening regarding natural gas accessibility is cancelled due to Covid. Mr. Smith commented that there are numerous problems with respect to suppliers and providers that need to be worked out and that another meeting will be scheduled after the holidays. Commissioner Fuda thanked Mr. Smith for his due diligence regarding this issue.*

*Mr. Paul Amos commended Commissioners Fuda and Cantalamessa for doing a good job for the people of Trumbull County.*

*Ms. Patricia Wyatt thanked Commissioners Fuda and Cantalamessa for not going along with Commissioner Frenchko's agenda items. Ms. Wyatt spoke about placing the WRTA issue on the ballot so that the residents' can vote it down.*

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**RE: ADJOURN**

**MOTION:** Made by, Mr. Fuda, seconded by Ms. Frenchko, to adjourn the Regular Meeting of November 17, 2021, and to meet again in Regular Session on November 24, 2021.

Yeas: Fuda, Frenchko, Cantalamessa

Nays: None

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

\_\_\_\_\_  
MAURO CANTALAMESSA, PRESIDENT

\_\_\_\_\_  
NIKI FRENCHKO, COMMISSIONER

\_\_\_\_\_  
FRANK S. FUDA, COMMISSIONER

ATTEST:

\_\_\_\_\_  
PAULA J. VIVODA-KLOTZ, CLERK

**Week Beginning November 15, 2021**

**Meeting of November 17, 2021**