

FRANKLIN COUNTY BOARD OF COMMISSIONERS

MINUTES OF GENERAL SESSION

January 23, 2018

The Franklin County Board of Commissioners convened in the Commissioners Hearing Room at 9:00 A.M. on Tuesday, January 23, 2018.

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

Also present on the dais were Ron O'Brien, Prosecuting Attorney; Kenneth Wilson, County Administrator; Zachary Talarek, Director, Office of Management and Budget; and Antwan Booker, Clerk to the Board of Commissioners.

President Boyce called the meeting to order at 9:09 A.M.

Approval of the minutes of the December 27, 2017 Executive Session Meeting, the minutes of the January 2, 2018 Organizational Meeting, the minutes of the January 2, 2018 General Session, and the minutes of the January 4, 2018 Briefing Session. Commissioner Brown moved to approve the minutes, seconded by President Boyce. The minutes were approved by roll call vote.

Resolution No. 41-18, resolution authorizing a contract with Vance Outdoors, Inc. for the provision of the supply and delivery of firearms and accessories (Sheriff) (\$375,923.31), presented by Dave Masterson, Director of Administrative Services, Sheriff's Office.

Mr. Masterson: This resolution approves a one year contract with Vance Outdoors to supply 9mm handguns, holsters and additional magazines. The contract was competitively bid through the Purchasing Department. The purchase of these weapons will allow the Sheriff's Office to transition to P226 and P239.

President Boyce: Since the Briefing Session, I was contacted by one of the Township Trustees that indicated that Townships often will align their firearm resources with what the County does. Is that going to be an issue for some of the other Townships? How will we communicate this change with them? What the Trustee indicated was that if there was a joint situation and had to share equipment, it would be critical to standardize the firearms.

Mr. Masterson: This particular purchase will allow the Sheriff's Office to transition to one similar larger framed handgun and one small framed handgun for plain clothes deputies and detectives. What we have right now, we have individuals carrying 9mm and .45 caliber

handguns. With the transition to 9mm, everyone will be carrying the same caliber. Also, the Sheriff's Office has 200-300 Smith and Wessons. A lot of deputies carry their own personal handguns. To your comment about sharing resources, this will allow the Sheriff's Office to have similar models throughout, so if there was a situation that would go bad, they would have similar magazines that they could use. We have not purchased handguns in at least the last 17 years. The current models that we have were purchased in the 1990s. I cannot speak to the Townships purchasing similar style firearms.

President Boyce: It sounds like this would enhance the Townships because there is more consistency.

Mr. Masterson: Consistency is the biggest issue with the Sheriff's Office. This is one thing that Sheriff Baldwin has been working one for over a year since taking office.

Commissioner Brown: If any of the Township police wanted to purchase the same units as you, could they do that through this contract?

Mr. Masterson: I am not sure if this contract is co-operable. Mr. Kuespert may be able to elaborate on this point. I will have to see if this a co-operable contract. They may not be able to buy them at our price.

President Boyce: As firearms go for law enforcement, the 9mm is kind of the standard. Most of the Townships' police use 9mm.

Mr. Masterson: I do not know what you can call the standard, but 9mm is a cartridge that is used frequently in .40 caliber. I believe the State of Ohio uses .40 caliber, as well as the City of Columbus. The 9mm is something the Sheriff's Office has not used in a long time. When you get higher in caliber, it becomes less accurate for someone who has a smaller hand. The 9mm has a more controllable cartridge for the mass of people that will be carrying those weapons. Going back to what Commissioner Brown said, there are two types of guns. You have a polymer frame, or plastic and the steel frames. The polymer frames are less durable and have a useful life of a lot less time. The guns we are purchasing are going to last a lot longer. The number of rounds these guns can go through is substantially more than the polymer frame can withstand.

Kenneth Wilson, County Administrator: Commissioners, after looking at the contract, this contract is not co-operable. It is limited to Franklin County entities.

Commissioner Brown moved to approve Resolution 41-18, seconded by President Boyce. The Resolution was adopted by roll call vote.

Resolution No. 42-18, authorizing the settlement of a claim for damage to a 2014 Ford Interceptor sedan (Fleet Management), presented by Charlotte Ashcraft, Director, Fleet Management.

Ms. Ashcraft: The two resolutions before you are both requesting authorizations to accept insurance settlements from accidents that occurred in 2017. This resolution is for an accident that occurred on September 26, 2017. This accident resulted in the total loss of our vehicle and any potential injury claim will be handled separately. The party at fault is insured through Farmers Insurance and they have accepted liability and offered to pay Franklin County \$16,928 for the property damage. This offer has been reviewed and recommended by the Prosecutor's Office and the amount offered fairly compensates the County for our loss.

Commissioner Brown moved to approve Resolution 42-18, seconded by President Boyce. The Resolution was adopted by roll call vote.

Resolution No. 43-18, resolution authorizing the settlement of a claim for damage to a 2013 Ford Interceptor SUV (Fleet Management), presented by Ms. Ashcraft.

Ms. Ashcraft: This resolution is from an accident that occurred on November 6, 2017. It resulted in the total loss of the vehicle. Any potential bodily injury claims will be handled separately. The party at fault is insured by State Farm Insurance and they have accepted liability and offered to pay the County \$17,790.50 for the property damage. This offer has been reviewed and approved by the Prosecutor's Office and the amount offered fairly compensates the County for our loss.

Commissioner Brown moved to approve Resolution 43-18, seconded by President Boyce. The Resolution was adopted by roll call vote.

Resolution No. 44-18, resolution authorizing a IV-D contract with Encore Delivery Services, Inc. for providing process service services (Child Support Enforcement) (\$84,000), presented by Lori Torriero, Assistant Director, Child Support Enforcement.

Ms. Torriero: This is our annual contract for personal service of court hearing notices and administrative hearing notices. Due to a change in interpretation of a state regulation, the agency was told to bid this contract annually, instead of being able to having multiple renewals. Encore was the lowest and best bid of the two bids that we received. This is our third year with this company and we are very satisfied with their service. The state is looking into changing that regulation because they know it is an administrative burden to go out and bid every year.

Commissioner Brown moved to approve Resolution 44-18, seconded by President Boyce. The Resolution was adopted by roll call vote.

Resolution No. 45-18, resolution authorizing a consultant contract with Linda Norris, M.A., for professional mediation services (Child Support Enforcement) (\$54,975), presented by Ms. Torriero.

Ms. Torriero: Commissioners, this contract for mediation services with Linda Norris is a result of a successful application for federal grant funds through a program called Access and Visitation. The purpose of that grant is to facilitate visitation of the non-custodial parent with the child. We were successful in obtaining new funds for at least the next two years and potentially for two more renewals for up to five years. That has been the state's practice. Ms. Norris was our named provider in the grant so we did not have to do any other competitive procurement and she was our mediation provider under the prior grant.

Commissioner Brown moved to approve Resolution 45-18, seconded by President Boyce. The Resolution was adopted by roll call vote.

Resolution No. 46-18, resolution authorizing an Employee Training and Recognition Event on February 23, 2018 (Child Support Enforcement) (\$370), presented by Ms. Torriero.

Ms. Torriero: Commissioners, this is our annual request to close the agency and take all of the staff offsite for training and for team building activities. This year's theme is Teamwork in High Gear. We will also be celebrating 2017's accomplishments. The \$370 represents the rent at St. Agatha Parish Hall. The rest of the money for decorations, food, etc. is raised by the staff.

Commissioner Brown moved to approve Resolution 46-18, seconded by President Boyce. The Resolution was adopted by roll call vote.

Resolution No. 47-18, resolution authorizing a IV-D contract with the Franklin County Sheriff's Office (Child Support Enforcement) (\$337,421.62), presented by Ms. Torriero.

Ms. Torriero: Commissioners, this is our annual contract with the Sheriff's Office. We contract with two deputies that serve criminal warrants, sometimes do extraditions from other states and provide security at our Franklin County Empowerment Day. The contract is within the range that it has been in prior years.

Commissioner Brown moved to approve Resolution 47-18, seconded by President Boyce. The Resolution was adopted by roll call vote.

Resolution No. 48-18, resolution authorizing a contract extension for transitional housing for participants of the Pathways to Women's Healthy Living Program (Homeland Security and Justice Programs) presented by Michael Daniels, Justice Policy Coordinator, Justice Policy Programs.

Mr. Daniels: Our successful program in the jails for women, our Pathways to Healthy Living Program, has been running for a couple of years and will continue to run for the foreseeable future. This contract allows us to renew for safe transitional housing for women who are coming out of the jail that do not have anywhere else to go. We use this sparingly, but when we do use it, it is critical for the safety of the women in the program. This will be the final contract extension and the terms stay the same as the original contract.

Commissioner Brown moved to approve Resolution 48-18, seconded by Commissioner O'Grady. The Resolution was unanimously adopted by roll call vote.

Resolution No. 49-18, resolution approving purchases for various Franklin County agencies (Purchasing) (\$18,633,913.64), presented by Karl Kuespert, Director, Purchasing.

Mr. Kuespert: I would like to inform Commissioner Brown and Commissioner O'Grady that during Briefing Session, we reduced the Veterans Services' purchase orders from sixteen down to two to provide for efficiencies in their operations related to their transportation contract. This will increase their number of encumbrances by \$30,000. These purchase orders are new purchase orders to encumber funds to pay for agencies' business services for this fiscal year. The resolution before you requests your approval of 321 purchase orders. These purchase orders have been pre-certified as to the availability of funds by the County Auditor. Pending any questions, I recommend their approval.

Commissioner Brown moved to approve Resolution 49-18, seconded by Commissioner O'Grady. The Resolution was unanimously adopted by roll call vote.

Resolution No. 50-18, resolution authorizing an assessment to move Data Center print operations to the Purchasing Department's Print Shop (Board of Commissioners) (\$21,250), presented by Adam Luckhaupt, CIO, Board of Commissioners.

Mr. Luckhaupt: Good Morning Commissioners, Adam Luckhaupt on behalf of the Board of Commissioners. The Data Center wishes to move their print operations over to the county Print Shop within the Purchasing Department. In the past, other county agencies have moved print jobs and print operations to the Print Shop with substantial cost savings to the County. This contract will enable the examination of staffing, business processes, and equipment for both the Data Center and Print Shop, and make recommendations for the transfer and purchase of equipment and process improvements, as well as develop service level templates with performance metrics for Print Shop customers.

Commissioner Brown moved to approve Resolution 50-18, seconded by Commissioner O'Grady. The Resolution was unanimously adopted by roll call vote.

Resolution No. 51-18, resolution to designate the Official Representative and Alternate for the purpose of voting at the Annual Meeting of the County Commissioners Association of Ohio in 2018 (Board of Commissioners), presented by Zak Talarek, Director, Office on Management and Budget.

Mr. Talarek: This resolution will authorize President Boyce as the designated official voting representative and Commissioner O'Grady as the alternate pursuant to the Code of Regulations for the County Commissioners Association of Ohio.

Commissioner Brown moved to approve Resolution 51-18, seconded by Commissioner O'Grady. The Resolution was unanimously adopted by roll call vote.

Resolution No. 52-18, resolution reconciling 2018 appropriations to align with the amended certificate of estimated resources (Board of Commissioners), presented by Mr. Talarek.

Mr. Talarek: Commissioners, this is our annual start of the year clean up as a result of actual fund balances being different than the fund balances when the budget was approved in December 2017. In addition, this resolution includes supplemental appropriation and transfer of \$5 million to the Public Safety Center Fund from the additional funds provided by the state through the Medicaid Sales Tax Transition Fund.

Commissioner Brown moved to approve Resolution 52-18, seconded by Commissioner O'Grady. The Resolution was unanimously adopted by roll call vote.

Resolution No. 53-18, resolution declaring that the unlawful distribution of prescription pain pills has created a public nuisance in Franklin County, Ohio and has caused harm to the residents of Franklin County, Ohio, and to authorize the retention of special counsel to commence civil litigation against opiate drug manufacturers and distributors (Board of Commissioners), presented by Kris Long, Deputy Administrator.

Ms. Long: Good morning Commissioners. As you are aware, Franklin County has seen the effect of the opioid crisis across the board. Taft, Stettinius & Hollister is well positioned as local lead counsel coupled with Paul Farrell of Greene, Ketchum, Farrell, Bailey & Tweel, a West Virginia attorney who is licensed to practice in Ohio who has designed a plan and assembled a national consortium of elite trial counsel to investigate and pursue civil litigation and hold responsible wholesale distributors and manufacturers on this matter. They will focus on abatement that is specific to Franklin County. This is a two-step process. A few weeks ago you authorized the application to the court to approve the appointment of outside counsel. This is the second step that does several things: It declares that the opioid abuse, addiction, morbidity and mortality is a serious public health and safety crisis in Franklin County and is a public nuisance. It also retains counsel of Taft, Stettinius & Hollister, as lead counsel and the firm of Greene, Ketchum, Farrell, Bailey & Tweel, LLP, as co-counsel, and such other law firms as required to pursue the interest of Franklin

County in this matter. We have with us today Rocky Saxbe, Esq. and David Butler, Esp. with Taft, Stettinius & Hollister should you have any questions or if you want them to make any statement.

President Boyce: I want to give Prosecutor O'Brien an opportunity to comment on this resolution.

Mr. O'Brien: Thank you President Boyce. We fully supported the selection of this firm and their consortium.

President Boyce: Mr. Butler or Mr. Saxbe, would you like to share any comments?

Mr. Butler: Hello, I am Dave Butler the Managing Partner for the Columbus Office of Taft, Stettinius & Hollister. We are honored to represent Franklin County in this important health lawsuit. I think everyone is familiar with this crisis and it has been well reported of the multidistrict litigation lawsuits (MDL) that is now pending before Judge Polster in Cleveland, OH. That MDL was granted to us by our application and these cases, nationwide, are being sent to Judge Polster. It really provides a very unique opportunity to shine a spotlight on these cases here in Ohio. Judge Polster held the first status conference a few weeks ago and I am very happy to report to the Commissioners that Judge Polster is taking extreme initiative to put the highest priority on this case and assemble all of the people that are needed to address this crisis. He already appointed three Special Masters, which is unheard of, to assist with trying to get a resolution and bring real change. Judge Polster outlined how he want to proceed before litigation ensues to make an effort to get it resolved. Judge Polster's comments were well received on both sides. We are excited to get a key County like Franklin County to be involved. As we envision Franklin County's role in these cases, Franklin County plays a pivotal, unique and key role in the overall solution for Ohio. Franklin County is the most populous with its location and size, and resources that are available in this County are being used in a regional manner. This is a natural fit for Franklin County. Thank you for taking this step to get involved and look forward to working with you all moving forward.

Commissioner Brown: I would like to say that we did a lot of our own research on this, and have had a lot of discussions about what we could achieve by getting into this lawsuit. I know I speak for all of us, that we look at this as what we can do for our community going forward to transform our communities as we look at ways to abate the issue of drug overdoses that have plagued this community. I do not know a family that has not had somebody that has been affected by this issue. We want to look at this as a way to go forward in helping to transform our community and hold people accountable. It is a tough and complex issue and we needed to have strong counsel to do this.

President Boyce: I would add that while the lawsuit is focused on assisting us on the long term issues, we are executing an opioid plan. We have all of our agencies to invest, think and plan around an existing strategy to abate this issue. We are moving forward to address the problem now, with the hope that the outcome of the lawsuit will assist us in the long

term part of the strategy. This is a key step. I want to thank my colleagues because there was a lot of thought that went into making this decision. It was our duty to get involved in this way for our community.

Commissioner O'Grady: We have taken a long community-wide approach to this issue. We have worked with the City of Columbus and our community leaders to put together a community-wide approach in addressing the opioid crisis. This lawsuit is the culmination of the approach that we thought was necessary to take. This is forward thinking. This is not about going back and looking at how this crisis has affected our agencies, but about the abatement of addressing this problem going forward and the cost of fixing this problem and the families affected. Thank you for being here this morning.

President Boyce: I did not want to overlook thanking Prosecutor O'Brien for his guidance, leadership and advice throughout this process.

Commissioner Brown moved to approve Resolution 53-18, seconded by Commissioner O'Grady. The Resolution was unanimously adopted by roll call vote.

Antwan Booker, Clerk to the Board, read one (1) Journalization into the record:

Case #ANX-01-18 - An Expedited Type 2 annexation petition ANX-01-18 was filed with the Franklin County Economic Development and Planning Department on January 10, 2018. The petition is requesting to annex 41.79 +/- acres from Perry Township to the City of Columbus. The petition will be considered by the Board of Commissioners on February 13, 2018.

Site: West Case Road (PID# 212-000537, 212-000562, 212-000563 & 212-000683)

There being no further business before the Board, the meeting was adjourned at 9:43 A.M.

(Signature Page Follows)

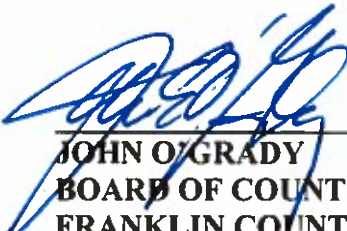
These minutes are a summary of the Commissioners' meeting of January 23, 2018.



KEVIN L. BOYCE, PRESIDENT



MARILYN BROWN



**JOHN O'GRADY
BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, OHIO**

Submitted by:



Antwan Booker, Clerk