

Week of November 22, 2021

Meeting of November 24, 2021

The Board of County Commissioners, Trumbull County, Ohio, met for a Regular Meeting on the 24th 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

RE: MINUTES

1. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa to dispense with reading the minutes of the Workshop Session dated November 16, 2021 and the Regular Meeting dated November 17, 2021.

Yeas: Fuda, Cantalamessa
Nays: Frenchko

A presentation by Jerry Ricciardi of Fluent & Ricciardi Accounting Services regarding the medical services contract was made to the Board of Commissioners. A lengthy discussion was held between the Board of Commissioners, Dr. Phillip Malvasi, D.O., Jerry Ricciardi, and Special Projects Coordinator Jim Misocky regarding the contract for medical services for inmates of the Trumbull County Adult Justice Center.

COMMISSIONER FRENCHKO MADE A MOTION FROM THE FLOOR TO TABLE ITEM #2.

MOTION DIED FOR LACK OF SECOND

**RE: PROFESSIONAL MEDICAL SERVICES AGREEMENT
PHILLIP P. MALVASI, D.O., -- ADULT JUSTICE
CENTER TO PROVIDE MEDICAL CARE AND
TREATMENT OF INMATES AND TO PERFORM
CERTAIN MEDICAL SERVICES DURING THE
COURSE OF THEIR INCARCERATION**

2. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa to approve the Professional Medical Services Agreement with PHILLIP P. MALVASI, D.O., 1017 Youngstown-Warren Road, Niles 44446, for the Trumbull County Adult Justice Center to provide medical care and treatment of inmates and to perform certain medical services during the course of their incarceration, in the amount of \$633,285.69 to be paid from Fund No. 001-020-1400-1415-1-505611. This Agreement will be effective for a period of one (1) year commencing December 10, 2021 and ending December 9, 2022.

Commissioner Frenchko commented that she is voting no on this contract because the Board of Commissioners were not given sufficient time to review the contract or heeding the Prosecutor's opinion regarding the language in the contract and that it should be publically bidded out.

Yeas: Fuda, Cantalamessa
Nays: Frenchko

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

RE: APPROVE BILLS

3. **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

RE: TRANSFER MONIES

4. **MOTION:** Made by Mr. Fuda, seconded by Ms. Frenchko pursuant to Ohio Revised Code Section 5705.14, to transfer monies as submitted to the Trumbull County Auditor’s Office between the dates of November 15, 2021 through November 19, 2021. *Complete list of money transfers shall be recorded onto the Journal for record purposes.*

❖ **Departments/Offices requesting to transfer monies:**

• Tr Co Health Dept.	\$	17,000.00	Fund # 961
	\$	100,000.00	Fund # 964
	\$	38,000.00	Fund # 963
	\$	156,945.00	Fund # 978
	\$	42,000.00	Fund # 973
	\$	111,000.00	Fund # 971
	\$	60,000.00	Fund # 952
	\$	23,000.00	Fund # 977
	\$	39,000.00	Fund # 957
• Trumbull Co Health Department	\$	1,579.00	Fund # 971
	\$	61,450.00	Fund # 976
	\$	14,000.00	Fund # 954
	\$	136.40	Fund # 977
• Health Board FY22	\$	52,000.00	Fund # 954
• Sanitary Engineers	\$	182,851.00	Fund # 602
	\$	113,060.00	Fund # 602
	\$	450,398.35	Fund # 602
	\$	25,731.00	Fund # 604
	\$	16,164.54	Fund # 604
	\$	22,806.00	Fund # 606
	\$	43,422.00	Fund # 607
	\$	23,733.14	Fund # 607
	\$	2,204.00	Fund # 608
	\$	15,139.00	Fund # 609
	\$	9,358.00	Fund # 610
	\$	33,454.00	Fund # 611

Yeas: Fuda, Frenchko, Cantalamessa

Nays: None

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

RE: ADDITIONAL APPROPRIATIONS

5. **MOTION:** Made by Ms. Frenchko, seconded by Mr. Fuda to approve additional appropriations, as submitted to the Trumbull County Auditor’s Office between the dates of November 15, 2021 through November 19, 2021. *Complete list of additional appropriations shall be recorded onto the Journal for record purposes.*

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

• Senior Services	\$ 10,000.00	Fund # 065
• County Transit Fund	\$ 29,815.55	Fund # 940
• Sheriff	\$ 116.01	Fund # 105
• TAG FY2020	\$ 11,731.40	Fund # 206
	\$ 2,744.35	Fund # 206
• Youth Serv Grant Yr.	\$ 22,500.00	Fund # 136
• Health Board	\$ 365,000.00	Fund # 950
• Community Development FY21	\$ 578,800.00	Fund # 225

Yeas: Frenchko, Fuda, Cantalamessa

Nays: None

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

RE: TRANSFER APPROPRIATIONS

6. **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 15, 2021 through November 19, 2021. *Complete list of appropriation transfers shall be recorded onto the Journal for record purposes.*

❖ **Departments/Offices requesting to transfer appropriations:**

• Senior Services	\$ 507.00	Fund # 065
• Building Department	\$ 326.92	Fund # 001
	\$ 2,000.00	Fund # 023
• 9-1-1 Center	\$ 91.10	Fund # 039
	\$ 20.73	Fund # 039
	\$ 1,050.00	Fund # 070
• Planning Commission	\$ 75.00	Fund # 001
	\$ 15,000.00	Fund # 216
• Community Development FY20	\$ 712.66	Fund # 225
	\$ 3,620.00	Fund # 225
	\$ 1,400.00	Fund # 225
• MetroParks	\$ 350.00	Fund # 981
	\$ 466.89	Fund # 981
	\$ 24,300.00	Fund # 983
• Treasurer	\$ 6,515.00	Fund # 024
• Common Pleas	\$ 30,000.00	Fund # 055
• Dom Rel and Juv Court	\$ 500.00	Fund # 056
• Youth Subsidy Grant FY2022	\$ 7,599.87	Fund # 112
	\$ 59,972.40	Fund # 112
	\$ 139,956.31	Fund # 112
• Probate	\$ 805.83	Fund # 001
• Sanitary Engineers	\$ 375,000.00	Fund # 479
	\$ 35,940.96	Fund # 479
• JFS	\$ 250.00	Fund # 003
	\$ 100.00	Fund # 003
• Community Mental Health	\$ 1,153,000.00	Fund # 009
	\$ 59,300.00	Fund # 009
• Children Services	\$ 50,000.00	Fund # 012
• Health Dept.	\$ 1,300.00	Fund # 974

Yeas: Fuda, Frenchko, Cantalamessa

Nays: None

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

Week of November 22, 2021

Meeting of November 24, 2021

**RE: AMENDED CERTIFICATE NO. 33-2021
COUNTY BUDGET COMMISSION**

7. **MOTION:** Made by Mr. Fuda, seconded by Ms. Frenchko receive the Amended Certificate of the County Budget Commission No. 33 - 2021, for the fiscal year beginning January 1, 2021, dated November 24, 2021, increasing estimated resources in the funds listed:

- **County Transit Fund** **Fund # 940**
- **Senior Services** **Fund # 065**
- **CDBG** **Fund # 225**

Yeas: Fuda, Frenchko, Cantalamessa

Nays: None

RE: TRANSFER UNUSED FUND APPROPRIATIONS

8. **MOTION:** Made by Mr. Fuda, seconded by Mr. Cantalamessa to authorize the Trumbull County Auditor to transfer unused fund appropriations to various other fund appropriations that are in need of monies to meet current expenses AND to make other additional appropriations necessary; PROVIDING these transfers and additional appropriations fall within the amounts certified by the County Budget Commission.

Yeas: Fuda, Cantalamessa

Nays: Frenchko

**RE: FUND TRANSFERS TO CLOSE OUT 2021
ACCOUNTING YEAR**

9. **MOTION:** Made by Mr. Fuda, seconded by Mr. Cantalamessa to authorize any and all Fund Transfers as necessary to Close Out the 2021 Accounting Year; this action per the recommendation of the Trumbull County Auditor.

Yeas: Fuda, Cantalamessa, Frenchko

Nays: None

**RE: RECEIVE/PLACE ON FILE-MONTHLY ACTIVITIES
REPORT FOR OCTOBER 2021 – DOG KENNEL**

10. **MOTION:** Made by Mr. Fuda, seconded by Ms. Frenchko to receive and place on file the Monthly Activities Report for the TRUMBULL COUNTY DOG KENNEL for the month of OCTOBER 2021; as submitted by Michelle Goss, Chief Executive Dog Warden.

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

Yeas: Fuda, Frenchko, Cantalamessa

Nays: None

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

RE: APPROVE DETAILED DRAWINGS FOR SCOTT STREET PHASE 2 SANITARY SEWER IMPROVEMENT PROJECT IN NEWTON TOWNSHIP- SANITARY ENGINEERS

11. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko to approve the Detailed Drawings for the SCOTT STREET PHASE 2 SANITARY SEWER IMPROVEMENT PROJECT, known as County Project No. 3-S-67B, Newton Township in the Trumbull County Combined Sanitary Sewer District; this action per the recommendation of the Trumbull County Sanitary Engineer.

Yeas: Fuda, Frenchko, Cantalamessa
Nays: None

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

RE: RETIREMENT – MR. KENNETH BARBER SANITARY ENGINEERS DEPARTMENT

12. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko to acknowledge the retirement of MR. KENNETH BARBER from his position as METER READER with the Trumbull County Sanitary Engineers Department, effective February 1, 2022. Ken will be retiring after 21 years of dedicated service to the citizens of Trumbull County. The Board of Commissioners joins Gary Newbrough, Trumbull County Sanitary Engineer, Scott Verner, Assistant Sanitary Engineer, Robert Maiorano, Controller, Dianna Daniels, Office Manager and staff in paying a fond farewell to Ken and wishing him a long, happy, and healthy retirement for which he is most deserving.

NOTE: Mr. Barber’s letter of intent to retire will be recorded on the Journal for record purposes.

Yeas: Fuda, Frenchko, Cantalamessa
Nays: None

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

RE: RESCIND PERSONNEL ACTION FOR EMPLOYMENT MR. ANTHONY GARDNER (LABORER PACKAGE PLANT) – SANITARY ENGINEERS DEPARTMENT

13. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko to rescind the personnel action for the employment of MR. ANTHONY GARDNER for the position of LABORER- PACKAGE PLANT with the TRUMBULL COUNTY SANITARY ENGINEERS DEPARTMENT; effective November 8, 2021, Pay Range 1 (0 years) for the initial six (6) months, at which time he will be raised to Pay Range 2 (0 years) - - *pursuant to the authorized job posting from August 18 through August 26, 2021*; this action per the recommendation of the Human Resources Department in conjunction with the Sanitary Engineer’s.

NOTE: This item is being rescinded because the employee did not successfully complete his probationary period.

Yeas: Fuda, Frenchko, Cantalamessa
Nays: None

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

RE: RESCIND AGENDA ITEM DATED 08/25/2021 FOR PURCHASE OF FOUR (4) 2022 GMC SIERRA 2500 PICKUP TRUCKS FROM BOB ROSS BUICK, INC. SANITARY ENGINEERS DEPARTMENT

14. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko to rescind the agenda item dated August 25, 2021, Journal Volume 153, Page 24222, for the purchase of four (4) 2022 GMC SIERRA 2500 PICKUP TRUCKS, from BOB ROSS BUICK, INC., 85 Loop Road Centerville, OH 45459, for the use of the Trumbull County Sanitary Engineers Department, in the total amount of \$142,580.40 (This is a State Purchasing Program price per Contract No. RS900621-6, Index No. GDC093 is \$142,580.40) to be paid from Fund No. 423-080-3000-3020-1-505410 in the amount of \$71,290.20 and Fund No. 602-030-3000-3025-1-505410 in the amount of \$71,290.20; this action is per the recommendation of the Sanitary Engineers Department.

NOTE: Items are being rescinded because BOB ROSS BUICK, INC. cannot supply these vehicles at this time.

Yeas: Fuda, Frenchko, Cantalamessa

Nays: None

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

RE: SUBMIT APPLICATIONS/EXECUTE CONTRACTS TO THE OHIO PUBLIC WORKS COMMISSION FOR 2022 BRIDGE REHABILITATION PROGRAM -- COUNTY ENGINEER

15. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko to authorize Mauro Cantalamessa to submit applications and execute contracts to the Ohio Public Works Commission, on behalf of Trumbull County, in regards to the Year 2022 Ohio Public Works Commission Funds for the 2022 BRIDGE REHABILITATION PROGRAM for the Trumbull County Engineer’s Department; AND to authorize Mauro Cantalamessa, to act as “*Chief Executive Officer*”, Adrian S. Biviano, Trumbull County Auditor, to act as Project “*Chief Financial Officer*”, and Randy L. Smith, P.E., P.S., Trumbull County Engineer, to act as “*Project Manager*”; this action per the recommendation of the Trumbull County Engineer.

❖ Funding for Project is as listed:

- \$ 576,909.00 – Estimated Project Cost
- \$ 0 – FHWA Grant Money
- \$ 0 – Emergency Grant Money
- \$ 224,993.00 – OPWC Grant Money
- \$ 351,916.00 – Local Funds and Service

The Year 2022 Bridge Rehabilitation Program will consist of:

This project will include the rehabilitation of three (3) Trumbull County maintained bridges by replacing the steel beams and corrugated metal decking of all three (3) bridges. In addition, other miscellaneous repairs will be made to one of the structures.

The Warren #12 Bridge (SFN 7841493) located on Kibler Toot Rd. in Warren Township is currently a 42 ft. long pony truss bridge constructed in 1952. It currently has a General Appraisal (GA) of 3P, is structurally deficient, posted for a reduced legal weight limit, and has a Sufficiency Rating of 49.4. The rehabilitation will involve the removal of the existing roadway, decking, and steel trusses and the installation of steel beams and corrugated metal decking. Roadway restoration over the rehabilitated structure is also included.

OHIO PUBLIC WORKS COMMISSION (Cont'd)

The Orangeville #2 Bridge (SFN 7840101) located on Hayes Orangeville Rd. in the Village of Orangeville is a 32 ft. long steel beam bridge constructed in 1965. After the 2021 Annual Inspection, the GA was lowered to a 2P and the structure was posted for 5 TON legal weight limit. This bridge is structurally deficient and has a Sufficiency Rating of 30.8. The rehabilitation will involve the removal of the existing roadway, decking, and steel beams and the installation of new steel beams and corrugated metal decking. Roadway restoration over the rehabilitated structure is also included.

The Brookfield #2B Bridge (SFN 7839987) located on Brockway Sharon Rd. in Brookfield Township is a 39 ft. long steel beam bridge constructed in 1964. It currently has a GA of 3P, is structurally deficient, and has a Sufficiency Rating of 35.2. The rehabilitation will include the removal of the existing roadway, decking, and beams and the installation of new steel beams and corrugated metal decking, in addition to the restoration of the roadway over the rehabilitated structure. Also, repairs will be made to the rear abutment and footer to repair scour damage.

Yeas: Fuda, Frenchko, Cantalamessa
Nays: None

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

**RE: SUBMIT APPLICATIONS/EXECUTE CONTRACTS
TO THE OHIO PUBLIC WORKS COMMISSION FOR
2022 ROAD IMPROVEMENT PROGRAM --
COUNTY ENGINEER**

16. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko to authorize Mauro Cantalamessa to submit applications and execute contracts to the Ohio Public Works Commission, on behalf of Trumbull County, in regards to the Year 2022 Ohio Public Works Commission Funds for the 2022 ROAD IMPROVEMENT PROGRAM for the Trumbull County Engineer’s Department; AND to authorize Mauro Cantalamessa, to act as “*Chief Executive Officer*”, Adrian S. Biviano, Trumbull County Auditor, to act as Project “*Chief Financial Officer*”, and Randy L. Smith, P.E., P.S., Trumbull County Engineer, to act as “*Project Manager*”; this action per the recommendation of the Trumbull County Engineer.

❖ **Funding for Project is as listed:**

- \$ 1,482,952.00 – Estimated Project Cost
- \$ 0 – FHWA Grant Money
- \$ 0 – Emergency Grant Money
- \$ 799,311.00 – OPWC Grant Money
- \$ 683,641.00 – Local Funds and Service

The Year 2022 Road Rehabilitation Program will consist of:

Project Section A- South Leavitt Rd. (C.H. 83 C) is located within the southwest quadrant of Warren Township. Project begins at Risher Rd. and proceeds North to West Market St.

Project Section B- Warren Meadville Rd. (C.H. 330 B) is located within the northeast quadrant of Bazetta Township. Project begins at SR 305 and proceeds North to SR 46.

Project Section C- Risher Rd. (C.H. 108 B) is located within the the southwest quadrant of Warren Township. Project begins at South Leavitt Rd. and proceeds East to the dog leg of South Leavitt Rd

Project Section D- Ohltown McDonald Rd. (C.H. 58 E) is located within the southeast quadrant of Weathersfield Township. Project begins at Clearfield Dr. and proceeds East to McDonald Ave.

Project Section E- Colonial Dr. (C.H. 38) is located within the southeast quadrant of Liberty Township. Project begins at Fifth Ave. and proceeds East to Logan Way.

Project Section F- Stewart Sharon Rd. (C.H. 174) is located within the southeast quadrant of Brookfield Township. Project begins at SR 7 and proceeds East to Idlewild West Rd. (aka Broadway Ave.).

Yeas: Fuda, Frenchko, Cantalamessa
Nays: None

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

RE: TO FILE AN APPLICATION WITH TRUMBULL COUNTY COURT OF COMMON PLEAS FOR APPOINTMENT OF ATTORNEY AARON GLASGOW AND THE LAW FIRM OF ISAAC WILES AS LEGAL COUNSEL FOR BOARD OF COMMISSIONERS, PLANNING COMMISSION, AND OTHER TRUMBULL COUNTY DEPARTMENTS WITH REGARDS TO FLOODPLAIN REGULATIONS

17. MOTION: Made by Ms. Frenchko, seconded by Mr. Fuda, to authorize the Trumbull County Board of Commissioners to join with the Trumbull County Prosecuting Attorney to file an application with the Trumbull County Court of Common Pleas for the appointment of Attorney Aaron Glasgow and the law firm of Isaac Wiles as legal counsel for Trumbull County Board of Commissioners, Trumbull County Planning Commission, and other Trumbull County departments and officials in connection with the enforcement of floodplain regulations relative to certain parcels and structures identified in a recent audit of Trumbull County’s floodplain compliance, and other parcels or structures identified to be in violation of floodplain regulations, including all related filings, appeals, and defenses.

NOTE: The enforcement of floodplain regulations involves complex issues that will require specialized attention and resources, and may present possible conflicts of interest. Attorney Glasgow has experience in floodplain regulations and land use that will help protect Trumbull County’s interests, and help ensure continued compliance with State and Federal floodplain law and regulation. Isaac Wiles is also willing to offer Trumbull County a reduced rate of \$225 per partner hour and \$200 per associate hour, plus expenses.

Yeas: Frenchko, Fuda, Cantalamessa

Nays: None

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

RE: ADOPT A RESOLUTION OF THE BOARD OF TRUMBULL COUNTY COMMISSIONERS AUTHORIZING THE BOARD TO PREPARE AND SUBMIT A LETTER OF SUPPORT FOR THE REHABILITATION OF THE MAHONING VALLEY SANITARY DISTRICT (MVSD) MINERAL RIDGE DAM AND APPLICATION FOR HAZARD MITIGATION ASSISTANCE (HMA) FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) BUILDING RESILIENT INFRASTRUCTURE AND COMMUNITIES (BRIC) GRANT FUNDING

18. MOTION: Made by Ms. Frenchko, seconded by Mr. Fuda, to submit a Letter of Support for the MVSD Dam and submit application for Hazard Mitigation Assistance.

RESOLUTION

WHEREAS, MVSD is a political subdivision of the state of Ohio established under the authority of the Sanitary Act of Ohio in 1926 and governed by the Ohio Revised Code Chapter 6115 for purposes of providing public water supply, and

WHEREAS, MVSD is overseen by the Trumbull and Mahoning County Court of Common Pleas and a Board of Directors that are appointed by the member communities, and

WHEREAS, member communities include the Cities of Youngstown, Niles, and the Village of McDonald, and

WHEREAS, member communities supply MVSD potable water to surrounding communities including Girard, Canfield, Mineral Ridge, Lordstown, Craig Beach, and portions of ten other townships, and

(Continued)

Week of November 22, 2021

Meeting of November 24, 2021

**LETTER OF SUPPORT FOR THE REHABILITATION OF THE MAHONING VALLEY
SANITARY DISTRICT (Cont'd)**

WHEREAS, MVSD has applied for Hazard Mitigation Assistance (HMA) Federal Emergency Management Agency (FEMA) Building Resilient Infrastructure and Communities (BRIC) grant funding to rehabilitate the Mineral Ridge Dam, and

WHEREAS, the dam rehabilitation design is substantially complete to repair and elevate the principal spillway and reconfigure the two auxiliary spillways, as well as other improvements required to comply with current Ohio Department of Natural Resources (ODNR) regulations (ORC 1501:21-13), and

WHEREAS, the dam rehabilitation has an estimated construction cost totaling approximately \$41 million and, if received, the grant would apply 75 percent of the total costs, and

WHEREAS, remaining capital costs will be paid for by MVSD from a combination of operating funds and long-term low interest State loans, and

WHEREAS, rate increases will be required, especially if the grant application is unsuccessful to offset capital cost for the necessary dam rehabilitation, associated long-term debt, and other future operation, maintenance, and capital improvement costs,

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

SECTION 1. The Trumbull County Board of Commissioners are hereby authorized to prepare and submit a letter of support as described above.

SECTION 2. It is hereby found and determined that all formal actions of this Board of Commissioners relating to the adoption of this Resolution were adopted in an open meeting of this Board, and that all deliberations of this Board that resulted in such formal actions were in meeting open to the public, in compliance with the law.

Commissioner Fuda commented on the importance of repairing the Dam.

Yeas: Frenchko, Fuda, Cantalamessa
Nays: None

Letter recorded on Journal Page(s) _____.)

**RE: TO ADOPT A RESOLUTION REAPPOINTING ATTORNEY
ERIC FINK OF LAKE COUNTY AS A MEMBER OF THE
NORTHEAST OHIO COMMUNITY ALTERNATIVE
PROGRAM (NEOCAP) FACILITY GOVERNING BOARD
FOR THE TERM EXPIRING NOVEMBER 9, 2024.**

19. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa, to adopt a Resolution reappointing Attorney Eric Fink as a member of NEOCAP.

RESOLUTION

WHEREAS, the Northeast Ohio Community Alternative Program (NEOCAP) was established by the Common Pleas Judges of Portage, Geauga, Lake, Ashtabula and Trumbull Counties in 1997 and serves as the Community Based Corrections Facility (CBCF); and

WHEREAS, Ohio Revised Code Section 2301.51(E) provides that the Community Based Corrections Facility be governed by a Facility Governing Board to which the judicial advisory board of the CBCF shall appoint two-thirds of the members and the boards of county commissioners of the member counties of the CBCF shall appoint the remaining one-third of the members; and

(Continued)

RESOLUTION REAPPOINTING ATTORNEY ERIC FINK OF LAKE COUNTY (Cont'd)

WHEREAS, Mr. Eric Fink, Partner-Attorney and Counselor at James Silver & Eric Fink Attorney at law, has expressed an interest in continuing to serve on the Board and the Board of Lake County Commissioners, in concurrence with the member NEOCAP County Commissioners, hereby wishes to reappoint Attorney Eric Fink representing Lake County to the NEOCAP Facility Governing Board as required by HS 162, for term ending November 9, 2024; and

NOW, THEREFORE, BE IT RESOLVED, that the Clerk of the Board of County Commissioners is hereby directed to forward certified copies of this Resolution to the Board of County Commissioners of Portage, Geauga, Ashtabula and Lake Counties, Trumbull County Auditor, Trumbull County Prosecutor, Trumbull County Court of Common Pleas, Trumbull County Adult Probation, Trumbull County Probate Court, Northeast Ohio Community Action Program (NEOCAP), Portage County Court of Common Pleas, Geauga County Court of Common Pleas, Ashtabula County Court of Common Pleas and Lake County Court of Common Pleas.

BE IT FURTHER RESOLVED, the Board of Trumbull County Commissioners hereby finds and determines that all formal actions of this Board of County Commissioners relative to the adoption of this resolution were taken in an open meeting of this Board of County Commissioners, and that all deliberations of this Board of County Commissioners and of its committees, if any, which resulted in formal actions, were taken in meetings open to the public in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Yeas: Fuda, Cantalamessa
Nays: Frenchko

RE: APPROVE PERSONNEL ACTION FOR A ONE (1) WORKING DAY SUSPENSION, WITHOUT PAY, OF AN EMPLOYEE -- CHILD SUPPORT ENFORCEMENT AGENCY

20. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa to approve the personnel action for a one (1) working day suspension, without pay, of an employee of the CHILD SUPPORT ENFORCEMENT AGENCY. Employee violated sections of the Personnel Policy relative to courtesy shown to the public we serve, job performance standards, and assigned duties. The one-day suspension will be observed on Wednesday, December 1, 2021, with a return to work date of Thursday, December 2, 2021; this action per the recommendation of John Gargano, Esq., Director of the Trumbull County Department of Job and Family Services.

NOTE: Personnel Action Form shall be recorded on the Journal for record purposes.

Discussion by Ms. Frenchko regarding county employees and county policies.

Yeas: Fuda, Cantalamessa
Nays: Frenchko

RE: RETIREMENT – MS. MARY ‘BETSY’ VINE DEPARTMENT OF JOB AND FAMILY SERVICES

21. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko to adopt a Resolution honoring MS. MARY ‘BETSY’ VINE for her outstanding contributions and dedicated service to Trumbull County, especially her devotion and expertise to the DEPARTMENT OF JOB AND FAMILY SERVICES. MS. VINE will be retiring effective November 30, 2021—with over thirty-two (32) years of service to the residents of Trumbull County. The Board of Commissioners joins Attorney John Gargano, Director of the Department of Job and Family Services, and staff in paying a fond farewell to BETSY and wishes her many years of happiness, good health, and relaxation for which she is most deserving.

BETSY WILL BE GREATLY MISSED!

Yeas: Fuda, Frenchko, Cantalamessa
Nays: None

**RE: MAINTENANCE BOND NO. 66374375
Z-TECH EXCAVATING, INC. FOR PY2021
HSTS RESERVE PROGRAM FOR CONSTRUCTION
OF ONE SANITARY LATERAL**

22. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, to accept Maintenance Bond No. 66374375, submitted by Z-TECH EXCAVATING, INC., 3301 Bazetta Road, Cortland, OH 44410 for the PY2021 HSTS RESERVE PROGRAM for the construction of one Sanitary Lateral. The Maintenance Bond issued by Auto-Owners (Mutual) Insurance Company c/o Uher Agency, Inc./Champion Insurance of Austintown, 25 N. Canfield-Niles Road, Suite 104, Austintown, OH 44515. The Maintenance Bond is for a two (2) year period from November 4, 2021 to November 4, 2023. The Maintenance Bond is for the work completed in the amount of twenty-percent (\$1,615.00) and the final project cost (\$8,075.00); this action per the recommendation of the Trumbull County Planning Commission.

IMPORTANT NOTE: The work is approved by the Trumbull County Sanitary Engineer and the Consultant Lynn, Kittinger & Noble.

NOTE: On June 30, 2021, duly recorded in Journal Volume 153, Page 24095, the Board of Commissioners approved a contract to Z-Tech Builders and Excavators, Inc.

Yeas: Frenchko, Cantalamessa, Fuda

Nays: None

Maintenance Bond recorded on Journal Page(s)_____.)

**RE: MAINTENANCE BOND
MJD EXCAVATING, INC. FOR PY2021
HSTS RESERVE PROGRAM FOR
CONSTRUCTION OF ONE SANITARY LATERAL**

23. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa to accept Maintenance Bond, submitted by MJD EXCAVATING, INC., 926 Howland-Wilson Road, NE, Warren, OH 44484 for the PY2021 HSTS RESERVE PROGRAM for the construction of one Sanitary Lateral. The Maintenance Bond issued by Erie Insurance Company, 100 Erie Insurance Place, Erie, PA 16530. The Maintenance Bond is for a two (2) year period from November 9, 2021 to November 9, 2023. The Maintenance Bond is for the work completed in the amount of twenty-percent (\$1,995.00) and the final project cost (\$9,975.00); this action per the recommendation of the Trumbull County Planning Commission.

IMPORTANT NOTE: The work is approved by the Trumbull County Sanitary Engineer and the Consultant Lynn, Kittinger & Noble.

NOTE: On June 30, 2021, duly recorded in Journal Volume 153, Page 24095, the Board of Commissioners approved a contract to MJD Excavating, Inc.

Yeas: Frenchko, Cantalamessa, Fuda

Nays: None

Maintenance Bond recorded on Journal Page(s)_____.)

**RE: RECEIVE/FILE FISCAL YEAR 2021
ANNUAL REPORT FOR MENTAL HEALTH
AND RECOVERY BOARD**

24. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko to receive and place on file the Fiscal Year 2021 Annual Report for the TRUMBULL COUNTY MENTAL HEALTH AND RECOVERY BOARD, as submitted by April J. Caraway, Executive Director.

Yeas: Fuda, Frenchko, Cantalamessa

Nays: None

Week of November 22, 2021

Meeting of November 24, 2021

RE: RATIFY COLLECTIVE BARGAINING AGREEMENT THAT WAS NEGOTIATED BETWEEN AMERICAN FEDERATION OF STATE COUNTY AND MUNICIPAL EMPLOYEES (AFSCME) LOCAL 2493 AND TRUMBULL COUNTY COMMISSIONERS' OFFICE

25. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa to RATIFY the Collective Bargaining Agreement that was negotiated between the AMERICAN FEDERATION OF STATE COUNTY AND MUNICIPAL EMPLOYEES (AFSCME) LOCAL 2493 AND THE TRUMBULL COUNTY COMMISSIONERS' OFFICE. Local 2493 ratified the Agreement on November 16, 2020. The term of this Collective Bargaining Agreement is August 1, 2021 – July 31, 2024; this action per the recommendation of Richard J. Jackson, Human Resources Director.

Commissioner Frenchko commented on the Agreement.

Yeas: Fuda, Cantalamessa
Nays: Frenchko

RE: ACCEPT/AWARD CONSULTING AGREEMENT -- CJL ENGINEERING FOR PHASE 1 AND PHASE II FOR HVAC UPGRADES AND IMPROVEMENTS TO THE TRUMBULL COUNTY COURTHOUSE AND TO AUTHORIZE MAURO CANTALAMESSA TO EXECUTE ANY/ALL DOCUMENTS

26. MOTION: Made by Ms. Frenchko, seconded by Mr. Fuda to accept and award the CONSULTING AGREEMENT with CJL ENGINEERING, 1044 N. Meridian Rd. #B, Youngstown, OH 44509 for Phase 1 and Phase II for the HVAC UPGRADES AND IMPROVEMENTS TO THE TRUMBULL COUNTY COURTHOUSE in the total amount of \$212,800.00—Phase 1 fees of \$75,000.00 to be paid from the Trumbull County Court Fund No. 055-012-2000-2010-1-505610 (at no cost to the Trumbull County General Fund) and Phase 2 fees of \$137,800.00 to be paid from Trumbull county Fund No. 403-080-1000-1000-1-505610; and to further authorize Mauro Cantalamessa, President of the Board of Commissioners to execute any/all documents necessary for this Agreement.

We are requesting authorization for Phase I and Phase II (\$137,800.00) with this authorization.

Phase I consists of replacement of the failing water cooling tower located within the basement of the Courthouse. It is the intention of the Court to expedite the design of Phase I and return to seek authorization to bid Phase I only. The Court hopes to replace the aging water cooling tower during the cooler winter months to avoid a prolonged cooling shut down and disruption to Court activities. Phase II consists of upgrading the existing air distribution and controls within the Courthouse offices and courtrooms.

NOTE: Phase 1 Consultant Fees are at no cost to the Trumbull County General Fund.

Yeas: Frenchko, Fuda, Cantalamessa
Nays: None

Agreement recorded on Journal Page(s)_____.)

Week of November 22, 2021

Meeting of November 24, 2021

RE: AUTHORIZE MAURO CANTALAMESSA TO EXECUTE MUTUAL RELEASE/TERMINATION OF LEASE, BY AND BETWEEN TRUMBULL COUNTY, OHIO (“LANDLORD”) AND HUNTINGTON NATIONAL BANK

27. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko to authorize Mauro Cantalamessa, President of the Board of Commissioners to execute THE MUTUAL RELEASE AND TERMINATION OF LEASE, by and between TRUMBULL COUNTY, OHIO (“Landlord”) and the HUNTINGTON NATIONAL BANK, a national banking association, successor-in-interest to TALMER BANK (“Tenant”) effective December 10, 2021, for certain premises containing approximately 2,100 square feet, at 185 East Market Street, Warren OH 44481 (“building”), and the adjoining driveway and all accompanying banking drive-thru and ATM areas (“premises”).

Yeas: Fuda, Frenchko, Cantalamessa
Nays: None

Agreement recorded on Journal Page(s)_____.)

Commissioner Frenchko took a break at approximately 11:10 a.m. & returned at 11:14 a.m.

RE: REAPPOINT INDIVIDUAL LISTED -- MEMBER LOCAL CORRECTIONS PLANNING BOARD

28. MOTION: Made by Ms. Frenchko, seconded by Mr. Fuda, to reappoint the individual listed as Member of the TRUMBULL COUNTY LOCAL CORRECTIONS PLANNING BOARD, for the respected terms listed; this action per the request of Keith A. Evans, Chief Probation Officer.

- **ATTORNEY LAURA BERZONSKI, Director**
Ohio Public Defender’s Office
Three (3) year term – October 30, 2021 to October 30, 2024

Discussion between Commissioner Frenchko and the Clerk regarding present Board member Ernie Cook and maintaining an updated list of Board members.

Yeas: Frenchko, Fuda, Cantalamessa
Nays: None

RE: NO AMERICAN RESCUE PLAN FUNDS WILL BE SPENT WITHOUT EXPENDITURES BEING PLACED ON THE AGENDA WITH DETAILED DESCRIPTIONS

29. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa to Resolve that NO American Rescue Plan Funds will be spent without expenditures being placed on the agenda with detailed descriptions.

Discussion between Commissioners Cantalamessa and Frenchko regarding Item #29.

Yeas: Frenchko, Cantalamessa, Fuda
Nays: None

Week of November 22, 2021

Meeting of November 24, 2021

RE: ASSIGN SPECIAL PROJECTS COORDINATOR TO DEVISE/DEVELOP A RANKING TOOL FOR USE BY COMMISSIONERS TO EFFECTIVELY ASSESS/RANK COUNTY AMERICAN RESCUE PLAN APPLICATIONS

30. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa 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.

Discussion amongst all three Commissioners regarding the development of a Ranking Tool and who should be responsible for doing it.

Yeas: Frenchko, Cantalamessa, Fuda

Nays: None

RE: CREATE TWELVE-PERSON CITIZEN ADVISORY PANEL TO EVALUATE AMERICAN RESCUE PLAN PROJECTS APPLICATIONS

31. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa to create a TWELVE-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 be Township elected officials, township employees, but NOT county employees. Applicants must reside in Townships. Each Commissioner shall select four appointees. A public meeting will be held to present project proposals after the ranking tool and ARP Citizen Advisory Panel are approved and established.

Discussion amongst all three Commissioners regarding the creation of this panel.

Yeas: Frenchko

Nays: Cantalamessa, Fuda

RE: ASSIGN SPECIAL PROJECTS COORDINATOR TO COORDINATE TRAINING TO COMMISSIONERS ROBERTS RULES OF ORDER

32. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa 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.

Discussion amongst all three Commissioners regarding Roberts Rules of Order training.

Yeas: Frenchko, Cantalamessa, Fuda

Nays: None

Week of November 22, 2021

Meeting of November 24, 2021

RE: ADOPT FOLLOWING TIME ACCOUNTABILITY HUMAN RESOURCES POLICY

33. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa for 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. This time sheet will also include breaks, lunch and other leave. The County will make an effort to replace the paper sheets with software.

NOTE: Contrary to the HR Director’s 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.

Discussion between Commissioners Frenchko and Cantalamessa regarding HR Policy.

Yeas: Frenchko

Nays: Cantalamessa, Fuda

RE: ADOPT FOLLOWING JOB ADVERTISEMENT HUMAN RESOURCE POLICY AS PART OF THE COUNTY POLICY

34. MOTION: Made by Ms. Frenchko, to All allowable union jobs and all non-union jobs shall be internally posted and externally advertised for thirty (30) days, or as allowable pursuant to the contracts. 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

RE: TO ADOPT FOLLOWING RANKING SYSTEM FOR HIRING AS A HUMAN RESOURCE POLICY

35. MOTION: Made by Ms. Frenchko, that 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

Week of November 22, 2021

Meeting of November 24, 2021

RE: ALL TRUMBULL COUNTY EMPLOYEES UNDER JURISDICTION OF THE COMMISSIONERS HAVE DETAILED JOB DESCRIPTION ON FILE -- HUMAN RESOURCES OFFICE BY 12/01/2021

36. 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 description 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

RE: TO ADOPT THE FOLLOWING HUMAN RESOURCE POLICY RELATED TO PERFORMANCE EVALUATIONS

37. MOTION: Made by Ms. Frenchko, that 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

Week of November 22, 2021

Meeting of November 24, 2021

RE: INCLUDE FOLLOWING IN COUNTY POLICY & PROCEDURE MANUAL RELATED TO POLITICAL CAMPAIGNING ON COUNTY PROPERTY:

38. 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

RE: JOIN WRTA

39. A RESOLUTION FOR TRUMBULL COUNTY TO JOIN THE WESTERN RESERVE REGIONAL TRANSIT AUTHORITY (WRTA) BY:

MOTION: Made by Ms. Frenchko to Adopt 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. WRTA makes transportation available for All Trumbull County residents including Townships, Villages & Cities. After joining WRTA, if voters approve the associated sales tax, this will prevent the probability of seeking a Property tax for special populations, as was proposed earlier this year.

MOTION DIED FOR LACK OF SECOND

Week of November 22, 2021

Meeting of November 24, 2021

RE: INSTITUTE MONTHLY STAFF MEETINGS

40. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa to INSTITUTE MONTHLY STAFF MEETINGS by the Board of Commissioners. Meetings will take place the second Thursday of every month at 8:30 am in the Commissioners’ Hearing Room. The entire Board of Commissioners, along with the Clerk, Commissioners’ Office support staff, and the entire Human Resources Department will meet publicly to discuss updates and evaluate performances. The goal is to provide necessary transparency and accountability. These meetings will be recorded and made available for public access.

NOTE: There have been accusations, misleading remarks, and slanderous assumptions made on various social media outlets and radio shows. Issues such as these must be dealt with swiftly and transparently rather than from behind a keyboard or microphone. Best practice and industry standards calls for these types of issues to be discussed with all parties present. Attendance and participation by all parties involved will be critical in order to make sure that issues are dealt with readily and publicly so as to avoid any ambiguity moving forward.

Heated discussion amongst all three Commissioners regarding the usefulness of these meetings, accountability to the tax payers, social media policies and transparency.

Yeas: Fuda, Cantalamessa

Nays: Frenchko

RE: TIME CLOCK POLICY

41. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa to ADOPT A POLICY in which each member of the Board of Commissioners, all of their support staff, all of their professional staff, and all department heads will utilize a time clock from the hours 8:30 a.m. to 4:30 p.m. If Commissioners do not choose to utilize a time clock they can choose to fill out time sheets that specify the number of hours worked daily on each task or project at 15-minute increments. Each time sheet for each Commissioner shall be signed and attested to by each respective Commissioner.

NOTE: Transparency and accountability measures should not be limited to just professional staff and department heads. Commissioner Cantalamessa feels that it is unacceptable for the board to issue these arbitrary measures if the board is unwilling to follow them as well. Commissioner Cantalamessa believes that these sorts of policies work best through a top-down approach so as not to destroy morale and create inequalities. Elected officials should lead by example and make transparency and accountability a top priority to avoid the appearance of hypocrisy.

A lengthy and heated discussion took place amongst all three Commissioners.

MS. FRENCHKO MADE A MOTION TO MODIFY THE LANGUAGE IN ITEM #41

MOTION DIED FOR LACK OF SECOND.

Yeas: Fuda, Cantalamessa

Nays: Frenchko

RE: RECEIVE, PLACE ON FILE, AND MAKE AVAILABLE TO PUBLIC THE TWO SCORING RUBRICS DEVELOPED BY COMMISSIONER CANTALAMESSA

42. MOTION: Made by Mr. Fuda, seconded by Mr. Cantalamessa to receive, place on file, and make available to the public the TWO SCORING RUBRICS developed by Commissioner Cantalamessa. These rubrics will be used exclusively by Commissioner Cantalamessa for the evaluation of projects submitted for ARPA funding.

NOTE: Commissioner Cantalamessa will use these tools to evaluate all projects submitted for ARPA funding. Commissioner Cantalamessa firmly believes that each Commissioner should devise their own scoring rubric(s) so that they can better justify why and how projects are ranked. This promotes individual accountability and avoids any sunshine law violation or round robin discussion to take place. Once this is completed, the final step will be holding public hearings so that each Commissioner can fully explain their scores and determinations.

Discussion amongst all three Commissioners regarding the development and sharing of scoring rubrics.

Yeas: Fuda, Cantalamessa
Nays: Frenchko

RE: GO INTO EXECUTIVE SESSION TO DISCUSS DISCIPLINE OF COMMISSIONERS' OFFICE AND HR STAFF

43. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko, to go into Executive Session at approximately 12:19 p.m. to discuss discipline of Commissioners' Office and HR staff. In attendance were Commissioner Cantalamessa, Commissioner Frenchko, Commissioner Fuda.

Commissioner Frenchko discussed the issue of the recorder still running in the hearing room while the Commissioners were in a different room in executive session.

Commissioner Fuda asked Commissioner Frenchko if she were going to record the executive session on her phone and a discussion regarding discussing prior executive sessions with certain staff members was held.

Yeas: Fuda, Frenchko, Cantalamessa
Nays: None

RE: RECONVENE FROM EXECUTIVE SESSION

44. MOTION: Made by Mr. Fuda, seconded by Ms. Frenchko to Reconvene from Executive Session at 12:36 p.m.

Yeas: Fuda, Frenchko, Cantalamessa
Nays: None

Week of November 22, 2021

Meeting of November 24, 2021

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

45. MOTION: Made by Ms. Frenchko, seconded by Mr. Fuda, to go into Executive Session at approximately 12:37 p.m. to discuss ongoing litigation regarding the 9-1-1 Center. In attendance were Commissioner Cantalamessa, Commissioner Frenchko, Commissioner Fuda.

Yeas: Frenchko, Fuda, Cantalamessa
Nays: None

RE: RECONVENE FROM EXECUTIVE SESSION

46. MOTION: Made by Ms. Frenchko, seconded by Mr. Fuda, to Reconvene from Executive Session at 1:14 p.m.

Yeas: Frenchko, Fuda, Cantalamessa
Nays: None

Comments:

Mr. Fuda commented that Elderly Affairs employees have had to go out and deliver meals due to volunteers not showing up and Hubbard would now like to re-open their program as well.

Mr. Fuda thanked Atty. Misocky, Ms. April Caraway and the entire team for doing a phenomenal job with the recent Opioid Litigation Case.

Mr. Fuda asked Ms. Patty Goldner (9-1-1 Center) to explain the communication issues with the two towers and the Marc system. Ms. Goldner explained the issues and discussed possible solutions.

Ms. Frenchko asked if anyone from Sanitary was on the line to answer some questions and concerns regarding the Liberty Water Contract and wanted to make sure that Liberty Twp. includes the Commissioners in on future meetings.

Mr. Phil Pegg, Vienna Trustee, stated that Vienna has been experiencing some 'blackout' sections. Mr. Pegg also commented on the southeast water district.

Ms. Jamie Sell asked the Commissioners what standards Public Employees are being held to. Mr. Cantalamessa addressed Ms. Sell's concerns regarding HR Policy. Ms. Frenchko commented that job descriptions need updated and she has concerns that employees are not following policy.

There was a lengthy discussion between Ms. Frenchko, Mr. Cantalamessa and Ms. Sell regarding the Workshop recording.

There was discussion with all three (3) Commissioners and Ms. Sell regarding filling out time sheets, respecting each other, respecting personal space, Sunshine Law training, and the issue of the Clerk talking during the Commissioners' Meetings.

Ms. Ramie Marinelli commented that some residents in attendance were there on behalf of Ms. Frenchko, and that she would like to say that she appreciates Mr. Cantalamessa and Mr. Fuda. There was also discussion regarding the drainage on Corey Lane. The Commissioners addressed her concerns.

Ms. Shara Taylor clarified that she did not know that Ms. Sell was in the restroom after the November 17th meeting and that she did not intentionally follow her into the restroom.

Mrs. Julie Green, wanted to follow up on Ms. Marinelli's question regarding the Corey Lane issue and stated that it is under the jurisdiction of the City of Warren. She stated that she would forward documents she had on the matter to the Commissioners.

(Continued)

Week of November 22, 2021

Meeting of November 24, 2021

Comments (Cont'd)

Mayor McIntosh, West Farmington, addressed Mr. Fuda stating that he must have been referring to a project consisting of a pod system of large septic tanks that took place prior to 2015 and that this project has nothing to do with the current West Farmington sewage project. There was a heated discussion by Mayor McIntosh regarding West Farmington Projects. Mayor McIntosh also had questioned the Workshop recording of the day prior.

Mr. Fuda addressed Mayor McIntosh's statement regarding water/sewer issues in West Farmington.

RE: ADJOURN

MOTION: Made by, Mr. Fuda, seconded by Mr. Cantalamessa, to adjourn the Regular Meeting of November 24, 2021, and to meet again in Regular Session on December 1, 2021.

Yeas: Fuda, 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