

Week Beginning March 14, 2022

Meeting of March 16, 2022

The Board of County Commissioners, Trumbull County, Ohio, met for a Regular Meeting on the 16th day of March 2022, in the office of said Board, with the following members present:

Mauro Cantalamessa, Commissioner
Niki Frenchko, Commissioner via/Conference Bridge
Frank S, Fuda, Commissioner

Commissioner Fuda announced he would be holding department head meetings on Tuesdays at 9:30 a.m. He said that the departments would have 10 minutes to discuss their department's items as they had jobs to get back to. He asked departments that have agenda items on to contact Mrs. Christine Glenn to schedule a time slot.

RE: MINUTES

1. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Fuda, to dispense with reading the minutes of the Regular Meeting dated March 9, 2022.

Commissioner Frenchko asked the Clerk if she made the changes and additions to the minutes. The Clerk said that she did make the changes Ms. Frenchko requested.

Yeas: Cantalamessa, Fuda, Frenchko
Nays: None

RE: APPROVE BILLS

2. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Fuda, 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.

Commissioner Frenchko said she was voting no because she did not receive supporting documentation. The Clerk stated there is no supporting documentation for the Bills—it is giving the Board permission to approve the county bills.

Yeas: Cantalamessa, Fuda
Nays: Frenchko

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RE: TRANSFER MONIES

3. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Fuda, to Pursuant to Ohio Revised Code Section 5705.14, to transfer monies as submitted to the Trumbull County Auditor’s Office between the dates of March 7, 2022 through March 11, 2022. Complete list of money transfers shall be recorded onto the Journal for record purposes.

❖ Departments/Offices requesting to transfer monies:

• Sanitary Engineers	\$ 202,916.00	Fund # 602
	\$ 125,258.00	Fund # 602
	\$ 20,000.00	Fund # 602
	\$ 28,603.00	Fund # 604
	\$ 46,367.71	Fund # 604
	\$ 25,401.00	Fund # 606
	\$ 47,722.00	Fund # 607
	\$ 2,497.00	Fund # 608
	\$ 2,440.40	Fund # 608
	\$ 16,745.00	Fund # 609
	\$ 10,249.00	Fund # 610
	\$ 37,366.00	Fund # 611
	\$ 4,167.00	Fund # 612

Yeas: Cantalamessa, Fuda
Nays: Frenchko

Ms. Frenchko voted no because she did not receive or have a chance to verify the back-up documentation.

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

RE: ADDITIONAL APPROPRIATIONS

4. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Fuda, to approve additional appropriations, as submitted to the Trumbull County Auditor’s Office between the dates of March 7, 2022 through March 11, 2022. Complete list of additional appropriations shall be recorded onto the Journal for record purposes.

❖ Departments/Offices requesting additional appropriations:

• Law Library	\$ 15,000.00	Fund # 071
• Board of DD	\$ 20,000.00	Fund # 004

Ms. Frenchko voted no because she did not receive or have a chance to verify the back-up documentation.

Yeas: Cantalamessa, Fuda
Nays: Frenchko

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

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RE: TRANSFER APPROPRIATIONS

5. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Fuda, to transfer appropriations, as submitted to the Trumbull County Auditor’s Office between the dates of March 7, 2022 through March 11, 2022. Complete list of appropriation transfers shall be recorded onto the Journal for record purposes.

❖ Departments/Offices requesting to transfer appropriations:

• Sheriff	\$ 500.00	Fund # 074
	\$ 3,335.00	Fund # 001
• Election Board	\$ 64.00	Fund # 001
	\$ 3,200.00	Fund # 001
• 9-1-1 Center	\$ 7,170.00	Fund # 039
	\$ 2,202.47	Fund # 039
• CSEA	\$ 3,000.00	Fund # 006
• Clerk of Courts	\$ 50.00	Fund # 036
• NEOCAP	\$ 2,180.54	Fund # 991
	\$ 2,613.00	Fund # 990
• Sanitary Engineers	\$ 259,136.85	Fund # 600
	\$ 22,000.00	Fund # 602
• Probate Court	\$ 600.00	Fund # 001
• JFS	\$ 2,000.00	Fund # 003
• Board of DD	\$ 43,000.00	Fund # 004

Ms. Frenchko voted no because she did not receive or have a chance to verify the back-up documentation.

Yeas: Cantalamessa, Fuda
Nays: Frenchko

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

Mr. Fuda said he had a meeting last week and these items were all explained and she was welcome to attend. Ms. Frenchko said she asked that the departments who have transfers send a small paragraph explaining their transfer item. She said Bob Mariano did a great job with the Sanitary Engineer’s explanation and she asked the Clerk to send his explanation as a sample to other departments and hopes that moving forward this will be done.

RE: MEMORANDUM OF UNDERSTANDING
ONE OHIO REGION 7 COLLABORATIVE
DESIGNED TO REDUCE OPIOID MISUSE
MAHONING AND TRUMBULL COUNTIES

6. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Fuda, to approve, adopt, and authorize the Board of Commissioners of Trumbull County, Ohio to execute the “Memorandum of Understanding for One Ohio Region 7 Collaborative.” Pursuant to the One Ohio Memorandum of Understanding, Trumbull County and Mahoning County together constitute Region 7, which shall be committed to developing, curating, and disseminating multi-sector solutions designed to reduce opioid misuse and improve outcomes for individuals, families, and communities within Mahoning and Trumbull Counties.

NOTE: The Board of Commissioners of Mahoning County adopted and approved this agreement in open session on March 10, 2022.

Yeas: Cantalamessa, Fuda, Frenchko
Nays: None

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

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**RE: PROPER USE OF TITLES/ADDRESSING
EMPLOYEES ACCORDINGLY**

7. **MOTION:** Made by Ms. Frenchko, seconded by Mr. Cantalamessa, during all public meetings the members of the Board of Commissioners will refer to and address one another as Commissioner or President if he or she holds that position. The Board of Commissioners will reference and address employees as staff, by their titles or as men, women, ladies, gentlemen, Sir or Madame.

NOTE: Refusal to address the only woman on the Board as Commissioner, during public meetings and referring to women employees and elected officials as “girls” sends a message that women are inferior. This new standard, adopted in *Women’s History Month*, is a public commitment by the Board to change the past habits and send the message that we are all equally deserving of respect.

A lengthy discussion is summarized at the end of the journal before the Adjourn. The discussion was too long to fit within this numbered page which had to be printed before the minutes were completed.

Yeas: Frenchko,
Nays: Cantalamessa, Fuda

**RE: ADOPT RESOLUTION/EXECUTE DOCUMENTS
SETTLEMENT AGREEMENT WITH GIANT
EAGLE IN OPIOID LITIGATION CASE NO.
18-OP-45079, 1:17-MDL-2804 (N.D. OHIO)**

8. **MOTION:** Made by Ms. Frenchko, seconded by Mr. Cantalamessa, **TO ADOPT A RESOLUTION TO AUTHORIZE FRANK S. FUDA, PRESIDENT OF THE BOARD OF TRUMBULL COUNTY COMMISSIONERS TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO ACCEPT AND APPROVE THE SETTLEMENT AGREEMENT WITH GIANT EAGLE, AS FULLY DEFINED IN THE OPIOID LITIGATION, CASE NO 18-OP- 45079, 1:17-MDL-2804 (N.D. OHIO)**

RESOLUTION

WHEREAS, there is a pending matter on behalf of Trumbull County regarding the Opioid addiction crisis in which Trumbull County is a named plaintiff (The Action); and

WHEREAS, the Action alleges several causes of action against defendant, collectively referred to as Giant Eagle, based on claims that Giant Eagle contributed to the Opioid epidemic by failing to implement measures to prevent diversion of prescription opioids in connection with the distribution and dispersing of opioids, all of which contributed to a public health crisis in Trumbull County; and

WHEREAS, Giant Eagle has offered to settle the claims of Trumbull County against it in accord with the terms of the attached Settlement Agreement and Release (Agreement). The Agreement is attached hereto as Exhibit “A”; and

WHEREAS, Trumbull County does hereby accept and approve the attached settlement Agreement.

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

That Trumbull County does hereby accept and approve the terms of the Settlement Agreement and Release; and that Frank S. Fuda, President of the Board of Trumbull County Commissioners is hereby authorized and directed to execute any and all documents necessary to accept and approve the Settlement Agreement and Release on behalf of Trumbull County.

Yeas: Frenchko, Cantalamessa, Fuda
Nays: None

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**RE: ACCEPTANCE OF WEATHERSFIELD TOWNSHIP
INTO TRUMBULL COUNTY NATURAL GAS
PROGRAM**

9. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Fuda, to authorize acceptance of WEATHERSFIELD TOWNSHIP into the TRUMBULL COUNTY NATURAL GAS PROGRAM. Residents and small businesses will be able to join the program at a lower rate and without the expense of the township running a separate program. Weathersfield Township has passed Resolution 22-039 to authorize participation effective June 1, 2022; this action per the recommendation of Thomas M. Bellish, President of Buckeye Energy Brokers, Inc.

Mr. Fuda stated that he spoke to Mr. Tom Bellish of Buckeye Energy Brokers, Inc. and said that most of the Townships are working with Mr. Bellish. Mr. Fuda went on to say Mr. Bellish keeps the Commissioners updated, is always available to answer questions, and the County is saving a lot of money.

Yeas: Cantalamessa, Fuda, Frenchko
Nays: None

**RE: ACCEPTANCE OF WEATHERSFIELD TOWNSHIP
INTO TRUMBULL COUNTY ELECTRIC PROGRAM**

10. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Fuda, to authorize acceptance of WEATHERSFIELD TOWNSHIP into the TRUMBULL COUNTY ELECTRIC PROGRAM. Residents and small businesses will be able to join the program at a lower rate and without the expense of the township running a separate program. Weathersfield Township has passed Resolution 22-040 to authorize participation effective December 1, 2022; this action per the recommendation of Thomas M. Bellish, President of Buckeye Energy Brokers, Inc.

Yeas: Cantalamessa, Fuda, Frenchko
Nays: None

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

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

- **RON EMRICK**, 6064 Orangeville Kinsman Rd., Kinsman, OH 44428, to work in the right-of-way of Orangeville Kinsman Rd. at service address #6064 (C.H. 255 D), in order to install 260 feet of 12 inch perforated double wall HDPE conduit, add three 2' x 2' precast concrete catch basins, to be located at each end and midpoint in order to fill in frontage ditch. This will be located approximately 250 feet south of State Route 88 in Vernon Township.
- **DOMINION EAST OHIO**, 320 Springside Dr., Akron, OH 44333, to work in the right-of-way of Warren Meadville Rd. (C.H. 330 A) in order to install a gas service line at service address #2920. This will be approximately 1,300 feet east of Durst Colebrook Dr. (C.H. 195) in Bazetta Township.
- **DOMINION EAST OHIO**, 320 Springside Dr., Akron, OH 44333, to bore under and work in the right-of-way of Warren Sharon Rd. (C.H. 329 B), in order to install a gas service connection at service address # 5518. This will be located approximately 1,025 feet west of Warner Rd. (C.H. 43) in Vienna Township.
- **DOMINION EAST OHIO**, 320 Springside Drive, Akron, OH 44333, to work in the right-of-way of Elm Rd, NE (C.H. 328) in order to install a gas service line at service address #3495. This will be located approximately 590 north of North River Rd. (C.H. 142) in Howland Township.

Yeas: Frenchko, Cantalamessa, Fuda
Nays: None

**RE: CLOSE ROAD
COUNTY ENGINEER**

12. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, to grant permission to the County Engineer to Close the Road listed.

- **PAINSVILLE WARREN STATE ROAD (C.H. 206) located in Farmington and Southington Townships;** closing location between State Route 88 and State Route 534
Closing Dates: Monday, March 21, 2022 through Friday, April 8, 2022
RECOMMENDED DETOUR: East on State Route 88; South on State Route 534.

Yeas: Frenchko, Cantalamessa, Fuda
Nays: None

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RE: AWARD ALL BIDS
ASPHALT CONCRETE/COLD MIX/ASPHALT EMULSION-
COUNTY ENGINEER

13. MOTION: Made by Mr. Cantalamessa, seconded by Ms. Frenchko, to award ALL BIDS submitted for the purchase of ASPHALT CONCRETE, HIGH PERFORMANCE COLD MIX, and ASPHALT EMULSION (CMS-2S) for use by the County Engineer, for the period of April 1, 2022 through March 31, 2023; AND to enter into a contract with each company listed for all materials which the companies bid—to be paid for from Highway Fund No. 002-030-1700-1700-1-505304; this action per the recommendation of the Trumbull County Engineer and subject to review and approval of the Prosecutor’s Office.

NOTE: The County Engineer’s Office (with everything being equal) will purchase in regards to the best price. However, when purchasing these materials, consideration will be given to plant location and availability of materials.

SPECIAL NOTE: A copy of the Bid Tabulation shall be recorded on the Journal for record purposes, and shall be made a part of this Resolution.

BIDS SUBMITTED

Table with 3 rows of bid information: TRI-COUNTY ASPHALT MATERIALS, MAR-ZANE, INC., and STONECO, INC. d/b/a ALLIED CORP.

Ms. Frenchko said she did not see liquids on this agenda item and asked if there was anyone present from the Highway Department that could address her question. The Clerk said not all items listed are bid on and the Highway Engineer’s Department always gives thorough back-up documentation. Mr. Papalas from the Highway Department said that the three parties listed on the Agenda were the only bids submitted, he spoke to Mr. Kleika this morning regarding these bids and they are accurate. He said he didn’t know what other question there could be.

Yeas: Cantalamessa, Frenchko, Fuda
Nays: None

(Bid Tabulation sheets to be recorded on Journal Page(s).....)

RE: AWARD ALL BIDS
BITUMINOUS MATERIALS -COUNTY ENGINEER

14. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Fuda, to award ALL BIDS submitted for the purchase of BITUMINOUS MATERIALS for use by the Trumbull County Engineer for the period of April 1, 2022 through March 31, 2023; AND to enter into a contract with each company listed for all materials which the companies bid--to be paid from Highway Fund No. 002-030-1700-1700-1-505304. This material meets the Special Conditions of being certified by the Ohio Department of Transportation as stated in the Proposal; this action per the recommendation of the County Engineer.

NOTE: The County Engineer’s Office (with everything being equal) will purchase in regards to the best price. However, when purchasing these materials, consideration will be given to plant location and availability of materials.

SPECIAL NOTE: A copy of the Bid Tabulation shall be recorded on the Journal for record purposes, and shall be made a part of this Resolution.

BIDS SUBMITTED

Table with 2 rows of bid information: SUIT-KOTE CORPORATION and RUSSELL STANDARD CORP.

Yeas: Cantalamessa, Fuda, Frenchko
Nays: None

(Bid Tabulation sheets to be recorded on Journal Page(s).....)

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RE: TO REVIEW SLAG SAMPLES FROM THE OLD REPUBLIC STEEL WITH THE COUNTY ENGINEER’S DEPARTMENT

15. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Fuda, to REVIEW and have an additional meeting with the Highway Engineer regarding the use of slag samples for use by the County. These items were obtained from the old Republic Steel.

NOTE: Mr. Darryl Black gathered the samples to present to the County Engineer’s Department.

Discussion:

Ms. Frenchko said she appreciated Mr. Black’s work, but was concerned that this was not in the Commissioners’ skill set to be reviewing slag samples for the County Engineer’s Department. Mr. Fuda said Mr. Black has been working with the Commissioners and the WRPA for a long period of time.

Mr. Darryl Black gave a presentation to the Commissioners regarding the slag samples he obtained from the old Republic Steel for use by the Highway Engineer, Wean Building, Mecca Township, Trumbull County Fairgrounds, and Greene Township. Mr. Fuda said he will set up a meeting with Mr. Black and the WRPA. Mr. Cantalamessa said he would like to have members of the fair board present to the meeting with the WRPA. Mr. Barry Brown, fair board president, thanked Mr. Black for the materials and said they will be useful at the fairgrounds.

MR. CANTALAMESSA MADE A MOTION FROM THE FLOOR TO REVIEW ITEM NO. 15 AND HAVE AN ADDITIONAL MEETING WITH THE HIGHWAY DEPARTMENT, SECONDED BY MR. FUDA.

The Clerk called the role and Ms. Frenchko wanted to know what the motion was. Mr. Cantalamessa stated to REVIEW and have an additional meeting with the Highway Engineer’s Department at a later date. Mr. Fuda stated to have a meeting with everyone involved at a later date so they could successfully use the slag materials.

Ms. Frenchko said this should not have been placed on the Commissioners’ Agenda, as it is not within their scope of practice. She went on to say it is wonderful that it will be useful for the fairgrounds, but doesn’t believe it can be used on county roads. Mr. Fuda said Mr. Black had more time for his presentation by putting it on as an Agenda item. Ms. Frenchko said the agenda was not the proper forum or venue for this agenda item and he should meet with someone with the Engineer’s Office. Mr. Fuda said they are going to form a meeting with people who can contribute and find a way to use the materials. Ms. Frenchko stated that Mr. Cantalamessa got it right by recognizing the Board cannot accept things done on behalf of for the Engineer’s Office.

Yeas: Cantalamessa, Fuda

Nays: Frenchko

Commissioner Frenchko voted no because she did not feel the Commissioners possess the scope of expertise in dealing with the matter and should be presented to the Highway Engineer’s Office directly.

RE: ESTABLISH CREATION OF PRIMARY 2022 GRANT FUND NO. 119-BOARD OF ELECTIONS

16. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Fuda, to establish the creation of the PRIMARY 2022 GRANT FUND, known as FUND 119 for use by the Trumbull County Board of Elections. Fund is being created to accept a grant from the Ohio Secretary of State, in the amount of \$127,272.00 to subsidize extra costs incurred for the May 3, 2022 Primary Election; this action is per the recommendation of Ms. Stephanie N. Penrose, Board of Elections Director.

Mr. Fuda said this grant will pay for poll workers and he is proud of the BOE staff for seeking funds to reduce costs as much as possible.

Yeas: Cantalamessa, Fuda, Frenchko

Nays: None

RE: SPECIAL HAULING PERMIT-OVERWEIGHT EQUIPMENT-COUNTY ENGINEER

17. MOTION: Made by Mr. Cantalamessa, seconded by Ms. Frenchko, to concur with the Trumbull County Engineer to grant the Special Hauling Permit to Move Overweight Equipment over Trumbull County roadways, requested by the company listed. The necessary permit fee, bond and insurance have been submitted and approval is subject to the conditions listed on each permit.

- **RICH’S TOWING & SERVICE, INC.**
20531 First Avenue, Middleburg Heights, OIH 44130
Permit No.: 1146
Permit Effective: March 7, 2022 through March 11, 2022
To haul or move overweight equipment over Austintown Warren Rd. (C.H. 67B) in Warren Township.

Yeas: Cantalamessa, Frenchko, Fuda

Nays: None

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RE: NINE MEMBER CITIZEN'S HUMAN RESOURCES
ADVISORY COMMISSION

18. **MOTION:** Made by Mr. Cantalamessa, seconded by Mr. Fuda, to approve a nine-member Citizen's Human Resources Advisory Commission review current Human Resources Policies and make recommendations to the Commissioners. All nine applicants that applied will serve as members of the Commission.

SPECIAL NOTE: The goal of the Commission is two fold

- ❖ First the Commission will go through and screen all applicants for the Trumbull County Human Resources Position. Upon the completion of interviews and careful deliberation the Commission will recommend three candidates for the Board of Commissioners to interview separately. The Commissioners will then make individual choices and discuss publicly at a regularly scheduled meeting.
- ❖ The second goal of the Commission will be to work with the newly appointed Human Resources Director to recommend meaningful and practical changes that can potentially be made in our Human Resources Department.

Ms. Frenchko read an Agenda Item the Board passed on November 3, 2021, regarding 'Creating a Nine-Person Citizen Human Resources Panel to Review Current Human Resources Policies And Recommend Possible Revisions And Advertise for Citizens Interested in Serving on the Panel'

Ms. Frenchko read the Resolution aloud and stated the language in the 11/3/21 Resolution did not mention those applicants being selected to aid in hiring or screening the new HR Director—she said the original item was not advertised for the purpose of what today's agenda item is requesting. Mr. Cantalamessa said the Board advertised for a nine-member commission, nine members applied, and he wants to get the ball rolling because they are without an HR Director. Mr. Fuda said they have not had a Director for a period of time and there have been problems in the Human Resources Department. He is working with Nancy and the staff, but they need the expertise of a Director. Ms. Frenchko addressed Commissioner Cantalamessa asking if he is taking the applicants that were advertised for a different purpose for this agenda item. She stated her original agenda item stated each Commissioner could select three members to the panel and the 11/3/21 Agenda Item would have produced a lot more applicants if the applicants knew they would be assisting in choosing a new Director. She said that reviewing the applicants for critical positions is what they were elected to do. Ms. Frenchko stated that allowing persons on this panel who are not qualified to make recommendations could raise liability to the county. She has already evaluated the over 65 plus applicants into three categories; not qualified, meets qualifications (education or experience) and exceeds qualifications (relevant experience--having direct Human Resources experience)--her next step was to rank and prepare questions for applicants to respond to for evaluation that she would be willing to share with the Board. Each Commissioner was to select three appointees for the panel and she asked an employee to re-advertise and they were told they could not do this without the majority of the Board. Ms. Frenchko stated she is a Commissioner and has a right to say the applicant pool is deficient and to re-advertise. She said one of the applicants is a county employee which is a conflict of interest as they are picking their next boss, she said one applicant is a candidate for the HR Director and she has safety concerns dealing with another applicant and suggested they talk to the Sheriff's Department. She doesn't think they had adequate response and since the 11-2-21 action stated the Board could individually could choose three members she wants to continue to recruit.

Commissioner Cantalamessa stated Ms. Frenchko does not want the public nor this commission to have any influence over the hiring of a human resources director and asked Ms. Frenchko if she wanted the Commissioners to do that. He went on to say that goes against everything she has ever said about hiring, specifically that Commissioners should not hire. Ms. Frenchko said that she was referring to patronage positions and not the HR Director who is a critical employee who works closely with the Commissioners and that she has already done due diligence categorizing over 70

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applicants and would be willing to put together a ranking tool. Mr. Cantalamessa said he is trying to show transparency something she says is lacking and that Ms. Frenchko is saying he public is incompetent and he does not agree and thinks they can recommend three applicants for the Board to look at. Mr. Fuda said Commissioner Frenchko keeps preaching transparency, causing meetings to go over six hours to show transparency and she keeps changing the rules. Mr. Cantalamessa said if any of the members can't commit to the panel because it's been so long as they dragged their feet, then they can re-advertise for those positions. Mr. Fuda said Ms. Frenchko wants to hire those positions herself and wants it to be fair only for herself. Ms. Frenchko said they did not advertise for this in this way and it takes her ability away to choose her three members. She went on to say if they want a panel to aid in the selection for a new director then they need to put a news advertisement together. Mr. Fuda said each Commissioner will pick three members for the panel and that Ms. Frenchko wants to make all of the rules to fit her needs. Mr. Cantalamessa said at the end of the day the Board needs to get off of dead center as they need an HR director and if she wants to advertise for three more members that she wants put on, he doesn't care he just wants to move on. Ms. Frenchko said procedurally they need to list all of the names on the agenda item and she suggested he speaks to the Prosecutor's Office. Mr. Cantalamessa said it's only a nine-member board. Mr. Fuda said earlier in the year they had to appoint a person to a board and there were only three people who qualified and she said they had to advertise for a month. Ms. Frenchko asked the Clerk if she received a prosecutor's opinion and if she ever seen a panel appointment where they didn't list their name. The Clerk stated she did not recall off the top of her head. Ms. Frenchko said she was voting, no and her objections are warranted for the reasons recorded on the record as follows: The Board was allowed to appoint 3 people and they failed to allow her to appoint three people. Secondly, two of the people have conflicts of interest where one is an employee and one is an applicant for the human resources job, and one is Paul Amos who refused to give his employment information and is a suspect for sending sexually explicit mail to the Commissioners. Mr. Fuda told Ms. Frenchko to stop talking about people during the meetings. She said he has also said disparaging things related to people with disabilities, minorities, based on their gender and perceived medical condition. Mr. Fuda again requested Ms. Frenchko to stop talking about people and that she brought legislation in on this agenda to do just that. Mr. Fuda told the Clerk to move on. Ms. Frenchko asked the Clerk if she has her objection accurate for the record. The Clerk said that she would have to listen to the tape as she always does and it would probably take over an hour for this one objection. Ms. Frenchko asked the clerk to make sure it is noted that it was not advertised for the panel to participate in the hiring of the new director.

Yeas: Cantalamessa, Fuda

Nays: Frenchko

**RE: MONTH-TO-MONTH EXTENSION WITH
CURRENT THIRD PARTY ADMINISTRATOR
BENEFIT MANAGEMENT SERVICES OF OHIO, INC.**

19. MOTION: Made by Mr. Cantalamessa, seconded by Mr. Fuda, to authorize a MONTH-TO-MONTH EXTENSION with our current Third Party Administrator, BENEFIT MANAGEMENT SERVICES OF OHIO, INC., 400 Niles-Cortland Rd., S.E., Suite A, Warren, Ohio 44484, to provide Third Party Administration Services for Workers' Compensation in the amount of \$2,250.00 per month until the County's Third Party Administrator has been selected.

NOTE: This extension will be paid from Fund #926-120-8300-8350-1-505607.

SPECIAL NOTE: Since the original Third Party Administrator Contract expired on December 31, 2021, this contract to extend will need to retro to January 1, 2022 through March 2022. During these three months, Mr. Robert Carr, President of Benefit Management Services of Ohio, Inc. has continued to provide all TPA Services for Workers' Compensation in the amount of \$2,250.00 per month until the Third Party Administrator is selected.

Yeas: Cantalamessa, Fuda, Frenchko

Nays: None

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Mr. Fuda said this is a case where not having a Human Resources director is difficult. He said the Commissioners’ staff and Human Resources department are working together to make things happen. Ms. Frenchko asked the Clerk if she would be working with an employee to put this out to bid. The clerk said that she would be working on this item with Ms. Nancy Marscio, preparing the legal ad, and sending it to the Prosecutor’s Office for review.

RE: EMERGENCY ROAD CLOSING

20. MOTION: Made by Mr. Cantalamessa, seconded by Ms. Frenchko, to grant permission to the County Engineer for EMERGENCY Road Closing due to a Culvert Replacement.

- **BLOOMFIELD GENEVA ROAD (C.H. 301B) located in Bloomfield Township;** closing location just south of Countyline Donley Rd. (C.H. 302)
Closing Dates: IMMEDIATELY until further notice
RECOMMENDED DETOUR: West on Countyline Donley Rd. (C.H. 302);
 South on State Route 534; East on State Route 87; North on State Route 45

Mr. Fuda spoke about the importance of adding this item for an emergency culvert replacement.

Yeas: Cantalamessa, Frenchko, Fuda
Nays: None

COMMENTS:

Discussion regarding Item No. 7

RE: PROPER USE OF TITLES/ADDRESSING EMPLOYEES ACCORDINGLY

Mr. Fuda said in 14 out of 15 years he has never heard a Commissioner call another Commissioner or employee names. Ms. Frenchko told Mr. Fuda to address her as, Commissioner. Mr. Fuda said Ms. Frenchko has called the Commissioners and staff Don Corleone, minions, good-ole boys, crime family, Uncle Frankie, Henchmen, thugs, swamp people, flying monkeys, goons, and Frick and Frack. Ms. Frenchko said she has never said anything inappropriate in public meetings; however, employees have called her names such as disgusting and the former HR Director has called her names and that was acceptable by the Board, and that is the reason for her placing this Agenda Item on. She said it has been difficult for Mr. Fuda to remember to refer to her as Commissioner and it is time to change the way we regard each other in Trumbull County. She said it is antiquated and disrespectful to refer to staff as children, especially only the women. Mr. Fuda said no one called her a child and that everything she does, she blames others for doing. He asked her to check the minutes and tapes and start recording herself instead of others. The conversation continued and Ms. Frenchko asked for ‘Point of Order’ to Mr. Fuda’s comments being off topic and attacking her. Mr. Cantalamessa said that we don’t stop being a Commissioner when we leave the building. He said that includes social media, radio shows and that she needs to make it consistent across the Board. Mr. Fuda said he needs to check with the CCAO to see if this legislation makes sense—Commissioner Cantalamessa agreed. Ms. Frenchko said that she knew Mr. Fuda and Mr. Cantalamessa would have a problem with this Agenda item. Mr. Cantalamessa said he has a problem with hypocrisy of it. Ms. Frenchko said that when the Board is in public meetings with staff present, they should be practicing a level of decorum, but outside of the meeting, we have a right to Freedom of Speech. She stated she is constantly bashed during the meetings. She also stated if the Board is referring to the women of the county as ‘girls’ and not the men as ‘boys’, we are opening ourselves up to be sued; She went on to say we should be practicing a level of decorum that hasn’t been carried out and she is constantly bashed at the meetings. She said if we are outside the public meeting as well as during the meeting, we have a right to Freedom of Speech. She said in the workplace if we are referring to staff as girls we are opening ourselves up to liability and it’s is shameful they don’t think approving this item is a good idea. Mr. Fuda asked Ms. Frenchko how many times he called them, good-old boys. She said never in a public meeting and he is confused and how it relates to a public meeting. Mr. Fuda said she has to tell the truth during the meeting. Mr. Cantalamessa said it should be consistent across the board and outside in pubic settings Ms. Frenchko said you can’t interfere with freedom of speech outside of the public meetings and she is just asking for a level of respect in public meetings. Mr. Cantalamessa said if they are talking about decorum and respect and acting in the Board’s official capacity at all times, then it needs to be across the board. Mr. Fuda said it’s just common sense, acting like an adult, a Commissioner,

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and doesn't need to be written on paper. Ms. Frenchko said Mr. Fuda asked her a month ago what she would like to be called and she told him, Commissioner. She said Mr. Fuda does not address her as Commissioner and tells her she doesn't understand, and it is not acceptable for the men on the Board to be disparaging to her by not treating her as an equal at public meetings with employees listening. She said it is sad during Women's History Month that they won't adopt a policy to call staff women and men by their titles instead of girls. She also stated that by calling women, 'girls', and not calling men boys, someone will end up suing the County. Mr. Cantalamessa said she has called the staff swamp people. Mr. Fuda said Ms. Frenchko needs to look at the minutes to see what people have called her compared to what she has called the staff as well at some citizens.

Mr. Michael Rapovy said he has been coming to the Commissioner's Meetings for over 11 years and he wanted to thank the Board for his appointment to the Human Resources Panel.

Mr. Daryl Black gave an update relating PUCO Board. He said the PUCO stated they did not receive the Commissioners' letter and later found it. He asked the Board for permission to call them regularly until he receives a case number.

Mr. Barry Brown, President of Trumbull County Fair Board asked about ARP Funds and the process of filling out the paperwork properly. The Board addressed his concerns and thought the Planning Commission could be of assistance. Ms. Frenchko suggested Mahoning county as their paperwork was accepted. Mr. Cantalamessa said that he wanted to run it by our legal first. He spoke to the Board as a resident and thanked the natural gas program as he is saving a lot of money.

Mr. Mott spoke about the ARP funds and how he has brought money to the county.

Mr. Jack Lammers from the fair board asked if they could have some of the grindings, as it would be a tremendous help.

The Clerk asked to re-read items 3-5 to make sure those items were voted on. Those items were re-read and the vote was taken again.

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

RE: ADJOURN

MOTION: Made by Mr. Cantalamessa, seconded by Mr. Fuda, to adjourn the Regular Meeting of March 16, 2022, and to meet again in Regular Session on March 23, 2022.

Yeas: Cantalamessa, Fuda, Frenchko

Nays: None

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

FRANK S. FUDA, PRESIDENT

MAURO CANTALAMESSA, COMMISSIONER

NIKI FRENCHKO, COMMISSIONER

ATTEST:

PAULA J. VIVODA-KLOTZ, CLERK

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