

Week Beginning October 24, 2022

Meeting of October 26, 2022

The Board of County Commissioners, Trumbull County, Ohio, met for a Regular Meeting on the 26th day of October 2022, at approximately 10:32 a.m., in the office of said Board, with the following members present:

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

*****Presentation by members of ‘ACTION’—the Mahoning Valley’s Food Truck**

Ms. Rose Carter, Director of ACTION, thanked the Board for allowing members of ACTION to speak about the Mahoning Valley’s Food Truck and the need for the market food truck in Trumbull County. Ms. Vickie Vickers gave a slideshow presentation and spoke about the need for a market in Trumbull County to help with hunger. She spoke about the success of the program in Mahoning County, program funding, and the importance of nutrition. Ms. Vickers invited the Commissioners to consider a funding proposal and explained how the funding is spent. Ms. Carter spoke about coordinating with other groups stating this collaboration has helped the food truck program be successful. Ms. Frenchko said she supports this program and would like to have a public discussion so the Board is complying with their ARPA funding rules and then seek and opinion from the ARPA law firm regarding funding the ACTION food truck program. Mr. Cantalamessa said this partnership would be beneficial to Trumbull County. Ms. Carter said they wouldn’t be as successful without the partnerships with MYCAP, Metropolitan Housing, and other senior citizen programs.

RE: MINUTES

1. **MOTION:** Made by Mr. Cantalamessa, seconded by Mr. Fuda to dispense with reading the minutes of the Regular Meeting dated October 19, 2022, and approve them as distributed/printed.

Yeas: Cantalamessa, Fuda
Nays: Frenchko

Ms. Frenchko said she was voting no because of some inaccuracies within the Minutes.

RE: APPROVE BILLS

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

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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 October 17, 2022 through October 21, 2022. Complete list of money transfers shall be recorded onto the Journal for record purposes.

❖ Departments/Offices requesting to transfer monies:

- Children’s Services \$ 100,000.00 Fund # 012
- Auditor \$ 970,000.00 Fund # 921

Yeas: Cantalamessa, Fuda
Nays: Frenchko

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

Ms. Frenchko voted no stating the Auditor’s Office did not give her an explanation. The Clerk said that she put some additional explanations in her box that Ms. Frenchko was waiting on. Ms. Frenchko said it was a printout--not an explanation.

RE: ADDITIONAL APPROPRIATIONS

4. MOTION: Made by Mr. Cantalamessa, seconded by Ms. Frenchko, to approve additional appropriations, as submitted to the Trumbull County Auditor’s Office between the dates of October 17, 2022 through October 21, 2022. Complete list of additional appropriations shall be recorded onto the Journal for record purposes.

❖ Departments/Offices requesting additional appropriations:

- Sheriff FY22 \$ 366,799.68 Fund # 106

Yeas: Cantalamessa, Frenchko, Fuda
Nays: None

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 October 17, 2022 through October 21, 2022. Complete list of appropriation transfers shall be recorded onto the Journal for record purposes.

❖ Departments/Offices requesting to transfer appropriations:

• Sheriff FY23	\$ 400.00	Fund # 105
• Common Pleas Court	\$ 65.00	Fund # 062
	\$ 288.00	Fund # 001
• Dom Rel/Juvenile Court	\$ 1,000.00	Fund # 033
• Probate Court	\$ 75.95	Fund # 001
• Sanitary Engineer	\$ 7,073.94	Fund # 600
	\$ 18,000.00	Fund # 600
	\$ 1,000.00	Fund # 602
	\$ 1,000.00	Fund # 602
• Election Board	\$ 6,000.00	Fund # 001
	\$ 12,117.63	Fund # 001

Yeas: Cantalamessa, Fuda

Nays: Frenchko

Ms. Frenchko voted no stating the courts have not been giving her explanations for the transfers.

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

RE: AMENDED CERTIFICATE NO. 28-2022
COUNTY BUDGET COMMISSION

6. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, to receive the Amended Certificate of the County Budget Commission No. 28 - 2022, for the fiscal year beginning January 1, 2022, dated October 26, 2022, increasing estimated resources in the funds listed:

- Sheriff FY22 Fund # 106

Yeas: Frenchko, Cantalamessa, Fuda

Nays: None

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RE: RECEIVE PETITION FOR ANNEXATION FOR APPROXIMATELY 31.381 ACRES OF LAND LOCATED IN HOWLAND TOWNSHIP AND VIENNA TOWNSHIP TO CITY OF NILES, OHIO AND TO REFER LEGAL DESCRIPTION OF PERIMETER AND MAP/PLAT OF TERRITORY PROPOSED TO BE ANNEXED TO COUNTY ENGINEER FOR REVIEW

7. MOTION: Made by Mr. Cantalamessa, seconded by Ms. Frenchko, to adopt a Resolution of the Board of Commissioners of Trumbull County, Ohio, entering upon its Journal the Filing of a Petition for Annexation seeking to annex approximately 31.381 acres of land located in Howland Township and Vienna Township to the City of Niles, Ohio; Establishing the Board Hearing date of Wednesday, December 7, 2022, at 11:30 a.m., Warren Ohio time, for said Petition—AND to Refer the Legal Description of the Perimeter and the Map or Plat of the Territory Proposed to be annexed to the Trumbull County Engineer for review.

NOTE: The Agent for the Petitioner, Attorney Nils Peter Johnson, Johnson & Johnson, 12 W. Main Street, Canfield, OH 44406 filed said Petition with the Clerk of the Board on October 4, 2022, 4:13 p.m. *Under the new Annexation Law, the Agent filed this Petition as a “Regular” Annexation—which requires a Public Hearing.*

Yeas: Cantalamessa, Frenchko, Fuda
Nays: None

RE: AUTHORIZE A 6-MONTH NO-COST TIME EXTENSION REQUEST, CHANGING ORIGINAL COMPLETION DATE OF 12/31/2022 TO 6/30/2023 TO OHIO DEPARTMENT OF DEVELOPMENT, OFFICE OF COMMUNITY DEVELOPMENT PY2020 TARGET OF OPPORTUNITY PROGRAM CARES ACT GRANT, B-D-20-1CS-4 AND AUTHORIZE FRANK S. FUDA TO SIGN ANY NECESSARY DOCUMENTS

8. MOTION: Made by Mr. Cantalamessa, seconded by Ms. Frenchko, to concur with the Trumbull County Planning Commission and authorize a 6-month, no-cost time extension request, changing the original completion date of December 31, 2022, to June 30, 2023, to the Ohio Department of Development, Office of Community Development for the PY2020 Target of Opportunity Program CARES Act Grant, B-D-20-1CS-4 AND authorize Frank S. Fuda to sign any necessary documents; this action per the recommendation of the Trumbull County Planning Commission.

NOTE: This request for the no-cost time extension will allow Trumbull County to complete all activities included in the grant program, including but not limited to providing assistance to the homeless population and activities geared towards the prevention of homelessness affected by the pandemic.

Yeas: Cantalamessa, Frenchko, Fuda
Nays: None

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

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RE: AUTHORIZE 5-MONTH, NO-COST TIME EXTENSION EXISTING AGREEMENT MATRIX DESIGN GROUP, INC. YOUNGSTOWN AIR RESERVE STATION MILITARY INSTALLATION SUSTAINABILITY PROJECT AND AUTHORIZE FRANK S. FUDA TO SIGN ANY NECESSARY DOCUMENTS

9. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, the Planning Commission is requesting that the Board of Trumbull County Commissioners authorize a 5-month, no-cost time extension of the existing agreement with Matrix Design Group, Inc., 2435 Research Parkway, Suite #300, Colorado Springs, CO 80920 for Consulting Services for the YOUNGSTOWN AIR RESERVE STATION MILITARY INSTALLATION SUSTAINABILITY PROJECT, EN718-20-02 set to expire November 30, 2022, AND authorizing Frank S. Fuda to sign any necessary documents. Extension is necessary to extend their contract through the end of April, 2023, in coordination with the grant extension request.

NOTE: The original contract award was approved on July 29, 2020, duly recorded in Journal Volume 151, Page 23348. The Board of Trumbull County Commissioners approved no-cost contract extensions with MATRIX DESIGN GROUP, INC., on July 8, 2021, Volume 153, Page 24108, a second no-cost extension was approved on March 23, 2022, Journal Volume 154, Page 24663, a third no-cost extension was approved on July 7, 2022, Journal Volume 154, Page 24919.

Yeas: Frenchko, Cantalamessa, Fuda
Nays: None

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

RE: AUTHORIZE FOURTH NO-COST TIME EXTENSION REQUEST THROUGH APRIL 30, 2023, TO DEPARTMENT OF DEFENSE OFFICE OF ECONOMIC ADJUSTMENT FOR COMPATIBLE USE PLANNING GRANT

10. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, the Trumbull County Planning Commission is requesting that the Board of Trumbull County Commissioners authorize a Fourth NO-COST TIME EXTENSION request through April 30, 2023, to the Department of Defense Office of Economic Adjustment for the compatible use planning grant, EN-718-20-02, due to the time impacts associated with COVID-19 illness, vacations, and holidays, that affected the availability of project staff and committee stakeholders over the past several months AND authorize Frank S. Fuda to sign any necessary documents; this action per the recommendation of the Trumbull County Planning Commission.

This request for the no-cost time extension will allow Trumbull County and its consultant, Matrix Design Group, to accomplish the essential public and stakeholder engagement and incorporate important feedback into the compatible use planning process ahead of the final publication of deliverables. The 5-month extension will allow for completion of the project with public and stakeholder engagement necessary for the project planning process and to achieve continued community support.

Yeas: Frenchko, Cantalamessa, Fuda
Nays: None

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

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RE: CONCUR WITH PLANNING COMMISSION'S REQUEST TO DESIGNATE PLANNING COMMISSION OFFICE THE DUTIES OF FLOODPLAIN ADMINISTRATOR AND APPOINT T. J. KEIRAN AS OFFICIAL FLOODPLAIN ADMINISTRATOR COUNTY SPECIAL PURPOSE FLOOD DAMAGE REDUCTION REGULATIONS

11. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, to concur with the Trumbull County Planning Commission's request for the Board of Trumbull County Commissioners to designate the Trumbull County Planning Commission Office the duties of the Floodplain Administrator and appoint T. J. Keiran as the official Floodplain Administrator on behalf of the Board of Trumbull County Commissioners including providing the budget and resources necessary to carry out said program in order to maintain (or not) participation in the National Flood Insurance Program in compliance with the adopted and revised Trumbull County Special Purpose Flood Damage Reduction Regulations AND agree to proposed written method of communication with the Board of Trumbull County Commissioners concerning floodplain enforcement and administration of the Trumbull County Special Purpose Flood Damage Reduction Regulations approved on May 5, 2010, Journal Volume 134, Page 15094.

NOTE: Staff is requesting each step of the floodplain enforcement and administration process be reviewed and formally approved by the Board of Trumbull County Commissioners in order to resolve any issues with the Board of Trumbull County Commissioners receiving and understanding communications related to the process that have transpired over the past several years AND approving any and all actions in a public meeting. The NFIP enables property owners to purchase Federal flood insurance that is not otherwise generally available from private insurers. In return, communities agree to adopt and administer local floodplain management measures aimed at protecting lives, new and substantially improved construction, and development in general from future flooding. Section 1315 of the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits the sale of NFIP flood insurance unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. If the county chooses to not participate in NFIP, flood insurance under the NFIP is not available to property owners within a community and federal officers or agencies are prohibited from approving any form of financial assistance for acquisition or construction purposes in a Special Flood Hazard Area (SFHA).

For example, this would prohibit loans guaranteed by the Department of Veterans Affairs, insured by the Federal Housing Administration, or secured by the Rural Housing Services. Also, if a presidentially declared disaster occurs as a result of flooding in a non-participating community, no Federal financial assistance can be provided for the permanent repair or reconstruction of insurable buildings in SFHAs.

Yeas: Frenchko, Cantalamessa, Fuda

Nays: None

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RE: CONTINUE ENFORCEMENT PROCEEDINGS AGAINST OWNERS OF PROPERTIES IDENTIFIED BY (FEMA) AND (ODNR) DURING 04/ 29/2020 AUDIT AS BEING IN VIOLATION OF COUNTY SPECIAL PURPOSE FLOOD DAMAGE REDUCTION REGULATIONS (FLOODPLAIN REGULATIONS) AND AUTHORIZE PLANNING COMMISSION TO MOVE FORWARD WITH ACTION ITEMS DESCRIBED HEREIN IN ORDER TO MAINTAIN COMPLIANCE WITH TRUMBULL COUNTY SPECIAL PURPOSE FLOOD DAMAGE REDUCTION REGULATIONS WHICH ENSURES THE COUNTY MAINTAINS ELIGIBILITY FOR COVERAGE UNDER THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP)

12. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, to approve the request that the Board of Trumbull County Commissioners authorize the Trumbull County Planning Commission to:

A). Continue enforcement proceedings against owners of properties identified by the Federal Emergency Management Agency (FEMA) and the Ohio Department of Natural Resources (ODNR) during its April 29, 2020 audit as being in violation of the Trumbull County Special Purpose Flood Damage Reduction Regulations (Floodplain Regulations); and

B). Receive and place on record the following information contained in items #1 through 11 below; and

C). Authorize the Planning Commission to move forward with action items described in #8, 9 & 10 in order to maintain compliance with the Trumbull County Special Purpose Flood Damage Reduction Regulations which ensures the county maintains eligibility for coverage under the National Flood Insurance Program (NFIP).

The Board recognizes that:

- 1. Trumbull County is required to bring the eight properties identified as having potential violations by FEMA and ODNR during the April, 2020, audit into compliance with the Floodplain Regulations in order for Trumbull County to maintain eligibility for coverage under the NFIP. As of June, 2020, there were 231 flood insurance policies held by property owners located throughout unincorporated areas of Trumbull County providing \$38,784,200 worth of coverage. The NFIP enables property owners to purchase federal flood insurance that is not otherwise generally available from private insurers.

In return, communities agree to adopt and administer local floodplain management measures aimed at protecting lives, new and substantially improved construction, and development in general from future flooding. Section 1315 of the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits the sale of NFIP flood insurance unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. If the county chooses to not participate in the NFIP, flood insurance under the NFIP will not be available to property owners within a community and federal officers or agencies are prohibited from approving any form of financial assistance for acquisition or construction purposes within a Special Flood Hazard Area (SFHA). For example, this would prohibit loans guaranteed by the Department of Veterans Affairs, insured by the Federal Housing Administration, or secured by the Rural Housing Services. Also, if a presidentially declared disaster occurs as a result of flooding in a non-participating community, no federal financial assistance can be provided for the permanent repair or reconstruction of insurable buildings in SFHAs.

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12. TRUMBULL COUNTY SPECIAL PURPOSE FLOOD DAMAGE REDUCTION REGULATIONS (Cont'd)

2. The April, 2020, audit identified eight properties with possible violations. The current status is:
 - a. 2 properties were found to not contain violations;
 - b. 2 properties are in the queue for enforcement actions;
 - c. 4 properties have been served with Violation Notices and of those:
 - i. 1 property owner made the necessary improvements to achieve compliance status and is no longer a violation;
 - ii. 2 property owners did not respond to the Violation Notice. Procedurally, the next step is for Trumbull County to file at the Court of Common Pleas and ask the court to compel compliance;
 - iii. 1 property owner appealed the Violation Notice to the Trumbull County Floodplain Variance Board and a hearing was held on July 15, 2022. The Floodplain Variance Board upheld the enforcement action. On September 13, 2022, the property owner appealed the Floodplain Variance Board's ruling to the Court of Common Pleas. The Trumbull County Board of Commissioners is included as a defendant in that case.
 - d. Five of the six properties with violations were built in the 1990's and the sixth property was built in 2018.
3. When a property owner obtains a mortgage or refinances their mortgage, the lending institution requires flood insurance for properties within a SFHA. If the insurance provider notices a discrepancy an application is filed with FEMA to establish an insurance rate specific for that property. It is during the "Submit for Rate" process that these cases from the 1990's arose.
4. According to FEMA, these cases from the 1990's were identified in an audit conducted in 2011, however, no enforcement actions were taken necessary to achieve compliance by the entity responsible for Floodplain Administration relative to these historic cases.
5. The Board of Trumbull County Commissioners appointed Isaac Wiles Law Firm, upon a recommendation from the Prosecutor's Office, to assist with the floodplain enforcement proceedings (November 24, 2021, Journal Volume 154, Page 24422) related to the identified violations. On April 27, 2022, Isaac Wiles Law Firm's Attorney Aaron Glasgow briefed the Board of Trumbull County Commissioners on the proposed floodplain enforcement procedures during an Executive Session. To date, \$21,435.07 has been paid to the Isaac Wiles Law Firm to assist with enforcement actions and in determining potential liabilities associated with each case. Substantial time has been spent by Isaac Wiles Law Firm, the Floodplain Board Members, the Building Official and the Trumbull County Planning Commission performing enforcement actions and/or assisting property owners achieve compliance.
6. Staff met with the Ohio Emergency Management Agency Director to discuss Hazard Mitigation Grant Funds and participated in a public meeting hosted by the Warren Township Trustees to discuss grant funding opportunities for property owners. No property owners indicated an interest in participating in the program. Hazard Mitigation Grant Funds MAY NOT be used to assist property owners that have already been identified by FEMA and ODNR to be in violation of the flood regulations which applies to the eight properties identified in the 2011 and 2020 audit.

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12. TRUMBULL COUNTY SPECIAL PURPOSE FLOOD DAMAGE REDUCTION REGULATIONS (Cont'd)

7. Staff researched Ohio Public Works “Clean Ohio” Program funds that are used to purchase and demolish a structure then place the property in a conservation easement to be used for flood water storage capacity. Unfortunately, single-family residential properties located on small lots are not competitive under the program’s current scoring methodology.
8. The Board of County Commissioners discussed the use of ARP funds to assist the property owners identified in the recent audit. **The Trumbull County Planning Commission is requesting the status of this proposal, specifically, has a request been submitted to the ARP attorney requesting a review for eligibility. If no action has been taken to date, does the Board of Trumbull County Commissioners want the Floodplain Administrator to communicate with the ARP attorney regarding eligibility.**
9. The FEMA staff and the ODNR Floodplain Administrator responsible for conducting the 2020 audit have not provided clear responses to questions posed to date and stated that mitigation measures must be approved by FEMA and ODNR. The means for compliance remains unknown. FEMA and ODNR, during the September, 2022, meeting suggested that Trumbull County and/or the property owners conduct expensive surveys and studies and present them to FEMA and ODNR for their review and then they will be able to offer mitigation measures if any. **Does the Board of Trumbull County Commissioners wish to commit funds to conduct the required surveys and hydrological analysis on properties identified in the 2020 audit to determine the magnitude of the impact the identified violators of the Floodplain Regulations have on the SFHA.** A hydrologic engineer informed staff that the studies would most likely not demonstrate a “No Rise” situation for many of the identified property owners and may or may not result in a positive outcome benefiting a property owner.
10. **If Item 9 above is approved, the Trumbull County Planning Commission is requesting permission to rank three pre-qualified firms using the Quality Based Selection Process pursuant to ORC 153.68, select the most qualified firm and negotiate a price proposal with said firm to provide a detailed scope of work and certified cost estimate for any and all surveys, studies, etc. for all properties identified in the audit AND to assist with preparing and submitting any and all grant applications for identified projects eligible for funding. Additional action steps would follow. Staff will request permission from the Board of Trumbull County Commissioners to conduct future action steps individually.** FEMA and ODNR have stated that once they are in receipt of the surveys and studies they will be able to provide detailed instruction on mitigation measures acceptable to their agencies in order for Trumbull County to maintain good standing under NFIP. The mitigation measures may result in less expensive remedies for the property owner or it may result in requiring that the property owner complete expensive renovations to their property. This is an unknown variable and if the costs are exorbitant the property owner will most likely not be able to complete the mitigation measures.
11. FEMA and ODNR staff contributed to the compilation of an enforcement flowchart drafted by Trumbull County Planning Commission staff which is used to demonstrate enforcement processes as provided in the adopted floodplain regulations. The Floodplain Regulations and related flowchart state that Trumbull County is responsible to carry out enforcement proceedings to the Court of Common Pleas. In a September 1, 2022, floodplain enforcement status meeting, neither FEMA nor ODNR staff could answer the question posed “If an enforcement action is taken to the Court of Common Pleas and the judge rules in favor of the property owner has Trumbull County achieved compliance with enforcement of the Floodplain Regulations and subsequently maintain good standing under NFIP.” FEMA and ODNR staff said the answer will depend on the judge’s ruling and that they would try to secure a response and relay via e-mail. No e-mails have been received to date.

Yeas: Frenchko, Cantalamessa, Fuda

Nays: None

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**RE: EMPLOYMENT TRANSFER -MS. NICOLE WHITE
FROM POSITION OF SEWER MAINTENANCE
CREWLEADER TO POSITION OF TREATMENT
PLANT OPERATOR-- SANITARY ENGINEER'S
DEPARTMENT EFFECTIVE OCTOBER 27, 2022**

13. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, to approve the personnel action for the employment transfer of MS. NICOLE WHITE from the position of SEWER MAINTENANCE CREWLEADER Pay Range 7, (1 year) \$18.88 to the position of TREATMENT PLANT OPERATOR – MCWWTP Pay Range 8, (1 year) \$20.36 with the Trumbull County Sanitary Engineer's Department, effective Thursday, October 27, 2022, *pursuant to the authorized job posting of October 11 to 19*; this action per the recommendation of the Human Resources Department in conjunction with the Sanitary Engineer's Department.

NOTE: This vacancy is due to an employee resignation. As a condition of the transfer, Ms. White has 18 months to earn an Ohio EPA Class I Wastewater Operator license.

Yeas: Frenchko, Cantalamessa, Fuda

Nays: None

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

14. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, to concur with the Trumbull County Engineer to grant the Special Annual Supplier Fleet Permit 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 company listed. The necessary permit fee and insurance information have been submitted and approval is subject to the conditions listed on the permit.

- **O.K. BRUGMANN, LLC**
4083 Mennonite Rd., Mantua, OH 44255
Permit No.: AF-067-2022
Permit Effective: November 13, 2022 through November 13, 2023

Yeas: Frenchko, Cantalamessa, Fuda

Nays: None

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

15. 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 EAST OHIO**, 320 Springside Drive, Akron, OH 44333, to work in the right-of-way of Everett Hull Rd. (C.H. 193 B), in order to install a gas service line at service address #3791. This will be located approximately 2,700' east of Ridge Rd., (C.H. 159) in Fowler Township.
- **BYLER'S BUSINESS SERVICES**, 5775 Hurlbert Rd., Rome, OH 44062, to install a minimum of 30 feet of 15" HDPE double wall conduit for a driveway access across from 5148 Girdle Rd. This will be located approximately 1,225' north of Old State Road (C.H. 206) in Farmington Township.

Yeas: Frenchko, Cantalamessa, Fuda
Nays: None

**RE: AGREEMENT BETWEEN SHERIFF PAUL S. MONROE
AND NEWTON TWP. TRUSTEES FOR EXPANDED
POLICE SECURITY AND SERVICE WITHIN
GEOGRAPHICAL BOUNDARIES OF NEWTON
TOWNSHIP, OHIO**

16. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, to approve an Agreement by and between TRUMBULL COUNTY SHERIFF, PAUL S. MONROE, and the NEWTON TOWNSHIP BOARD OF TRUSTEES, 4410 Newton-Bailey Road, P.O. Box 298, Newton Falls, OH 44444, for expanded police security and service within the geographical boundaries of Newton Township, Ohio. The Newton Township Board of Trustees agrees to pay the Trumbull County Sheriff's Office the total amount of \$54,500.16 per year due and payable on a monthly basis which is to be effective for twenty hours (24) per weekly dedicated service—due and payable on a monthly basis. The contract is effective for the period of August, 2022 through August, 2023. The Sheriff agrees to furnish one (1) deputy to provide police protection and service to all geographical locations under the jurisdiction and control of the Newton Township Trustees; this action per the request of the Trumbull County Sheriff and is subject to review and approval of the Prosecutor's Office.

Yeas: Frenchko, Cantalamessa, Fuda
Nays: None

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RE: EXTEND CURRENT PROFESSIONAL MEDICAL SERVICE AGREEMENT WITH PHILLIP P. MALVASI, D.O., TO PROVIDE MEDICAL CARE/TREATMENT FOR INMATES AS LISTED --ADULT JUSTICE CENTER EXTENSION EFFECTIVE 12/10/2022--3/09/2023

17. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, to extend the current Professional Medical Service Agreement with PHILLIP P. MALVASI, D.O., 1017 Youngstown-Warren Road, Niles, OH 44446, to provide medical care and treatment for inmates and to perform certain medical services during their incarceration in the Trumbull County Adult Justice Center for a 90-day period, based upon the current rate of \$52,773.81 per month - payable from Fund No. 001-020-1400-1415-1-505611. This extension will be effective December 10, 2022 and ending March 9, 2023, or as extended by mutual written agreement of the parties, under the same terms and conditions of the Professional Medical Service Agreement currently in effect for the period of December 10, 2021 thru December 9, 2022; this action per the request and recommendation of the Trumbull County Sheriff Paul Monroe and Major Daniel Mason.

Yeas: Frenchko, Cantalamessa, Fuda
Nays: None

Ms. Frenchko said Dr. Malvasi's extension was requested as a one-month extension when she met with the Sheriff's Office at her department head meeting, but was extended for 90 days because the contract expires in December.

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

RE: ACCEPT 35nd RENEWAL OF VOCA & SVAA GRANT AWARDS FOR VICTIM/WITNESS DIVISION OF PROSECUTOR'S OFFICE

18. MOTION: Made by Ms. Frenchko, seconded by Mr. Cantalamessa, to authorize Frank S. Fuda, President of the Board of Trumbull County Commissioners, to execute on behalf of Trumbull County, the 35th renewal of the Victims of Crime Act (VOCA) and the State Victim Assistance Act (SVAA) Grant Application Proposal for the TRUMBULL COUNTY VICTIM/WITNESS DIVISION of the Trumbull County Prosecutor's Office. The Grant is for the period of October 1, 2022 through September 30, 2023--the total proposed amount of the Grant is \$75,972.00—with Victims of Crime Act (VOCA) Grant monies funding \$66,582.00 and Trumbull County's local 20% required match of \$16,644.00 and with an additional \$9,390.00 in State Victim Assistance Act (SVAA) funding being requested—which requires no match from Trumbull County. This will include the continuation of three (3) Victim/Witness Division employees, along with an updated technical equipment employee training, supplies and postage. The Attorney General's Office has frozen funding at the same amount from the previous year. This award was decreased by 35% each year for two years. The letter from the Prosecutor's Office, dated October 20, 2022, and the signature page of the Grant application shall be recorded onto the Journal for record purposes; this action per the recommendation of the Trumbull County Prosecutor's Office.

SPECIAL NOTE: AT SUCH TIME AS TRUMBULL COUNTY DOES NOT RECEIVE FUNDING BY THE ATTORNEY GENERAL'S OFFICE FOR THESE GRANTS, THE BOARD OF TRUMBULL COUNTY COMMISSIONERS HAS NO OBLIGATION TO FUND THIS PROGRAM.

Yeas: Frenchko, Cantalamessa, Fuda
Nays: None

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Ms. Julie Green asked the Board to clarify if part B and C were approved during the vote for Item #12 and not only Part A. Mr. Cantalamessa said he was under the assumption they were approving the entire Agenda Item.

MS. FRENCHKO made a motion from the floor to Modify the motion approving Part B and C of Item #12.

MOTION TO MODIFY DIED FOR A LACK OF A SECOND.

Mr. Cantalamessa said they already approved Agenda Item #12 in its entirety when they previously voted.

Summarized Comments:

Mr. Brian Ames said he attended the Investment Advisory Committee Meeting and there needs to be a Resolution passed appointing the Board of Commissioners as members to the Investment Advisory Committee. Mr. Ames stated this should be passed at the beginning of the year and he sent an email prior regarding this issue. Ms. Tonya Brown spoke about Item #12 and FEMA/Property issues. She asked the Board for help stating it was a long and complex issue. Ms. Brown stated she purchased land in a special flood hazard area, met with the former Planning Director, obtained all necessary permits, and took all necessary steps to avoid costly flood insurance for length of her loan. Ms. Brown stated her bank purchased Chemical Bank and was threatened with forced flood insurance. Her former bank informed her that her property was never removed from the special flood hazard area because the final elevation certificate was lost and the letter of map revision was never filed. She said she learned Mr. Keiran was now the contact for the Planning Commission and helped her resubmit documents to FEMA. Ms. Brown said instead of receiving the form, a letter addressed to Mr. Fuda was sent in 2020 documenting some errors. Ms. Brown said she didn't receive a response, so she assumed everything was worked out. She further stated Chemical was sold to Huntington and she received the letter again. Ms. Brown said no one from Planning, the Commissioners' Office, or FEMA visited her property and would have seen her property is higher than the homes around her. Ms. Brown stated she's spent \$19,000 on fill dirt to elevate the her property. Ms. Brown said she feels her property and the property of others could be remapped through FEMA and removed from the area all together. Ms. Brown asked the Board if they could meet with her to review her documentation and assist her with the FEMA/Property issue. Ms. Frenchko told Ms. Brown that she talked to the Planning Director about the issue and they have to comply in order to maintain the necessary insurance. Ms. Frenchko said some of the legislation that was passed today will allow the Planning Commission to seek other avenues to help Ms. Brown and others that are in the same situation. Ms. Frenchko said she would like to see a study done that could be hopefully be funded with ARPA Funds. Ms. Frenchko said there are other funding sources that could help as well. Ms. Frenchko feels confident the Planning Commission will find ways to help the homeowners. Ms. Frenchko said it's not the County's position to be punitive and this occurred because of an audit. Mr. Fuda commended the Planning Commission staff stating they are some of the best grant writers in the state of Ohio. Mr. Cantalamessa said the County does have to comply with the regulations, but will exhaust every option looking into funding sources to assist the residents. Ms. Brown said she did everything she was supposed to and one wrong number on a form put her in this situation. Ms. Frenchko asked the Board if they were okay to move forward in asking the ARPA attorneys for an opinion in using ARPA Funds to perform a study. Mr. Cantalamessa said he was in agreement and it was part of the Resolution they passed. Ms. LeAnne Rimar asked about the status in dealings with the AWL and the pound. Mr. Cantalamessa said he attended an initial walk through with Mr. Misocky and the Dog Warden. He further stated there is an enormous amount of space at AWL and they have an adoption area, and a park with lots of room for the dogs to run. He said they are working on logistics now in regards to the amount of space that is needed. Ms. Rimar asked if there is any place the dogs could be housed that are currently outside. Mr. Cantalamessa said the Board has looked county spaces and the only place that could be a possibility would be the fairgrounds and the fair board runs it so they will look into that option. Amanda Hebert got up to speak. Ms. Frenchko said the Board has a meeting at 11:30 a.m. Ms. Frenchko left the meeting at approximately 11:20 a.m. Ms. Hebert said she will wait to speak when Ms. Frenchko is present as her comments pertain to lies that Ms. Frenchko has told. Ms. Rimar said everyone deserves to be heard as Ms. Frenchko works for them. Ms. Frenchko came back in the room for a brief moment and stated she was meeting with someone and that is why she left. Ms. Rimar told Ms. Frenchko she needs to tell them to wait as she needed to allow time for the Commissioners' meeting and it's just an excuse. Mr. Fuda stated they cannot control what another Commissioner chooses to do. Mr. Rimar asked Mr. Fuda and Mr. Cantalamessa how Ms. Frenchko gets away with walking out of meetings when certain people come up to speak, stating they have a right to speak, and they sign her paycheck. Ms. Shawn Shook said the people need to pay attention to what Ms. Frenchko is doing as she leaves when people are trying to voice their point of view.

Week Beginning October 24, 2022

Meeting of October 26, 2022

RE: ADJOURN

MOTION: Made by Mr. Cantalamessa, seconded by Mr. Fuda, to adjourn the Regular Meeting of October 26, 2022, and to meet again in Regular Session on November 2, 2022.

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