

FRANKLIN COUNTY BOARD OF COMMISSIONERS

MINUTES OF GENERAL SESSION

April 9, 2019

The Franklin County Board of Commissioners convened in the Commissioners Hearing Room at 9:00 A.M. on Tuesday, April 9, 2019.

Present were: Marilyn Brown, President
John O'Grady, Commissioner
Kevin L. Boyce, Commissioner

Also present on the dais were Harold Anderson, Director of Business Contracts, Prosecutor's Office; Erik Janas, Deputy County Administrator; Zachary Talarek, Director, Office of Management and Budget; and Antwan Booker, Clerk to the Board of Commissioners.

President Brown called the meeting to order at 9:01 A.M.

President Brown: Today we are celebrating World Autism Day with Autism Speaks. We have a special guest with us this morning to help recognize the 12th Annual World Autism Day; Michael Hartley, President of Swing State Strategies representing Autism Speaks.

Mr. Hartley: I appreciate that you bring awareness to Autism. I have with me Sheri Weithman, Director, Columbus Autism Speaks. April 2nd is World Autism Day and the month of April is Autism Awareness Month. In the US alone, 1 in 59 children are effected by autism. There are about 70 million people with autism. The autism spectrum disorder, one can be diagnosed by age two, but the average in the United States is about five. Studies show that low income and minority children are diagnosed at later ages. One of the projects we are working on is closing that diagnosis gap. The earlier you can work with the child, the better the results.

President Brown: Are the outcomes better for a child when you have earlier intervention?

Mr. Hartley: Studies show that they are. One of the big things is the transition. There are approximately 50,000 students that transition out of school based services each year. One half of 25 year olds with autism has never held a paying job, even though many are willing and able to work. Autism Speaks works with families as they prepare for transitioning. For most, autism is a lifelong condition.

Ms. Weithman: Thank you for having us. We need more than just awareness. It has to be an understanding and acceptance. It is through this understanding and acceptance that we open doors

for those with autism. Employment and transition services are important. We want every child with autism to have a successful and meaningful life.

We have a fundraiser every year with Panera. The money stays locally with Autism Speaks Columbus. This enables us to hand out grants, and helps our research at Nationwide Children's Hospital. This is our biggest fundraiser of the year. We also partner with Sesame Street to bring awareness to autism as well.

(group picture)

President Brown: This morning we welcome our devoted leadership team from Franklin County Animal Care and Control to celebrate National Animal Care and Control Appreciation Week. We are always proud of the work you and your staff do Kaye Dickson, and this week we would like to especially show our gratitude and appreciation for the public safety work you do.

Ms. Dickson: This is National Animal Care and Control Appreciation Week and we wanted to remind everyone how important it is to the communities. We keep people healthy and safe. Our Animal Control Officers are under appreciated by the public. We wanted to acknowledge all they do for us.

President Brown: Thank you for what you do to keep our animals safe and the people who work and volunteer at the Shelter.

(group picture)

President Brown: We are pleased to announce the release of our State of the County report. We are proud to say that our County is strong. This is our chance to talk about all of the good things we are doing. We also know there is room for improvement. Please pick up a copy at the back of the room or read the report online at report.franklincountyohio.gov.

Approval of the minutes of the March 26, 2019 General Session, and the minutes of March 28, and April 4, 2019 Briefing Session. Commissioner Boyce moved to approve the minutes, seconded by Commissioner O'Grady. The minutes were unanimously approved by roll call vote.

Resolution No. 248-19, resolution authorizing participation in the Ohio Department of Transportation winter contract for road salt, Franklin County, Ohio (Engineer), presented by Cornell Robertson, County Engineer, Engineer's Office.

Mr. Robertson: This is our annual resolution to participate in the annual ODOT road salt contract. It allows for a collection of agencies to partner and increase the quantities to be bid upon and try to get lower unit prices.

Commissioner Boyce moved to approve Resolution 248-19, seconded by Commissioner O'Grady. The Resolution was unanimously adopted by roll call vote.

President Brown: We have a Public Hearing. Can the Clerk please read the Public Hearing?

PUBLIC HEARING—Resolution regarding establishing, altering and widening of Reynoldsburg-New Albany Road at Havens Road, Jefferson Township, Franklin County, Ohio, viewed – Engineer to file plans as necessary.

President Brown: I would like to open up the Public Hearing for this resolution. Is there anyone here in the audience who would like to speak on this Public Hearing? Seeing none, I would like to close the Public Hearing and have the clerk read the resolution into record.

Resolution No. 249-19, resolution establishing, altering and widening of Reynoldsburg-New Albany Road at Havens Road, Jefferson Township, Franklin County, Ohio, viewed – Engineer to file plans as necessary (Engineer), presented by Mr. Robertson.

Mr. Robertson: Commissioners, this resolution is the second in a series of two to declare the project necessary and will allow us to move forward with the project, begin design, and right of way acquisition as needed.

Commissioner Boyce moved to approve Resolution 249-19, seconded by Commissioner O'Grady. The Resolution was unanimously adopted by roll call vote.

President Brown: We have a Public Hearing. Can the Clerk please read the Public Hearing?

PUBLIC HEARING—Resolution regarding establishing, altering and widening of Alum Creek Drive at Rohr Road, Hamilton Township and Madison Township, Franklin County, Ohio, viewed – Engineer to file plans as necessary.

President Brown: I would like to open up the Public Hearing for this resolution. Is there anyone here in the audience who would like to speak on this Public Hearing? Seeing none, I would like to close the Public Hearing and have the clerk read the resolution into record.

Resolution No. 250-19, resolution establishing, altering and widening of Alum Creek Drive at Rohr Road, Hamilton Township and Madison Township, Franklin County, Ohio, viewed – Engineer to file plans as necessary (Engineer), presented by Mr. Robertson.

Mr. Robertson: This is similar to the previous resolution. This will allow us to move forward with the project, begin design and right of way acquisition if needed. This is the second resolution in a series of two.

Commissioner Boyce moved to approve Resolution 250-19, seconded by Commissioner O'Grady. The Resolution was unanimously adopted by roll call vote.

Resolution No. 251-19, resolution authorizing the Franklin County Engineer to enter into a contract modification with Shelly & Sands, Inc. for the Hamilton Road Improvement Project, (an increase of \$288,258.50) for a revised contract amount of \$12,405,254.89 (Engineer), presented by Fritz Crosier, Chief Deputy Engineer, Engineer's Office.

Mr. Crosier: On May 26, 2015, the Board approved a resolution awarding a construction contract to Shelly and Sands, Inc. for the Hamilton Road Improvement Project. This resolution seeks approval to modify the contract with Shelly and Sands. They were asked to provide additional services including replacing an existing culvert and additional waterline work. The additional cost of the waterline will be reimbursed by the City of Gahanna.

Commissioner Boyce moved to approve Resolution 251-19, seconded by Commissioner O'Grady. The Resolution was unanimously adopted by roll call vote.

Resolution No. 252-19, resolution for preliminary allocation and final encumbrance of County Motor Vehicle License Fee (\$5) Funds for the City of Gahanna (\$415,000.00)(Engineer), presented by Mr. Crosier.

Mr. Crosier: The City of Gahanna has requested to use of a portion of the \$5 Fund to improve McCutcheon Road between Stygler Road and the western corporation limit and to resurface Morrison Road from the southern corporation limit to Taylor Road. The County Engineer has reviewed the proposed use of funds and has determined that they meet the allowable use.

Commissioner Boyce moved to approve Resolution 252-19, seconded by Commissioner O'Grady. The Resolution was unanimously adopted by roll call vote.

Resolution No. 253-19, resolution Final encumbrance of County Motor Vehicle License Fee (\$5) Funds to the City of Whitehall (\$40,000.00)(Engineer), presented by Mr. Crosier.

Mr. Crosier: The Board previously passed a resolution approving preliminary allocation of Motor Vehicle License Fee for the City of Whitehall to improve E. Broad Street between Hamilton Road and Robinwood Avenue. The City has submitted detailed design plans to the County Engineer. Our office have reviewed those plans and determined they meet the allowable use.

Commissioner Boyce moved to approve Resolution 253-19, seconded by Commissioner O'Grady. The Resolution was unanimously adopted by roll call vote.

Resolution No. 254-19, resolution authorizing the settlement of legal claims brought in the Franklin County Common Pleas Court, being Case No. 18CV-0849, styled as Barnes v. Krieg, et al., (\$8,000.00)(Sheriff), presented by Dave Masterson, Director of Administrative Services, Sheriff's Office.

Mr. Masterson: This resolution approves a settlement of a bodily injury lawsuit from a vehicle accident that occurred on February 2, 2016. Per the recommendation from the Prosecutor's Office, this resolution offers payment of \$8,000 to settle the claim.

Commissioner Boyce moved to approve Resolution 254-19, seconded by Commissioner O'Grady. The Resolution was unanimously adopted by roll call vote.

Resolution No. 255-19, resolution authorizing a contract with Creative Breakthroughs, LLC (CBI) to provide deliverable-based services to the Franklin County Treasurer (\$12,595.88)(Treasurer), presented by Mary McGovern, Budget and Purchasing Coordinator, Treasurer's Office.

Ms. McGovern: This resolution seeks an approval of a contract with Creative Breakthroughs so they may conduct a security audit to identify and help any vulnerabilities to our current system.

Commissioner Boyce: Does every agency conduct an evaluation of their security risk of their technology?

Erik Janas, Deputy Administrator: I do not know the answer to that question, Commissioner. I will talk with our Chief Information Officer and get that information for you.

Commissioner Boyce moved to approve Resolution 255-19, seconded by Commissioner O'Grady. The Resolution was unanimously adopted by roll call vote.

Resolution No. 256-19, resolution authorizing a transfer of General Fund appropriations in order to provide the budgetary allotment for meeting April payroll and other obligations (Board Of Elections), presented by Ed Leonard, Director, Board of Elections.

Mr. Leonard: This resolution is for appropriations for the month of April. The increase includes expenditures that occur for the upcoming May primary and for the implementation of the new voting equipment. I've also shared the draft mailer would go to every registered voter in Franklin County and includes information about the voting equipment, security

and the disability friendliness of the equipment. It would also have information about being a poll worker.

President Brown: Is this part of a comprehensive media plan that the Board of Elections is looking to consider?

Mr. Leonard: This will be the major component of it, in addition to the outreach for this year.

Commissioner O'Grady: This is a good piece of information. Do you know if the members of your board can reconsider their position on whether or not to advertise the election this year?

Mr. Leonard: Their position has not changed. We have a formal meeting coming up. This information will be presented as a potential solution. We have been working to scale back the costs because that has been a concern by members of the board.

President Brown: There is a lot of information in this mailer and I believe it could overwhelm anyone receiving it. It concerns me if this is the only thing going out to registered voters. I have had staff go through the training and it is not as easy as everyone says. I do not want to put any fear in anyone. This is a big change and it concerns me that we are not being as responsive to our voting public. It is critically important to have multiple avenues of education.

Mr. Leonard: I have expressed your concerns, Commissioners.

Commissioner Boyce moved to approve Resolution 256-19, seconded by Commissioner O'Grady. The Resolution was adopted by roll call vote with Commissioner O'Grady voting no.

Resolution No. 257-19, resolution authorizing a Contract with Ohio Basement Authority for the Sanitary Sewer Connections of Single Family Residences in the Mon-E-Bak and Brown Road East Service Areas – Round 1 (\$1,156,246.80)(Sanitary Engineers), presented by Ryan Stowe, Project Manager, Sanitary Engineers.

Mr. Stowe: Sanitary Engineering is requesting the authorization of a contract with Ohio Basement Authority to perform the sanitary sewer connections from the improved homeowners in the Mon-E-Bak and Brown Road East Service Areas. Through RFP2018-09-36, Ohio Basement Authority was determined to be the lowest and best to execute this contract for the County. In November 2017, the County allowed this area to become available for residents to connect. For the residents who may not be able to afford the cost of the mandatory connection, the Sanitary Engineers is offering financial assistance for those who qualify. For Round 1 of the financial assistance, we received 133 applications and 87 met the program requirements and were approved. Ohio Basement Authority's scope of work includes making connections from the house to the sewer, performing all

plumbing work to ensure all drains are tied in, abandoning the existing onsite treatment system and restoration of the property. All work performed is covered by a one year warranty. Funding for this project was secured from the Water Pollution Control Loan Fund, which is jointly administered by the Ohio Environmental Protection Agency and the Ohio Water Development Authority.

President Brown: We have one public speaker on this resolution. Nana Watson, NAACP, will you come up and speak?

Ms. Watson: Good morning Commissioners. I have a question about minority participation. The NAACP is always concerned about this issue. Will you have minorities included in this project? If so, who are they and what good faith efforts have you used to accomplish this?

Stephen Renner, Director, Sanitary Engineers: We are always open and looking for opportunities. I reach out to COMBA very often. I do not recall the number of sub-contractors on this contract.

Mr. Stowe: WPCLF mandates DBE participation. That was met through Bridges Brothers Trucking, which was secured by Ohio Basement Authority.

Ms. Watson: How much was it?

Mr. Stowe: I believe it amounts to \$50,000.00.

Ms. Watson: How did you do outreach so that black businesses had the opportunity to bid on this project?

Mr. Stowe: We followed the ORC to execute this bid. In order to work on our projects, you have to be a City of Columbus approved contractor. That widdled down our pool. I worked with Purchasing to make sure the word got out about this project.

Ms. Watson: The challenge for the NAACP is that we need to help educate the County and contractors on what good faith efforts are. To have good faith efforts, you need to have plans available in the black community, post ads in newspapers and do outreach. If you do not, this is what we are going to get. COMBA is out of business.

Commissioners, I would like to expand on some other issues. Can I proceed Commissioners?

President Brown: You may proceed.

Ms. Watson: Thank you Commissioners. The NAACP has expressed their concerns about the MOU on the new Corrections Center two years ago. We did a public records requests. I just received information from your Public Information Office and will review afterwards.

From the outset, it looks like good faith efforts were calling, leaving messages and sending emails. It is troubling to us that four out of the five SEBE contractors are outside of the County and State. How is this stimulating our economy by doing this? Do you know how to capture the data of good faith because leaving voicemails and emails are not a good faith effort? In the Construction Inclusion Team meetings, we wanted to know the repercussions if a contractor does not do a good faith effort. I am waiting for an answer. One of the members submitted a proposal to assist in this matter.

President Brown: This is the first I am hearing about this and would like to discuss this matter with our team before responding.

Commissioner Boyce: Thank you for coming down. Your concerns are legitimate. The standards we hold is a high standard. We are doing more things than we have done so in the past. We have been strong supporters that we have an inclusive system. I need you to understand that we are just getting to the point to review all the information. In my opinion, we have made a lot of progress. The better question is how do we qualify more firms locally? This is where we need to get better.

Ms. Watson: We are here to help.

Commissioner Boyce: It would be helpful if Keena Smith, Deputy Administrator, gives us an update on the inclusion work.

Commissioner O'Grady: We get weekly reports and see that some of the contracts are not in Central Ohio. This is a struggle we have been trying to address.

Ms. Smith: We appreciate the help that the NAACP have offered. We have been making progress. We are above our aspirational goal. There are other challenges in qualifying our local companies. We find that we do not always have companies in our local jurisdiction that are signatory to the union and qualify under the MOU. Our outreach efforts have focused on bringing all of the companies to the table, and sharing with them the opportunity to become signatory to the union. Our union partners are onsite at these outreach events.

Kris Long, Deputy Administrator: In context, we have work to do. This is the first time we have had an aspirational goal. We are learning during this process and welcome assistance. We are moving in the right direction. The aspirational goal is 12% on an incredibly difficult and specialized project. We are currently north of 20%. In addition, market conditions are astronomical. So we have work to do? Yes. But I truly believe we are moving in the right direction. I look forward to moving even further ahead.

Commissioner Boyce: The good faith effort issue, I would like to continue this dialogue in the future.

Ms. Smith: We welcome to be transparent as possible with our good faith efforts and will work with Ms. Watson.

Mr. Renner: I just wanted to let Ms. Watson know that there will be a Round 2 of this project and is more than willing to work with you.

Commissioner Boyce moved to approve Resolution 257-19, seconded by Commissioner O'Grady. The Resolution was unanimously adopted by roll call vote.

Resolution No. 258-19, resolution authorizing a contract for professional services for funding acquisition services with Amick Municipal Group, LLC (\$168,361.55)(Sanitary Engineers), presented by Stephen Renner, Director, Sanitary Engineers.

Mr. Renner: Our Department routinely needs assistance and project management regarding the funding acquisition of loans and grants from the State of Ohio for continuous improvements of the County's capital assets. We also require assistance to conduct income surveys consistent with the policies under the Community Development Block Grant program, and provide help for financial assistance under this program. We published a request for proposal to help us manage through these applications. We selected Amick Municipal Group to help us in this effort.

Commissioner Boyce moved to approve Resolution 258-19, seconded by Commissioner O'Grady. The Resolution was unanimously adopted by roll call vote.

Resolution No. 259-19, resolution authorizing a loan from the Franklin County Infrastructure Bank to the City of Hilliard for their Municipal Fiber Project (\$1,250,000.00)(Economic Development and Planning), presented by Alex Beres, Assistant Director, Economic Development and Planning.

Mr. Beres: The next two resolutions are our next Infrastructure Bank Loans from our program called SmartWorks. These loans are a great way to spur and be a catalyst in our current financing stats in our community for economic development projects. These are low-interest loans. These loans go through our financial advisor to make sure it is a good investment for the County. This package is then reviewed by our Loan Advisory Board.

This resolution is for the City of Hilliard for their municipal fiber project. This is the third municipal fiber project that the Commissioners have considered financing in Franklin County. Approval of this resolution would result in approximately 135 miles of municipal fiber that the Commissioners have financed. When we talk about smart cities and smart infrastructure, the first thing we need is a backbone of fiber infrastructure. We have David Meadows, Development Director, City of Hilliard, with us to talk about why this project is important to his community.

Mr. Meadows: Thank you for this opportunity. We would not be able to do this program without this initiative. It works well for municipalities and a low risk for the County. This

gives us choice control competition and help us reduce our own costs by having different providers in our own network. We have a project in front of our City Council for a manufacturing company.

Commissioner Boyce moved to approve Resolution 259-19, seconded by Commissioner O'Grady. The Resolution was unanimously adopted by roll call vote.

Resolution No. 260-19, resolution authorizing a loan from the Franklin County Infrastructure Bank to the City of Reynoldsburg for their Main Street Improvements Project (\$750,000.00)(Economic Development and Planning), presented by Mr. Beres.

Mr. Beres: This project has been in the works for a long time. The City of Reynoldsburg has invested a lot of money on a corridor of Main Street. They are starting to have a good retail market. This will tie in their community assets with their business and retail assets. This will create multiuse paths and landscaping. This project is important to the City of Reynoldsburg.

Commissioner Boyce moved to approve Resolution 260-19, seconded by Commissioner O'Grady. The Resolution was unanimously adopted by roll call vote.

Resolution No. 261-19, resolution authorizing a supplemental appropriation and the addition of one full-time position related to the receipt of federal Procedural Justice Informed Alternatives to Contempt grant funds (Child Support Enforcement), presented by Susan Brown, Director, Child Support Enforcement.

Ms. Brown: This resolution authorizes the supplemental appropriation for the addition of one full-time support officer for the Procedural Justice Informed Alternatives to Contempt grant. It is an 1115 federal demonstration grant that tests the effectiveness of providing administrative alternatives to the judicial contempt process. The grant is a random control trial, where cases referred to our litigation department for civil contempt for non-payment of support, are put into a treatment/control group. The treatment group receives procedural justice infused intensive case management services, such as, case conferencing, mediation, and employment support. The control group goes through the traditional judicial contempt process.

The PJAC support officers are now managing a treatment group of 664 obligated parents, representing 1,050 cases. The grant has sufficient funds available to support this position.

Commissioner Boyce moved to approve Resolution 261-19, seconded by Commissioner O'Grady. The Resolution was unanimously adopted by roll call vote.

Resolution No. 262-19, resolution approving purchases for various Franklin County agencies (\$1,917,480.18)(Purchasing), presented by Karl Kuespert, Director, Purchasing.

Mr. Kuespert: Good morning Commissioners, Karl Kuespert, Director of the Purchasing Department. The resolution before you requests your approval of 95 purchase orders.

Included in this resolution are 18 eligible purchase orders. These are defined as POs in which Small & Emerging Business Enterprises are likely to participate. Of these POs, 14 were awarded to SEBEs which is 77.8% of the eligible PO volume. The sum of these 14 POs total \$156,899.39 which is 90.8% of the eligible PO dollar value. These purchase orders have been precertified as to the availability of funds by the County Auditor.

President Brown: We have a public speaker for this resolution. Will David Caldwell, B.R.E.A.D. please come up and speak.

Mr. Caldwell: We are glad that the County funds agencies that do great work in the Community. We have listened each week as the Commissioners approved funding for various requests. There is one funding request we would like for you to approve. We have had our members share stories each week and hundreds of them are struggling with housing. We want to be sure, as the County is finishing up their poverty study, that you hear from our constituents. We have been asking for an increase in the conveyance fee to the maximum allowed by state law. We know this won't solve our housing crisis. However, if this \$2 increase went to the Affordable Housing Trust Fund, thousands of additional families will be able to move into safe, decent, affordable housing. This is a solution that could be implemented in the short term, as you continue to look at long term solutions. I want to thank you for sending representatives to our See the Need Tour. We would like to see at least one of the Commissioners at our Nehemiah Action on May 6th.

Commissioner Boyce moved to approve Resolution 262-19, seconded by Commissioner O'Grady. The Resolution was unanimously adopted by roll call vote.

Resolution No. 263-19, resolution authorizing a contract with Bricker & Eckler to perform services associated with arbitrage, rebate, and yield restriction compliance, and to serve as bond counsel and provide advice in public finance matters as needed during 2019 (\$10,000.00)(Board of Commissioners), presented by Zak Talarek, Director, Office of Management and Budget.

Mr. Talarek: This resolution follows up with the resolution approved on March 19, 2019 authorizing the court order for the services for the Prosecuting Attorney to apply for. Bricker & Eckler will serve to do our arbitrage, rebate and yield restriction compliance and be authorized to serve as bond counsel and provide advice in public finance matters as required.

Commissioner O'Grady moved to approve Resolution 263-19, seconded by President Brown. The Resolution was adopted by roll call vote with Commissioner Boyce abstaining.

Resolution No. 264-19, resolution authorizing a contract with Frost Brown Todd to serve as bond counsel and provide advice in public finance matters during 2019 (\$100,000.00)(Board of Commissioners), presented by Mr. Talarek.

Mr. Talarek: This is similar to the previous resolution. This will have Frost Brown Todd continue to serve as bond counsel for the County.

Commissioner Boyce moved to approve Resolution 264-19, seconded by Commissioner O'Grady. The Resolution was unanimously adopted by roll call vote.

Resolution No. 265-19, resolution appointing Tom Poole to the Workforce Development Board pursuant to the requirements of the Workforce Investment and Opportunity Act 2015 (Board of Commissioners), presented by Erik Janas, Deputy Administrator.

Mr. Janas: This is a joint appointment with the City of Columbus. Pending any questions, I recommend approval of this appointment.

Commissioner Boyce moved to approve Resolution 265-19, seconded by Commissioner O'Grady. The Resolution was unanimously adopted by roll call vote.

With no further business before the Board, the meeting was adjourned at 10:29 A.M.

(Signature Page Follows)


These minutes are a summary of the Commissioners' meeting of April 9, 2019.


MARILYN BROWN, PRESIDENT


JOHN O'GRADY


KEVIN L. BOYCE
BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, OHIO

Submitted by:


Antwan Booker, Clerk