

**Week of July 25, 2022**

**Meeting of July 27, 2022**

The Board of County Commissioners, Trumbull County, Ohio, met for a Regular Meeting on the 27th day of July 2022, 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 Ms. Frenchko, seconded by Mr. Cantalamessa, to dispense with reading of the minutes of the Regular Meeting dated July 20,2022, and approve them as distributed/printed.

*Mr. Cantalamessa made the original motion for Item #1 and Mr. Fuda seconded it.*

*Ms. Frenchko made a motion to supersede stating the Commissioners have to say 'Move to Approve'.*

**MS. FRENCHKO MADE A MOTION FROM THE FLOOR TO TURN THE VOLUME DOWN ON THE CONFERENCE BRIDGE PHONE BECAUSE LISTENERS ARE BEING DISRUPTIVE AND THERE IS NO WAY TO IDENTIFY WHO THEY ARE.**

**MOTION DIED FOR LACK OF SECOND.**

*Mr. Fuda stated that Ms. Frenchko is the only one being disruptive.*

*Ms. Frenchko wanted to let everyone know this is the first time since she's been a Commissioner that the meeting minutes have stated, to approve.*

Yeas: Frenchko Cantalamessa, Fuda

Nays: None

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**RE: APPROVE BILLS**

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

Nays: None



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**RE: ATTY. DIMITRIOS N. MAKRIDIS - MEMBER  
LAW LIBRARY RESOURCES BOARD**

**6. MOTION:** Made by Mr. Cantalamessa, seconded by Mr. Fuda, to appoint ATTORNEY DIMITRIOS N. MAKRIDIS as a member of the TRUMBULL COUNTY LAW LIBRARY RESOURCES BOARD for a five (5) year term commencing July 27, 2022 and ending July 27, 2027

*NOTE:* Attorney Dimitrios Makridis will replace Magistrate Jami Bishop who recently resigned from the Board.

*Ms. Frenchko wanted the Board to know this board appointment was not advertised and she does not agree with the application process. She stated the Board agreed through discussion or journal entry that Board appointments would be advertised.*

**MS. FRENCHKO MADE A MOTION FROM THE FLOOR TO TABLE ITEM #6 TO MAKE SURE THERE WAS AN ADVERTISING PROCESS**

*Mr. Fuda said Ms. Frenchko received the same information he received and the letter explained the Trumbull County Law Library Board’s recommendations.*

**MOTION DIED FOR LACK OF SECOND**

Yeas: Cantalamessa, Fuda  
Nays: Frenchko

*Ms. Frenchko voted NO—not because of the attorney, but because process wasn’t very transparent and because it wasn’t advertised.*

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**RE: ADVERTISE REQUEST FOR QUALIFICATIONS  
TO HIRE OUTSIDE EMPLOYMENT LAW FIRM  
TO CONDUCT INDEPENDENT INVESTIGATION  
OF COMP TIME ACCRUAL AND OTHER  
PAYROLL ISSUES AT THE SANITARY  
ENGINEER’S DEPARTMENT**

**7. MOTION:** Made by Ms. Frenchko, to advertise a REQUEST FOR QUALIFICATIONS to hire an outside employment law firm, not presently retained by the County, to conduct an independent investigation of comp time accrual and other payroll issues at the Sanitary Engineer’s Department and other departments as deemed necessary by the law firm after discussion with the Board of Commissioners.

*NOTE:* The State Auditor’s office suggested that the county “correct the violations or decide subsequently to allow them.” No formal investigation has been done, and disciplinary action may be required after a formal investigation is conducted.

*Ms. Frenchko stated the State Auditor’s office suggested that the county correct the violations which indicated there are violations or decide subsequently to allow them and that is the reason for this Item #7.*

**MOTION DIED FOR LACK OF SECOND**

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**RE: ADVERTISE FOR NINE PERSON PANEL TO REVIEW MULTIPLE COMPLAINTS ABOUT MEDICAL TREATMENT -- COUNTY JAIL**

**8. MOTION: Made by Ms. Frenchko, to advertise for and establish a Nine-Person Panel to review multiple complaints about the medical treatment at the Trumbull County Jail, to compare services to other County jails, to evaluate outcome measures and performance associated with the jail medical services provider, and to provide feedback to the Board of Commissioners who voted 2-1 to renew the current medical services contract without a Request for Proposals or Request for Qualifications as recommended by the Trumbull County Prosecutor's Office. Each Commissioner will appoint three members.**

*NOTE:* The Board of Commissioners do not oversee the Sheriff or other elected officials, however the Board is the contracting party for other elected county officials. Commissioner Frenchko states over a dozen complaints came to the Commissioners in the last few weeks, and the recent effort by Sheriff Monroe to mislead the Commissioners relative to a recent complaint investigation, a volunteer group could ensure the complaints are properly addressed and make suggestions that the Commissioners could share with the Sheriff.

*Ms. Frenchko stated since she read a letter and was arrested for discussing some things that are questionable, she has received dozens of inmate complaints and was brought to tears by some of them. There were inmates who had prostate cancer who weren't being treated, broken clavicle, lost toes due to MRSA, neurological problem/seizures, brain bleed/giving inmates cotton in their ears.*

*Ms. Frenchko went on to state that when she was there, they sent over someone who may have been a med tech and she is questioning the quality of care inmates receive in the jail. She stated that a nine- person panel could collectively look at these issues and the Sheriff is in an effort to mislead the public relative to these complaints. Ms. Frenchko said she hoped this would be a step in the right direction and hopes the Board would agree to put together something.*

**MOTION DIED FOR LACK OF SECOND**

*Mr. Fuda stated that he would be happy to talk to the press or anyone else and that the Commissioners get paid \$98k a year to do a job. He stated that Ms. Frenchko has wanted to hire a "Panel" for every department instead of doing the job herself. Ms. Frenchko said they have gone since January without a HR Director. Mr. Fuda stated Ms. Frenchko has stopped the process. Ms. Frenchko said she wanted to contract out and called, Point of Order. Mr. Fuda told the Clerk to move on.*

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**RE: RESOLUTION DECLARING NECESSITY OF  
CONSTRUCTING THE HEATON CHUTE  
SANITARY SEWER IMPROVEMENTS PROJECT  
COUNTY PROJECT NO. 5-S-13**

**9. MOTION:** Made by Mr. Cantalamessa, seconded by Mr. Fuda, to adopt a resolution declaring the necessity of constructing the HEATON CHUTE SANITARY SEWER IMPROVEMENTS PROJECT, known as County Project No. 5-S-13, for the Trumbull County Combined Sanitary Sewer District; this action per the recommendation of the Trumbull County Sanitary Engineer.

*NOTE:* Thursday, September 1, 2022 at 7:00 p.m. is hereby fixed as the time and the Niles McKinley High School Auditorium located at 616 Dragon Drive, Niles, OH 44446 as the place of the hearing of objections to or acceptance of County Project No. 5-S-13 to the tentative capital charges or to the project scope and boundaries for the same as outlined in the Resolution.

*Mr. Fuda stated this important project has been in the works for 15 years, and it affects the lives of many people. Mr. Fuda thanked Mr. Gary Newbrough for getting this done and getting the cost down to \$35/resident.*

Yeas: Cantalamessa, Fuda, Frenchko

Nays: None

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

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**RE: CHANGE ORDER NO. 1 WITH X-PRESS  
UNDERGROUND, INC.-CONTRACT K  
BLUEPRINT WATERLINE INITIATIVE  
COUNTY PROJECT NO. 5-W-15**

**10. MOTION:** Made by Mr. Fuda, seconded by Mr. Cantalamessa, to approve Change Order No. 1 with X-PRESS UNDERGROUND, INC., P.O. Box 345, 11640 Stateline Road, Petersburg, Ohio 44454 for Contract K of the BLUEPRINT WATERLINE INITIATIVE PROJECT No. 5-W-15. Change order is for an increase in the amount of \$11,331.56 revising the total contract amount to \$218,556.56. The entire cost of this change order is to be paid with American Rescue Plan Fund 077-011-1000-1000-1-505543. Change Order No. 1 consists of increasing the unit prices for eight of the bid items to include:

<u>Item</u>	<u>Original Unit Cost</u>	<u>Modified Unit Cost</u>
6" PVCO C909 Waterline (Open Cut)	\$46.00/foot	\$47.99/foot
HDD 6" FPVC C900 DR18 Waterline	\$48.00/foot	\$50.57/foot
6" Gate Valve	\$1,850.00/each	\$1,958.00/each
Fire Hydrant Assembly	\$5,600.00/each	\$5,997.50/each
Sampling Station Assembly	\$3,000.00/each	\$3,213.60/each
1" Water Connection w/Curb Box (Short)	\$1,200.00/each	\$1,288.50/each
1" Water Connection w/Curb Box (Long)	\$1,400.00/each	\$1,496.44/each
4" Water Service Connection (long)	\$10,500.00/each	\$11,761.00/each

Change order is necessary to reflect the increase in materials cost during the time period between the bid opening in October, 2021 and the contract award date in March, 2022. The contractor agreed to hold his bid price beyond 60 days under the condition that an adjustment would be made for increased material costs.

(Continued)

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CHANGE ORDER-X-PRESS UNDERGROUND (Cont'd)

This action per the recommendation of the project consultant, Burgess & Niple, Inc. and the Trumbull County Sanitary Engineers and is subject to the review and approval of the Prosecutor's Office.

NOTE: The Board of Commissioners approved the original contract with X-Press Underground, Inc. in the amount of \$207,225.00 on March 30, 2022, duly recorded in Journal Volume 154, Page 24685.

Ms. Frenchko stated Mr. Newbrough does not attend her meeting and she had questions regarding material costs for this item. She stated she does not have a copy of the Agreement stating the County was going to pull the Bid price and change the dollar amount on the contract. Mr. Newbrough explained in an e-mail that the language was not in the Contract, and the Contractor agreed to hold the Contract for 60 days under a condition there were be a cost adjustment for materials. Ms. Frenchko asked Mr. Newbrough if he had a signed Agreement that the contractor would hold the contract. Mr. Newbrough stated that he wouldn't call it an agreement. Ms. Frenchko stated that she has a problem with this process and she's concerned that Mr. Newbrough does not understand the Contract process with government entities and there are no verbal agreements. She said there are no verbal agreements when you are using tax payer dollars. Ms. Frenchko would like the Change Order language included within the Contract. Ms. Frenchko asked the Board to vote no on this item to make sure our contracts are done properly. Mr. Newbrough said this was not part of the Contract and that is why there is a Change Order to make it part of the contract. Mr. Newbrough said they were going to be cooperative with them as the contractor held their bid price. He said the Change Order would make them whole. Ms. Frenchko asked if it was a verbal agreement. Mr. Newbrough said, no—it was a written agreement, right here on paper. Mr. Newbrough said they requested it and he is asking the Board to approve it. Ms. Frenchko said it wasn't part of the contract. Mr. Newbrough said they are adjusting the contract as part of the Change Order. Ms. Frenchko said the cost of materials were part of the contract. Mr. Fuda said the cost of materials has gone up since the original contract. Ms. Frenchko asked if this was going to set precedence for other contractors to do the same. Mr. Cantalamessa said Ms. Frenchko has voted on multiple change orders in the past without any problem. Mr. Fuda stated Ms. Frenchko tries to stop any progress they are doing in Trumbull County. Ms. Frenchko told Mr. Newbrough that he was trying to convince Mr. Cantalamessa and Mr. Fuda who aren't as bright as her that what he is doing is right and that Mr. Newbrough knows it's wrong. Mr. Newbrough stated, it was not wrong.

Yeas: Fuda, Cantalamessa

Nays: Frenchko

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

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RE: QUARTERLY OPERATOR FLEET PERMITS  
COUNTY ENGINEER

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

- MPT TRUCKING, LLC.  
15940 Burton Windsor Rd., Middlefield, OH 44062  
Permit No.: QF-007-2022  
Permit Effective: July 25, 2022 through October 23, 2022

Mr. Fuda stated the Highway Department was at Ms. Frenchko's closed meeting and did not attend his open/transparent meeting. Ms. Frenchko responded that she needs all department heads to attend her meeting to make proper decisions on Agenda items. Mr. Cantalamessa asked Ms. Frenchko why she doesn't make the meeting open to the public. Ms. Frenchko said because then one of other Commissioners could come and start yelling at her. Mr. Fuda said Ms. Frenchko puts items on the Agenda and doesn't attend his meeting to explain the items.

Yeas: Frenchko, Cantalamessa, Fuda

Nays: Non

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

**12. MOTION:** Made by Mr. Cantalamessa, seconded by Ms. Frenchko, 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.

- **R.T. VERNAL PAVING AND EXCAVATING, INC.**  
P.O. Box 519, North Lima, OH 44452-0519  
**Permit No.: AF-039-2022**  
**Permit Effective: July 22, 2022 through July 22, 2023**
  
- **KING SANITARY SERVICE, LLC.**  
P.O. Box 240, Bristolville, OH 44402  
**Permit No.: AF-038-2022**  
**Permit Effective: August 1, 2022 through August 1, 2023**
  
- **DON'S TRUCKING AND EXCAVATING**  
14260 Ellet Road, Beloit, OH 44609  
**Permit No.: AF-036-2022**  
**Permit Effective: August 1, 2022 through August 1, 2023**
  
- **HORODYSKI BROS & CO.**  
5137 State Route 7, Burghill, OH 44404  
**Permit No.: AF-040-2022**  
**Permit Effective: July 26, 2022 through July 26, 2023**
  
- **MILLER YOUNT PAVING, INC.**  
2295 Hoagland Blackstub Road, Cortland, OH 44410  
**Permit No.: AF-035-2022**  
**Permit Effective: July 24, 2022 through July 24, 2023**
  
- **CINDY CRUMP ENDERLE AND SONS**  
810 N. Albright McKay, Brookfield, OH 44403  
**Permit No.: AF-037-2022**  
**Permit Effective: August 1, 2022 through August 1, 2023**

Yeas: Cantalamessa, Frenchko, Fuda  
Nays: None

*Commissioner Frenchko asked if one permit was added from yesterday. The Clerk stated that Cindy Crump Enderle and Sons was added.*

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

**13. 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.

- **DOMINION ENERGY OHIO**, 1165 W. Rayen Ave., Youngstown, OH 44502, to work in the right-of-way of Logan Way (C.H. 41 B), in order to install 2 anodes to provide cathodic protection to an existing gas line. This will be located approximately 300' north of Mansel Dr. (T.H. 628) in Liberty Township.
- **MARK GOVERNOR**, 6110 Phillips Rice Rd., Cortland, OH 44410, to work in the right-of-way of Phillips Rice Rd. (C.H. 197A), in order to install a 15" double wall pipe for a second driveway. This will be located approximately 1,300 feet south of State Route 88 in Mecca Township.
- **VILLAGE ENERGY COOPERATIVE ASSOCIATION**, 4100 Holiday St., N.W., Suite 201, Canton, OH 44178, to bore under and work in the right-of-way of Five Points Hartford Rd. (C.H. 187C), in order to provide a natural gas mainline extension approximately 700 feet and a service connection. This will be located beginning approximately 1,500 feet southwest of State Route 7 in Hartford Township.

Yeas: Frenchko, Cantalamessa, Fuda  
Nays: None

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**RE: ADOPT 'ALTERNATIVE TAX BUDGET'  
FOR YEAR ENDING DECEMBER 31, 2023**

**14. MOTION:** Made by Ms. Frenchko, seconded by Mr. Cantalamessa, to adopt the 'ALTERNATIVE TAX BUDGET' for the next succeeding fiscal year ending December 31, 2023, effective July 27, 2022; AND to authorize Frank S. Fuda, President of the Board of Trumbull County Commissioners, to execute the Alternative Tax Budget.

**SPECIAL NOTE:** *The Trumbull County Budget Commission has waived the adoption of the Annual Tax Budget (Annual Tax Budget: 5705.28 and 5705.30 O.R.C.)*

Yeas: Frenchko, Cantalamessa, Fuda  
Nays: None

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**RE: RESOLUTION AUTHORIZING EXPENDITURE FOR RESPONDING TO OR MITIGATING THE PUBLIC HEALTH EMERGENCY FROM AMERICAN RESCUE FUNDS - REPLACE AND UPGRADE EXISTING COURTHOUSE CHILLER AND TOWER COOLING UNIT**

**15. MOTION:** Made by Ms. Frenchko, to Modify language in item # 15 to omit the word “rooftop” throughout the agenda item, seconded by Mr. Cantalamessa, and to adopt Resolution as follows:

**RESOLUTION**

**WHEREAS**, the County has received a distribution of monies (the “ARPA Funds”) from the American Rescue Plan Act of 2021 (“ARPA” or the “Act”); and

**WHEREAS**, Congress passed the Act effective March 11, 2021; and

**WHEREAS**, Section 603 created the Coronavirus Local Fiscal Recovery Fund which, among other things, appropriated money to cities, nonentitlement units of local government, and counties to mitigate the fiscal effects stemming from the public health emergency with respect to the Coronavirus Disease (Covid-19); and,

**WHEREAS**, Department of Treasury Final Rule, published at 31 CFR Part 35, provides, in part, that:

[Under the Category of Eligible Uses for Public Health and Economic Impacts]-

Mitigating the impact of COVID-19, including taking actions to control its spread . . . , continues to require a major public health response from State, local and Tribal governments.

The need for public health measures to respond to COVID-19 will continue in the months and potentially years to come.

**WHEREAS**, the Rule further observes that:

Enumerated eligible uses of funds in the first category include support for prevention, mitigation, or other services in congregate settings, as well as ventilation improvements in congregate settings; and

**WHEREAS**, the U.S. Treasury has recognized Section 603 ARPA Funds may be used to fund “COVID-19 mitigation efforts,” through “[C]apital investments in public facilities to meet pandemic operational needs” (U.S. Treasury Fact Sheet); and,

**WHEREAS**, the County has identified a project which, in the judgment of the Board, qualifies as a type of project which will respond to and mitigate the effects of the pandemic which consists of the following:

**RESOLUTION COURTHOUSE CHILLER continued on next page**

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**RESOLUTION COURTHOUSE CHILLER(Cont'd)**

Replace and upgrade existing Trumbull County Courthouse Chiller and Cooling Tower Unit Phase 1 HVAC which will enable bipolar ionizers to work most efficiently. (the "Project").

This Project will be categorized as Expenditure Category EC 1.4 – Prevention in Congregate Settings.

**THEREFORE, BE IT RESOLVED** by the Commissioners that:

1. The Project is hereby authorized and shall be paid for from the ARPA Funds.
2. The Project described herein serves the objectives of the Act by improving ventilation and mitigating the spread of the virus in congregate settings.
3. Accordingly, the Project is in the best interests of the County and is deemed a priority for the community.
4. The Project is hereby authorized and shall be paid for from the ARPA Funds in the amount of/an amount not to exceed \$339,000.00.
5. No obligations paid under the authority of this Resolution were incurred prior to March 3, 2021.

**COMMISSIONER FRENCHKO MADE A MOTION TO MODIFY THE LANGUAGE TO ITEM # 15 TO OMIT/STRIKE THE WORD ROOFTOP TO THE HEADING AND THROUGHOUT SAID RESOLUTION STATING IT IS NOT A ROOFTOP UNIT, IT IS A CHILLER**

Yeas: Frenchko, Cantalamessa, Fuda  
Nays: None

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**RE: AWARD BID  
COMFORT SYSTEMS USA TO INSTALL NEW  
CHILLER TOWER AND COOLING TOWER  
EQUIPMENT AT THE TRUMBULL COUNTY  
COURTHOUSE**

**16. MOTION:** Made by Mr. Cantalamessa, seconded by Ms. Frenchko, to accept and award the lowest and best bid submitted by COMFORT SYSTEMS USA, 7401 First Place , Oakwood Village, OH 44146 to install a new Chiller Tower and Cooling Tower, including all labor and materials as specified in the project documents including removal of current cooling chiller and tower equipment at the TRUMBULL COUNTY COURTHOUSE 161 High Street NW, Warren, OH 44481, base bid \$327,900.00 plus the alternate of \$11,100.00, for the total amount of \$339,000.00, which includes the alternate - to be paid from Fund No. 077-011-1000-1-505506 (ARPA Funding): and to further authorize Frank S. Fuda, President of the Board of Trumbull County Commissioners, to execute any/all documents required for this agreement on behalf of Trumbull County and subject to review/approval by ARPA legal counsel; this action per the request of Honorable Andrew Logan, Judge of the Trumbull County Court of Common Pleas, Michael J. Sliwinski, P.E., Trumbull County Chief Building Official and recommendation of Baker, Bednar, Snyder and Associates, Inc.

**OTHER BIDS SUBMITTED**

<b>COMPANY</b>	<b>AMOUNT</b>
<b>PROUT BOILER HEATING &amp; WELDING, INC.</b> 3124 Temple Street Youngstown, OH 44510	<b>\$334,500.00 (Base)</b> <b>\$18,900.00 (Alt)</b>
<b>WESTERN RESERVE MECHANICAL, INC.</b> 3041 South Main Street Niles, OH 44446	<b>\$348,545.00 (Base)</b> <b>\$21,320.00 (Alt)</b>
<b>CONTI CORPORATION</b> 527 West Wood Street Lowellville, OIH 44436	<b>\$382,200.00 (Base)</b> <b>\$46,000.00 (Alt)</b>
<b>WADSWORTH SOLUTIONS</b>	<b>No Bid Submitted</b>

*Mr. Cantalamessa spoke about Item #15 making sure that it was approved and the modification was just to strike/omit the word, 'rooftop'.*

*Ms. Frenchko stated the modification was to omit the word, rooftop.*

*Ms. Frenchko said during her department head meeting, she asked Mr. Sliwinski and Mr. Hart how it was determined that Comfort Systems was the lowest and the best bid and they provided a spreadsheet that provided this information. She said she asked Mr. Newbrough to do the same, but he was reluctant, and she encourages him to do the same in the future. Mr. Fuda addressed her comments stating Mr. Newbrough has done a superb job. There was further discussion regarding how to determine the lowest and the best contractor for a job. Mr. Fuda stated Mr. Newbrough has the experience to determine the best contractor. Ms. Frenchko said she wants things done differently and does not want things rubber stamped. Mr. Fuda said Gary has done a phenomenal job and she doesn't have a clue what the Commissioners' job is about. Ms. Frenchko said it is wrong to have one person choose the best contractor without reviewing all of them. Mr. Newbrough stated various legal Counsel have told him that regarding construction contracts--if you don't award it to the low bidder, you better have a very good reason to justify it. Mr. Newbrough said the contract goes to the low bidder.*

Yeas: Cantalamessa, Frenchko, Fuda

Nays: None

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**RE: RESCIND JOURNAL ACTION TAKEN BY COMMISSIONERS ON 07/13/2022, JOURNAL VOLUME 154, PAGE 24936, TO APPROVE SUBRECIPIENT GRANT AGREEMENT BETWEEN OHIO DEPARTMENT OF NATURAL RESOURCES, ACTING THROUGH ITS DIVISION OF PARKS AND WATERCRAFT (ODNR) AND SHERIFF’S OFFICE**

**17. MOTION:** Made by Mr. Cantalamessa, seconded by Mr. Fuda, to RESCIND the Journal Action taken by the Board of Trumbull County Commissioners on July 13, 2022, duly recorded in Journal Volume 154, Page 24936, to approve a Subrecipient Grant Agreement by and between the OHIO DEPARTMENT OF NATURAL RESOURCES, acting through its DIVISION OF PARKS AND WATERCRAFT (ODNR), 2045 Morse Road, Columbus, OH 43229, and the TRUMBULL COUNTY SHERIFF’S OFFICE. The Agreement is a necessary requirement in order to obtain the 2022 Marine Patrol Assistance Grant applied for by the Trumbull County Sheriff’s Office. Trumbull County has been awarded \$25,691.27 and the local share is \$5,380.38. The Agreement is effective for the period commencing May 5, 2022 and ending December 31, 2023; this action per the recommendation of the Trumbull County Sheriff’s Office and is subject to review and approval of the Prosecutor’s Office.

Yeas: Cantalamessa, Fuda, Frenchko  
Nays: None

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**RE: AMEND JOURNAL ACTION TAKEN BY COMMISSIONERS ON 04/27/2022 APPROVING GRANT AGREEMENT BETWEEN OHIO DEPARTMENT OF NATURAL RESOURCES, ACTING THROUGH ITS DIVISION OF PARKS AND WATERCRAFT (ODNR) AND SHERIFF’S OFFICE**

**18. MOTION:** Made by Ms. Frenchko, seconded by Mr. Cantalamessa, to AMEND the Journal Action taken by the Board of Trumbull County Commissioners on April 27, 2022, Journal Volume 154, Page 24763, approving a Grant Agreement by and between the OHIO DEPARTMENT OF NATURAL RESOURCES, acting through its DIVISION OF PARKS AND WATERCRAFT (ODNR), 2045 Morse Road, Columbus, OH 43229, and the TRUMBULL COUNTY SHERIFF’S OFFICE. The Agreement is a necessary requirement in order to obtain the 2022 Marine Patrol Assistance Grant applied for by the Trumbull County Sheriff’s Office. The estimated cost of the program is \$34,255.03. The State of Ohio agrees to pay \$25,691.27 and the local share is \$8,563.76—Amendment necessary for appropriation 134-000-1422-1410-1-413000 for \$5,380.38—This is less than total amount due to a carryover of \$3,183.38. Once this transfer is complete, this will reflect the full County 25% match this action per the recommendation of the Trumbull County Sheriff’s Office and is subject to review and approval of the Prosecutor’s Office.

Yeas: Frenchko, Cantalamessa, Fuda  
Nays: None

**MS. FRENCHKO MADE A MOTION TO TABLE ITEMS #19 & #20. MOTION DIED FOR LACK OF SECOND.**

*Mr. Cantalamessa told Ms. Frenchko that Item #19 has to do with Job and Family Services. Ms. Frenchko apologized for confusing the Agenda items.*

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**RE: APPROVE PROMOTIONS -- FOUR (4) NON-BARGAINING EMPLOYEES WITHIN DEPARTMENT OF JOB AND FAMILY SERVICES**

**19. MOTION:** Made by Mr. Cantalamessa, seconded by Mr. Fuda, to approve the personnel action for the PROMOTION of four (4) non-bargaining employees within the TRUMBULL COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES, effective August 1, 2022. *The State of Ohio Personnel Action Forms shall be recorded on the Journal for record purposes*; this action per the recommendation of the Trumbull County Department of Job and Family Services.

**Promotions Include:**

- ❖ **MR. RICHARD FRANCIS-Program Administrator-\$38.88/hr**
- ❖ **MS. LISA MATAS- E/R Supervisor 2/Coordinator- \$32.90/hr**
- ❖ **MS. TARYN O'HARA –Eligibility Referral Supervisor 1-\$26.59/hr**
- ❖ **MS. MARCELLE RAPHTIS- Eligibility Referral Supervisor 1-\$26.59/hr**

**MS. FRENCHKO MADE A MOTION TO TABLE ITEM #19 AND SAID IF THE MOTION RECEIVED A SECOND, SHE COULD DISCUSS WHY**

**MOTION DIES FOR LACK OF A SECOND**

**SUMMARIZED DISCUSSION:**

*Ms. Frenchko spoke about an agenda item that was passed last week regarding placing all promotions that under the Board on the Agenda. She further stated this agenda item came over without supporting documentation until she requested it at her department head meeting. She shared her concerns regarding the education section on the DJFS ranking sheet stating it says, meets expectations and nothing more. She discussed the ranking of the written test and the points given for how long employees have worked for the agency. She said she understands that for union work, but this is for an administrative job for a county agency where one does not receive credit for earning a higher education degree, but do get credit for working there for 20 years. Ms. Frenchko said she is concerned how DJFS is and has been evaluating employees for promotions. She said she believes DJFS has reduced the qualifications for some employees they want to advance. Ms. Frenchko said she would like to TABLE this item until she makes sure things are done in a proper way. Mr. Fuda said the most important thing for union and non-union people is to make sure to get people that know the job. Mr. Fuda said the directors are the experts and know who is best for the job. Ms. Frenchko called, Point of Order and said Mr. Fuda should have email so he could see the person who scored the best did not get the job. Mrs. Anna Loney said the person they are putting as the program coordinator has been there for many years. She said the person who scored lower on the written test has the experience, and the person who scored better is moving on to the coordinator position. Ms. Frenchko addressed the educational part of the scoring rubric. Ms. Loney said there's a grandfather clause that states if you've been there since 2010, you meet the educational requirement. Ms. Frenchko said it was better the tax payers know they have the most qualified person. Ms. Frenchko said Ms. Loney is looking at a process that was developed decades ago and continuing on with the same status quo and we need to get the most qualified people. She said she would work with Mrs. Loney to change things. Mrs. Loney told Ms. Frenchko that was her opinion. Mr. Cantalamessa asked Ms. Frenchko if someone is grinding it out for 10 years, has a good record, and comes to work, if she was saying those people aren't competent and up to par with someone with a degree. Mrs. Loney said that is what Ms. Frenchko is saying. Mr. Cantalamessa said he doesn't agree with that. Mrs. Loney said she doesn't have a degree, but has been in her position for 20 years, and will go up against anyone with a degree and show them up because she knows her job. Ms. Frenchko said that was not what she was stating and discussed the difference in points received for education versus how many years an employee has been working. Mr. Fuda said the person that scores the highest doesn't mean they are the best person for the job.*

Yeas: Cantalamessa, Fuda

Nays: Frenchko

**MS. FRENCHKO VOTED NO BECAUSE SHE DISAGREES WITH THE RANKING SYSTEM WHERE PEOPLE CAN SCORE HIGHER ON THE TEST AND NOT GET THE JOB**

Week of July 25, 2022

Meeting of July 27, 2022

**MS. FRENCHKO MADE A MOTION TO TABLE ITEMS #20 & #21 AFTER THE 911 DEPARTMENT HEAD ADDRESSES DISPATCH SERVICE AGREEMENT.**

**SUMMARIZED DISCUSSION:**

*Ms. Patty Goldner explained that Attorney Bill Danso has agreed to change the Agreement language within the Agreement and she would like to extend the current dispatch service agreement with the City of Warren until the new Agreement is in place. Mr. Fuda asked Mrs. Goldner if she was saying they should vote to remove from the Table. Mrs. Goldner answered, yes. Ms. Frenchko asked Patty about the City of Warren not following the perimeters of the contract as she discussed with her yesterday.*

*There was further discussion to change the Agreement language, breach of Contract, and the performance of the current contract. Ms. Frenchko stated that the City of Warren is in breach of the current contract and believes the only resolve is to extend the current Agreement and collect the monies due from the City of Warren. Ms. Frenchko asked Mr. Cantalamessa if he is even able to vote on this item as his brother, Atty. Enzo Cantalamessa, drafted the Agreement and is on all of the correspondence. Mr. Cantalamessa asked Ms. Patty Goldner if she was confident that these negotiations are farther along than they ever have been and Ms. Goldner stated yes, she has discussed these matters recently with Safety Services Director, Mr. Eddie Colbert who is completely on board. There was also discussion regarding the stress on 911 employees, length of calls, emotional hardship, and per call costs.*

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**RE: REMOVE FROM TABLE ITEM NO. 21, COMMISSIONERS' MEETING AGENDA 03/02/2022, EXTEND DISPATCH SERVICES AGREEMENT BETWEEN TRUMBULL COUNTY AND CITY OF WARREN, WHEREIN TRUMBULL COUNTY 9-1-1 CENTER SHALL SERVE AS A DISPATCH CENTER FOR CITY OF WARREN**

**20. MOTION:** Made by Mr. Cantalamessa, seconded by Mr. Fuda, to remove from Table Item No. 21, Commissioners' Meeting Agenda, under date of March 2, 2022, to extend the DISPATCH SERVICES AGREEMENT by and between TRUMBULL COUNTY and the CITY OF WARREN, OHIO, wherein TRUMBULL COUNTY 9-1-1 CENTER shall serve as a Dispatch Center for the City of Warren. The City of Warren agrees to pay Trumbull County the total amount of \$623,185.00 per year to be--paid in monthly installments of \$51,932.00. The Agreement shall be effective January 10, 2022 until December 31, 2022 and will give both parties time to discuss the terms for a new three-year agreement to begin January 1, 2023. Either party may terminate the Agreement by giving one hundred and eighty (180) days written notice; this action per the recommendation of the Interim Trumbull County 9-1-1 Director and subject to approval of the 911 Planning Committee and the Prosecutor's Office.

**NOTE:** The Board of Commissioners adopted a Resolution to Reconvene the 9-1-1 Planning Committee for the purpose of Amending the Countywide 9-1-1 Plan in order to expand or adjust the territory of the Countywide 9-1-1 System on February 11, 2015, duly recorded in Journal Volume 142, Page 18833.

Yeas: Cantalamessa, Fuda, Frenchko  
Nays: None

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**RE: EXTEND DISPATCH SERVICES AGREEMENT BETWEEN TRUMBULL COUNTY AND CITY OF WARREN, OHIO, WHEREIN 9-1-1 CENTER SHALL SERVE AS DISPATCH CENTER FOR CITY OF WARREN**

**21. MOTION:** Made by Ms. Frenchko, seconded by Mr. Fuda, to extend the DISPATCH SERVICES AGREEMENT by and between TRUMBULL COUNTY and the CITY OF WARREN, OHIO, wherein TRUMBULL COUNTY 9-1-1 CENTER shall serve as a Dispatch Center for the City of Warren. The City of Warren agrees to pay Trumbull County the total amount of \$623,185.00 per year to be--paid in monthly installments of \$51,932.00. The Agreement shall be effective January 10, 2022 until December 31, 2022 and will give both parties time to discuss the terms for a new three-year agreement to begin January 1, 2023. Either party may terminate the Agreement by giving one hundred and eighty (180) days written notice; this action per the recommendation of the Interim Trumbull County 9-1-1 Director and subject to approval of the 911 Planning Committee and the Prosecutor's Office.

**NOTE:** The Board of Commissioners adopted a Resolution to Reconvene the 9-1-1 Planning Committee for the purpose of Amending the Countywide 9-1-1 Plan in order to expand or adjust the territory of the Countywide 9-1-1 System on February 11, 2015, duly recorded in Journal Volume 142, Page 18833.

**SUMMARIZED DISCUSSION:**

*Ms. Frenchko asked Mr. Cantalamessa if he was voting on this item since it was drafted by his brother, Attorney Enzo Cantalamessa. Mr. Fuda said Ms. Frenchko had a very big settlement with a contractor in 2013 and she is still voting on contracts with that contractor. Mr. Cantalamessa said Ms. Frenchko votes for members of the TMHA Board and she owns TMHA Housing. Ms. Frenchko stated she did not own such property. Mr. Cantalamessa stated he will abstain for full transparency, but wants to see this resolved.*

Week of July 25, 2022

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*Discussion Cont'd*

*Ms. Frenchko stated that she wants to see the County get paid and she thinks it is terrible that this has taken so long to come to an Agreement.*

Yeas: Frenchko, Fuda  
Abstain: Cantalamessa

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**RE: EXECUTIVE SESSION**

**22. MOTION:** Made by Mr. Cantalamessa, seconded by Mr. Fuda, to go into Executive Session pursuant to Ohio Revised Code 121.22(G)(1) at approximately 11:50 a.m. to consider the discipline of a public employee within the Trumbull County Dog Kennel. Those in attendance were Mr. Cantalamessa, Mr. Fuda, Ms. Frenchko, Ms. Michelle Goss and Atty. Curt Ambrosy.

Yeas: Cantalamessa, Fuda, Frenchko  
Nays: None

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**RE: RECONVENE FROM EXECUTIVE SESSION**

**23. MOTION:** Made by Mr. Cantalamessa, seconded by Ms. Frenchko, to reconvene at approximately 12:22 p.m. from Executive Session pursuant to Ohio Revised Code 121.22(G)(1) to consider the discipline of a public employee within the Trumbull County Dog Kennel.

Yeas: Cantalamessa, Frenchko, Fuda  
Nays: None

**MOTION FROM THE FLOOR WAS MADE WITHIN THE COMMENT PERIOD MOVED UP TO OBTAIN A PAGE NUMBER AND CREATE A JOURNAL ACTION IN A TIMELY MANNER**

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**RE: APPOINT MS. LEA DOTSON-MEMBER  
HUMAN RESOURCES DIRECTOR PANEL**

**MOTION:** Made by Ms. Frenchko, seconded by Mr. Cantalamessa, to appoint Ms. Lea Dotson as a member of the Human Resources Director Panel; effective immediately.

Yeas: Frenchko, Cantalamessa, Fuda  
Nays: None

Week of July 25, 2022

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**Comments:**

*Mr. Fuda said there were 72 applicants for the Human Resources position and that they have not had a Human Resources Director for a very long time which is not normal. He said they have seven members on the Human Resources Panel and one of those members is applying for the Director position. He said if this process doesn't work, they may need to consider an outside agency to do the hiring.*

*Ms. Frenchko said she believes this should be the job of the Commissioners, and to use a ranking system to find the top candidates. She said interviewed the top candidates spending over an hour with each one. She said one of them didn't come to her interview and two of them did. She said Mr. Fuda previously stated one of the candidates was called to see if he was still interested in the job and he declined. Ms. Frenchko said the last candidate of the top three is and she wants to know why the Board isn't interested in pursuing an employment contract with someone who meets and exceeds expectations and was recommended by the HR Panel. Ms. Frenchko said she asked Mr. Charles to see if this gentleman would be interested in an employment contract and Mr. Charles e-mailed her and said he was instructed by the majority not to do that. Ms. Frenchko said the gentleman was going to accept the lower pay rate and she finds it suspicious.*

**MS. FRENCHKO MADE A MOTION FROM THE FLOOR TO EXPLORE CONTRACTING FOR THE HUMAN RESOURCES POSITION WITH MR. FEDORCHAK WHO HAS ALREADY INTERVIEWED AND RECOMMENDED BY THE HR PANEL.**

*Mr. Cantalamessa said he was one of the individuals that was recommended.*

**MOTION DIED FOR LACK OF SECOND.**

*Mr. Fuda said Ms. Frenchko has made many accusations and she interviewed one of the candidates for three hours. Mr. Fuda said he contacted the candidate and the candidate said if he were a Commissioner he would never act the way Ms. Frenchko did with the Clerk. Mr. Fuda said those words came out of the candidate's mouth. Ms. Frenchko said that was not true. Mr. Cantalamessa said it was true. Mr. Fuda said the candidate Ms. Frenchko is recommending has some skills, but is not the best person for the job. He said there was an African American from Youngstown that didn't want to meet with Ms. Frenchko and he would have recommended her in a minute. Mr. Fuda said Ms. Frenchko let things drag on for eight months so he had to move forward. Ms. Frenchko called, Point of Order that Mr. Fuda was lying about her and she ranked the applicants before the panel was put together. She said she has a motion on the floor and Mr. Fuda is double talking. Mr. Fuda said she have over 70 applicants, and a panel of six people. He said he is very suspicious of the candidate she wants to hire. Mr. Fuda asked the HR Department to reach out to the leftover panel to see if they were still interested.*

*Mr. Fuda said he's been working with area fire chiefs, senators, police departments and the 911 director for the past nine months regarding the Marcs System. He said two fire chiefs attended last week's meeting to discuss the need for a Marcs Tower asking the Board to install it on county-owned property in Brookfield Township. Mr. Fuda said they are in jeopardy without proper communication in several townships. He asked the Board to consider if they want to sell, lease or give the property for the tower in Brookfield Township.*

*Ms. Frenchko discussed problems that originated with a whistle blower at the Sanitary Engineer's Department regarding comp time and some other serious issues regarding management. She said her agenda item was to investigate what was going on because the state auditor said the violations need corrected or let go so she wants to know what the Board is do. Mr. Cantalamessa said there was public action taken. Ms. Frenchko asked when public action was taken.*

*Gary Newbrough said it was brought to his attention that the comp time written policy and the one they were following were not the same. He said the revised policy is now consistent with the county policy. He said the question is what do they do with the violations that occurred before it was corrected. Ms. Frenchko stated they were violating the county policy and in order to correct it, they changed the policy to match what they were doing. Ms. Frenchko said all of the previous violations are lingering and need to be made right. Ms. Frenchko said one of her concerns is that it is going on countywide. She said according to the Attorney General, it is called Gaming the System. She said it is all public record and the whistleblower brought her a packet of information as did the alleged offender who was instrumental in changing the policy. Mr. Fuda said Mr. Newbrough spoke with the whistleblower regarding the situation, and Ms. Frenchko accuses people without knowing all of the facts. Commissioner Frenchko said the State Auditor said they need to correct the violation or let it go. Mr. Newbrough said there would be thousands of violations from years ago.*

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*Mr. Bill Bush spoke about a resident who was on the Planning Commission Board who did not pay his own personal property taxes for years. He stated the man passed away and his taxes were reduced and wanted to know how this was done. Mr. Fuda said this issue is not under the Commissioners' Office. Mr. Bush stated he had a problem with the Sheriff's Office also. Mr. Fuda told Mr. Bush the taxes go through the Treasurer's Office. Mr. Bush told Mr. Fuda he should have told him that in the past. Mr. Fuda told Mr. Bush that he sat down with him 10 years ago and tried to help him with problems he was having. Mr. Bush accused Mr. Fuda of lying and said his complaints were ignored. Ms. Frenchko said the Treasurer's Office does the collections and the Auditor's Office does the assessments and reductions. She stated one can also file a DTE Form annually. She further stated when there was a property decline in the late 2000s, many people were filing these forms, and this is allowable under the O.R.C. Mr. Bush spoke about a ditch in front of his business and accused Mr. Fuda of lying about the ditch. Mr. Fuda said ditches are under the Highway Department.*

*Ms. Lea Dotson spoke about a rubric ranking system that would be used with County Contracts to determine the best and lowest bid. She wanted to know if there is no ranking system how do you give equity when awarding these contracts. Ms. Dotson said she remembers attending the Commissioners' Meeting about 10 years ago and went on to speak about diversity when hiring within the County. She said Mr. Fuda and Mr. Polivka were there at the time and ten years later, things are still abysmal. She said she is older now and can speak on these issues and has concerns regarding the process of handing out contracts to the lowest bidder. She asked if there is any consideration for the contractors to have any representation of minorities and is that is part of the ranking system. Ms. Dotson stated hiring only the lowest bidder, you may sometimes get what you pay for. She said she would be in favor to pay someone more to know they had minorities in their workforce. Mr. Newbrough said that is not the stance of the Prosecutor's Office when it comes to construction projects. Ms. Dotson said sometimes we have to get away from how things have been done in the past because diversity is still abysmal. Ms. Dotson spoke about the DJFS and said she is a high school principal and she would not promote someone because they have been there the longest—as this may knock out a whole group of good candidates. She said you cannot get a diverse workforce if you are only hiring within. Mr. Fuda said he has worked with some of the pastors including Sonny Morgan and Reverend Herron regarding hiring minorities. Mr. Fuda said they depend on their department heads to do this as well, and DJFS hires many minorities. Ms. Dotson said she was referring to management positions stating there are not many minorities filling these positions within the County. Mr. Cantalamessa said the HR Panel made there three top recommendations and the person he wanted to hire was an African American from Youngstown, but she passed on accepting the job. Mr. Cantalamessa said he would like the next HR Director to be a minority—a woman. Ms. Dotson said she is not looking for a token HR Director as that is only one employee—but a ranking system that cultivates diversity. Mr. Cantalamessa said he didn't say or wouldn't consider it a token HR Director, but would like a minority in that position. Ms. Dotson explained stating, you don't start with one as it was always be one, but instead you need a policy. She spoke about a ranking system for contractors regarding minorities. She said having Policy is how you change things. Ms. Frenchko said she wanted to do this since day one. She spoke about the Board appointing members to the HR Panel and wanted to make a motion from the floor to appoint Ms. Dotson as her representative as she didn't to select any Mr. Fuda and Ms. Frenchko spoke about the process for which the Commissioners selected members for the HR Panel. Mr. Cantalamessa said he would welcome Ms. Dotson to the HR Panel. Ms. Dotson said she would serve on the Board if they needed her and hopefully expand their thoughts of how they are ranking and giving out county contracts. Mr. Newbrough said that question is for the Prosecutor's Office as far as he knows they are following state and federal rules. Mr. Cantalamessa said if you don't accept the lowest bidder, you would have to show negligence or it would come back on the County, but there are exceptions.*

**THE ROLE WAS CALLED APPOINTING MS. LEA DOTSON TO THE HR PANEL. THIS MOTION AND VOTE IS LISTED ABOVE FOR NUMBERING PURPOSES AND TO CREATE A JOURNAL ACTION IN A TIMELY MANNER WHILE THE COMMENTS WERE BEING PREPARED.**

*A resident of Canfield, Ohio spoke about concerns with entities regarding construction projects. He spoke about change orders, past practices, using substandard materials, poor construction techniques that have an adverse effect on project. He asked the Commissioners to not only choose the lowest bidder, but the best. He stressed the importance of safety measures when dealing with contractors. He asked the Commissioners to reach out to their department heads to use proper bid language and criteria. Ms. Frenchko asked if the resident had a copy of the bidder language. The resident said he didn't have a copy of what was adopted in 2018, but had a copy from 2004. Mr. Gary Newbrough stated there is different language for different types of contracts. Ms. Frenchko asked if Gary would send her a copy the bid language he is using. Mr. Newbrough stated if two of the Commissioners ask him to he would, as he doesn't want to waste resources. Ms. Frenchko said it could have been asked as a Public Records Request. She said she asks staff in her office and now Mr. Charles to do things and they later come back and say they can't do what she is asking after asking the other Commissioners. She told Mr. Newbrough that his routine efforts to not to do what she ask is not lost on her, the dynamics are going to change, so she hopes he gets his act together. Mr. Fuda told Ms. Frenchko she is not there and doesn't know what the departments do. Ms. Frenchko asked Gary if Mr. Cantalamessa asked him not to respond to her email regarding a project because she has he email to prove it. Mr. Newbrough told Ms. Frenchko she has no credibility, rambles on, and suffers from some type of mental illness and that is the problem. Ms. Frenchko said Mr. Newbrough should be disciplined or terminated as it he was inappropriate.*

**Week of July 25, 2022**

**Meeting of July 27, 2022**

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**RE: ADJOURN**

**MOTION:** Made by Mr. Cantalamessa, seconded by Ms. Frenchko, to adjourn the Regular Meeting of July 27, 2022, and to meet again in Regular Session on August 3, 2022.

Yeas: Cantalamessa, Frenchko, Fuda

Nays: None

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

\_\_\_\_\_  
**FRANK S. FUDA, PRESIDENT**

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**MAURO CANTALAMESSA, COMMISSIONER**

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

**ATTEST:**

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