

FRANKLIN COUNTY BOARD OF COMMISSIONERS

MINUTES OF GENERAL SESSION

April 27, 2021

The Franklin County Board of Commissioners convened the General Session meeting via Zoom conferencing, at 9:00 A.M. on Tuesday, April 27, 2021.

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

Also present were Jeanine Hummer, First Assistant Prosecuting Attorney, Prosecuting Attorney's Office; Kenneth N. Wilson, County Administrator; Zachary Talarek, Director, Office of Management & Budget; and, Dean M. Hindenlang, Clerk to the Board of Commissioners, amongst others.

Participants were able to access General Session (via Zoom conferencing) by dialing (929) 436-2866, Meeting ID: 530 479 003; or by joining at: <https://franklincountyohio.zoom.us/j/530479003>

President Boyce called the meeting to order at 9:03 A.M.

President Boyce: Each year in honor of National County Government Month we report on the state of the county and last week we had the pleasure of releasing that status report; to see it, go to Report.FranklinCountyOhio.gov. This report demonstrates the many ways the county can help you and your neighbors. So, we hope you will take a few minutes to view the State of the County at Report.FranklinCountyOhio.gov and maybe share some of what you see with friends and neighbors so they can take advantage of these programs.

President Boyce (cont.): It's not often we call out a specific employee for their accomplishments, but this one deserves a public recognition. One of our Franklin County family members received the 2020 Social Worker of the Year award last Saturday from the Ohio Chapter of the National Association of Social Workers. This is a big deal under ordinary circumstances, but during a pandemic and still maintaining the support and programming our justice involved neighbors need and deserve, well that's extraordinary. So, on behalf of my colleagues and all the residents of Franklin County we offer you our heartfelt gratitude for the service you provide every resident, every day. Congratulations Patrice Palmer on this well-deserved recognition and thank you for your dedication and commitment, globally and locally.

President Boyce (cont.): Deputy Director of Justice Services, Melissa Pierson's and Patrice Palmer's reentry work has played a pivotal role in creating the Board of Commissioners

Department of Justice Policy and Programs you see today. This agency is frequently recognized on national areas for innovative and progressive programming and this week we are bringing that same level of heightened awareness to Central Ohio with Reentry Week, which kicked off yesterday and is loaded with panels, workshops, lectures and townhalls, running through Friday. Here to tell us more are two Franklin County reentry team members, Johnny Turner and Ryan Newsome, who will share more details about this week's schedule of events and the work they are doing at our newly opened Rapid Resource Center. Welcome Johnny and Ryan.

Patrice Palmer, Re-Entry Social Services Specialist, expressed her gratitude for the 2020 Social Worker of the year award she received from the Ohio Chapter of the National Association of Social Workers.

Johnny Turner, Re-Entry Services Coordinator, and Ryan Newsome, Discharge Planner, shared more about the reentry's work, about this week's schedule, the events and the work they're working on through the Rapid Resource Center in honor of Central Ohio Reentry Week.

Approval of the minutes of the April 20, 2021, General Session; the April 22, 2021, Briefing Session; and, the April 19, and 21, 2021, Administrative Briefings. Commissioner O'Grady moved to approve the minutes, seconded by Commissioner Brown. The minutes were unanimously approved by roll call vote.

PUBLIC HEARING: Resolution regarding prayer of petition to vacate Beechwood Drive, in Blendon Township, Franklin County, Ohio, granted.

President Boyce: I would like to open the Public Hearing. Would anyone like to speak regarding this Public Hearing? Seeing none, I will close the Public Hearing and have the Clerk read the resolution into the record.

Resolution No. 0299-21, prayer of petition to vacate Beechwood Drive, in Blendon Township, Franklin County, Ohio, granted (Engineer), presented by Cornell Robertson, Engineer, Engineer's Office.

Mr. Robertson reviewed information found in documents submitted with the proposed resolution.

Commissioner O'Grady moved to approve Resolution 0299-21, seconded by Commissioner Brown. The Resolution was unanimously adopted by roll call vote.

Resolution No. 0300-21, establishing, altering and widening of the Babbitt Road Drainage Improvement project, Plain Township, Franklin County, Ohio, declared necessary (Engineer), presented by Cornell Robertson, Engineer, Engineer's Office.

Mr. Robertson reviewed information found in documents submitted with the proposed resolution.

Commissioner O'Grady moved to approve Resolution 0300-21, seconded by Commissioner Brown. The Resolution was unanimously adopted by roll call vote.

Resolution No. 0301-21, establishing, altering and widening of the Schleppe Road Drainage Improvement project, Plain Township, Franklin County, Ohio, declared necessary (Engineer), presented by Cornell Robertson, Engineer, Engineer's Office.

Mr. Robertson reviewed information found in documents submitted with the proposed resolution.

Commissioner O'Grady moved to approve Resolution 0301-21, seconded by Commissioner Brown. The Resolution was unanimously adopted by roll call vote.

Resolution No. 0302-21, plans approved for the replacement of the structure on Borrer Road over Tributary of Strader Ditch (JAC-TR266-0.11), Jackson Township, Franklin County, Ohio (Engineer), presented by Cornell Robertson, Engineer, Engineer's Office.

Mr. Robertson reviewed information found in documents submitted with the proposed resolution.

Commissioner O'Grady moved to approve Resolution 0302-21, seconded by Commissioner Brown. The Resolution was unanimously adopted by roll call vote.

Resolution No. 0303-21, plans approved for the replacement of the structure on Hoover Road over Tributary of Grant Run (JAC-CR262-2.04), Jackson Township, Franklin County, Ohio (Engineer), presented by Cornell Robertson, Engineer, Engineer's Office.

Mr. Robertson reviewed information found in documents submitted with the proposed resolution.

Commissioner O'Grady moved to approve Resolution 0303-21, seconded by Commissioner Brown. The Resolution was unanimously adopted by roll call vote.

Resolution No. 0304-21, American Structurepoint, Inc., consulting engineers appointed to assist the Franklin County Engineer by providing engineering design services for the Reese Road 0.23 over Big Walnut Creek Improvement project, Franklin County, Ohio. (\$307,107.00) (Engineer), presented by Cornell Robertson, Engineer, Engineer's Office.

Mr. Robertson reviewed information found in documents submitted with the proposed resolution.

Commissioner O'Grady moved to approve Resolution 0304-21, seconded by Commissioner Brown. The Resolution was unanimously adopted by roll call vote.

Resolution No. 0305-21, authorization for the Franklin County Engineer to enter into an agreement with the City of Groveport for the planning, design, and construction of Bixby Road, City of Groveport, Madison Township, Franklin County, Ohio (Engineer), presented by Cornell Robertson, Engineer, Engineer's Office.

Mr. Robertson reviewed information found in documents submitted with the proposed resolution.

Commissioner O'Grady moved to approve Resolution 0305-21, seconded by Commissioner Brown. The Resolution was unanimously adopted by roll call vote.

Resolution No. 0306-21, report (5th) of the Franklin County Engineer, establishing sums of compensation for a portion of the owners of property abutting the Morse Road at Babbitt Road Improvement project, Plain Township and Jefferson Township, Franklin County, Ohio (\$45,470.50)(Engineer), presented by Cornell Robertson, Engineer, Engineer's Office.

Mr. Robertson reviewed information found in documents submitted with the proposed resolution.

Commissioner O'Grady moved to approve Resolution 0306-21, seconded by Commissioner Brown. The Resolution was unanimously adopted by roll call vote.

Resolution No. 0307-21, preliminary allocation and final encumbrance of County Motor Vehicle License Fee (\$5) Funds for the City of Reynoldsburg (\$100,000.00) (Engineer), presented by Cornell Robertson, Engineer, Engineer's Office.

Mr. Robertson reviewed information found in documents submitted with the proposed resolution.

Commissioner O'Grady moved to approve Resolution 0307-21, seconded by Commissioner Brown. The Resolution was unanimously adopted by roll call vote.

Resolution No. 0308-21, authorizing a non-general fund supplemental appropriation for architectural and engineering design related to the relocation of the 911 Communication Center (Sheriff), presented by Albert Smith, Assistant Finance Director, Sheriff's Office.

Mr. Smith reviewed information found in documents submitted with the proposed resolution.

Commissioner O'Grady moved to approve Resolution 0308-21, seconded by Commissioner Brown. The Resolution was unanimously adopted by roll call vote.

Resolution No. 0309-21, authorizing Franklin County Child Support Enforcement Agency to enter into a IV-D contract with the Franklin County Data Center (\$420,530.95) (Child Support Enforcement), presented by Susan Brown, Director, Child Support Enforcement.

Ms. Brown reviewed information found in documents submitted with the proposed resolution.

Commissioner O'Grady moved to approve Resolution 0309-21, seconded by Commissioner Brown. The Resolution was unanimously adopted by roll call vote.

Resolution No. 0310-21, review of petition to annex 5.2 +/- acres from Mifflin Township to the City of Columbus, Case #ANX-09-21 (Economic Development and Planning), presented by Jenny Snapp, Assistant Director, Economic Development and Planning.

Ms. Snapp reviewed information found in documents submitted with the proposed resolution.

Commissioner O'Grady moved to approve Resolution 0310-21, seconded by Commissioner Brown. The Resolution was unanimously adopted by roll call vote.

Resolution No. 0311-21, review of petition to annex 7.7 +/- acres from Mifflin Township to the City of Columbus, Case #ANX-10-21(Economic Development and Planning), presented by Jenny Snapp, Assistant Director, Economic Development and Planning.

Ms. Snapp reviewed information found in documents submitted with the proposed resolution.

Commissioner O'Grady moved to approve Resolution 0311-21, seconded by Commissioner Brown. The Resolution was unanimously adopted by roll call vote.

Resolution No. 0312-21, review of petition to annex 80.847 +/- acres from Prairie Township to the City of Columbus, Case #ANX-11-21 (Economic Development and Planning), presented by Jenny Snapp, Assistant Director, Economic Development and Planning.

Ms. Snapp reviewed information found in documents submitted with the proposed resolution.

Commissioner O'Grady moved to approve Resolution 0312-21, seconded by Commissioner Brown. The Resolution was unanimously adopted by roll call vote.

Resolution No. 0313-21, authorizing a year two contract renewal with Alvis for the provision of transitional housing for justice involved females participating in the Pathways Achieving Recovery through Choice Program under the FY 2018 Comprehensive Opioid Site Based grant program (\$25,185.00) (Justice Policy and Programs), presented by Melissa Pierson, Deputy Director of Justice Services, Justice Policy and Programs.

Ms. Pierson reviewed information found in documents submitted with the proposed resolution.

Commissioner O’Grady moved to approve Resolution 0313-21, seconded by Commissioner Brown. The Resolution was unanimously adopted by roll call vote.

Resolution No. 0314-21, authorizing a memorandum of understanding with PrimaryOne Health for staffing and supportive services related to the Franklin County Rapid Resource Center through the FY 2018 Targeted Capacity Expansion grant program (\$26,567.00) (Justice Policy and Programs), presented by Melissa Pierson, Deputy Director of Justice Services, Justice Policy and Programs.

Ms. Pierson reviewed information found in documents submitted with the proposed resolution.

Commissioner O’Grady moved to approve Resolution 0314-21, seconded by Commissioner Brown. The Resolution was unanimously adopted by roll call vote.

Resolution No. 0315-21, authorizing Memorandums of Understanding with Alvis Inc., and Franklin County Community Based Correctional Facility to confirm their roles as program sites for the FY 2019 Incarcerated Fathers and their Adolescent Children grant program (Justice Policy and Programs), presented by Melissa Pierson, Deputy Director of Justice Services, Justice Policy and Programs.

Ms. Pierson reviewed information found in documents submitted with the proposed resolution.

Commissioner O’Grady moved to approve Resolution 0315-21, seconded by Commissioner Brown. The Resolution was unanimously adopted by roll call vote.

Resolution No. 0316-21, authorizing Contract Modification and Extension #1 and #2 with United Healthcare (UHC) for continued medical plan administration services for the Franklin County Cooperative Health Improvement Program (Cooperative) (\$4,186,600.00) (Human Resources), presented by Jodi Leis, Assistant Director – Benefits and Wellness, Human Resources.

Ms. Leis reviewed information found in documents submitted with the proposed resolution.

Commissioner O’Grady moved to approve Resolution 0316-21, seconded by Commissioner Brown. The Resolution was unanimously adopted by roll call vote.

Resolution No. 0317-21, approving purchases for various Franklin County agencies (\$2,370,924.39) (Purchasing), presented by Megan Perry-Balonier, Director, Purchasing, and Marleise Wicker, Small Emerging Business Coordinator, General Services.

Ms. Wicker reviewed information found in documents submitted with the proposed resolution.

Commissioner O’Grady moved to approve Resolution 0317-21, seconded by Commissioner Brown. The Resolution was unanimously adopted by roll call vote.

Resolution No. 0318-21, authorizing the issuance of bonds by the Columbus-Franklin County Finance Authority for the Wonderful Foundations Charter School Portfolio Projects (Board of Commissioners), presented by Jean Carter Ryan, President, Columbus-Franklin County Finance Authority.

Ms. Carter Ryan reviewed information found in documents submitted with the proposed resolution.

Commissioner O’Grady moved to approve Resolution 0318-21, seconded by Commissioner Brown. The Resolution was adopted by roll call vote, with President Boyce abstaining.

Resolution No. 0319-21, authorizing the County Administrator to approve the settlement of legal claims asserted against the Board of Commissioners or any County Agency or employee in an amount of Twenty-Five Thousand Dollars or less upon the approval of the Prosecuting Attorney’s Office, and authorizing the County Administrator to take all actions necessary to facilitate and execute any such settlement (Board of Commissioners), presented by Kris Long, Deputy County Administrator, Board of Commissioners, and Jeanine Hummer, First Assistant Prosecuting Attorney, Prosecuting Attorney’s Office.

Ms. Long and Ms. Hummer reviewed information found in documents submitted with the proposed resolution.

Commissioner O’Grady moved to approve Resolution 0319-21, seconded by Commissioner Brown. The Resolution was unanimously adopted by roll call vote.

Resolution No. 0320-21, extending travel restrictions for county employees who are traveling on behalf of the County, and to limit in-person meetings, in response to COVID-19 (Board of Commissioners), presented by Kris Long, Deputy County Administrator, Board of Commissioners.

Ms. Long reviewed information found in documents submitted with the proposed resolution.

Commissioner O'Grady moved to approve Resolution 0320-21, seconded by Commissioner Brown. The Resolution was unanimously adopted by roll call vote.

Resolution No. 0321-21, appointing Zachary T. Talarek to the board of the Columbus Zoo and Aquarium (Board of Commissioners), presented by Erik Janas, Deputy County Administrator, Board of Commissioners.

Mr. Janas reviewed information found in documents submitted with the proposed resolution.

President Boyce: It would be my recommendation to the Board that we do not make these appointments right now. I think that the zoo is very much in flux and in transition and that there's so much unknown from the findings of the forensic audit, to any other kind of findings. I think bringing on new members at this time would disrupt that process to an extent. It's not the people. [I know] Zak Talarek who I'm not doubting his skill, and what he'd bring to the Board. I think he'll be great for that. I'm doubting that a county employee should be connected more to this, especially at this stage. If Jeanine [Hummer] could maybe comment on any conflict and what his liability and responsibility would be going forward as an official board member, I would appreciate that.

Jeanine Hummer, First Assistant Prosecuting Attorney, Prosecuting Attorney's Office: I was able to have a brief conversation with the Clerk regarding this appointment. As you all know by law, there are two areas of law that you consider with these appointments. There is the Ethics Commission portion, which deals with direct conflict of interest, and then there's compatibility of two positions. I have provided the Clerk with that information, so that we were able to have a discussion of whether or not there are sufficient, what we call protections that we could put in place to avoid direct conflicts and to address that immediate concern you may have. At this point, I'm not fully prepared to say absolutely that there are no (what I call) compatibility issues. But I do think at this point if you move forward with this appointment, we will put the protections in place, and if there is a subsequent issue, we can always come back and address it later.

Commissioner O'Grady: Now you are calling into question other appointments that we have to other Boards. We have county employees that are appointed to many other Boards. You're now calling into question all of those appointments.

Ms. Hummer: We have looked at each one of those in terms of compatibility and as you know, you're looking at the role of the position and the actual authority on the Board. So, I want to make sure I address each one of your concerns. One is how this affects our other board appointments. We looked at those, I have not been privy to every one of your appointments since I've only been here [a short while]. We do have a good process in place to review those and you have seen some changes based on our analysis and coming back

and having changed. This is a case-by-case determination. The one important thing is when you place a staff member on a board, is the degree of authority they have in their current position as a county employee, and to make sure that decision-making authority that they may have or not have, doesn't affect when they are on the board. I want to be clear to say that this is not a direct conflict or that it's not compatible, at this point we believe that there are enough protections in place and given the limited decision-making authority that Mr. Talarek has with regard to his position with the county, we believe that there can be a workaround. If we find that he can't discharge one duty in favor of another, we would have to come back.

Kenneth Wilson, County Administrator: I spoke with Clerk Hindenlang after he had conversations with Jeanine to eliminate any appearance of conflict or influence. It's been my intent when this appointment was announced to change the segregation of duties within the Office of Management and Budget as it relates to the levy proceeds, that is the linkage and it's an indirect linkage at that. Mr. Talarek does not participate in the Budget Commission process, which certifies the estimated amount of levy receipts that is built into the recommended budget each year that I statutorily recommend to the Board to start the annual budgetary process. So, the payments that are made each installment during the year, I spoke with Mr. Talarek, will remove him from that process and either I as County Administrator, or a Deputy County Administrator will approve subsequent levy payments to the zoological part until such time that Zak may not serve on that board, but until that time comes, I intend to approve the levy receipts that go to the zoo. Additionally, when zoo levies come up for review, they are excluded from the Human Services Levy Review Committee which Zak is currently a member.

President Boyce: To be honest, that makes me more uncomfortable. I don't think we should be making any internal provisions to accommodate an outside agency. If there was something about Zak himself, that'd be one thing that he was doing, but we're appointing him to that board and then changing our internal process to accommodate this external entity. My feeling is, given that what's happening at the zoo right now, we should be less connected to the zoo, not more connected to the zoo. I think putting him in the mix, makes us far more vulnerable to any kind of issues that may come after he's there. Ms. Hummer, is there a difference when there is enabling legislation that specifically designates certain appointments or designates allocations of appointments?

Commissioners O'Grady: I believe this is a crucial time for us to make these appointments, and waiting is wrong-headed thinking.

Ms. Hummer: Commissioner, you are correct in terms of there being a difference. Every board appointment is governed either by statutory provisions or by the structure of the organization you are appointing the person to. In this regard, there is a difference between a SWACO appointment and this zoo appointment. So, that is correct in terms of the protections afforded, so Zak Talarek would be viewed in the same way as all the other appointees that you have in both Resolution 0322-21 and 0323-21.

Commissioner Brown shared that she agreed the need to have these board members appointed who are going to be working for us and for the county's interests.

Commissioner O'Grady moved to approve Resolution 0321-21, seconded by Commissioner Brown. The Resolution was adopted by roll call vote, with President Boyce voting nay.

Resolution No. 0322-21, appointing Dr. Victor M. Davis to the board of the Columbus Zoo and Aquarium (Board of Commissioners), presented by Erik Janas, Deputy County Administrator, Board of Commissioners.

Mr. Janas reviewed information found in documents submitted with the proposed resolution.

Commissioner O'Grady moved to approve Resolution 0322-21, seconded by Commissioner Brown. The Resolution was unanimously adopted by roll call vote.

Resolution No. 0323-21, reappointing Lark T. Mallory and Sean A. Mentel to the board of the Columbus Zoo and Aquarium (Board of Commissioners), presented by Erik Janas, Deputy County Administrator, Board of Commissioners.

Mr. Janas reviewed information found in documents submitted with the proposed resolution.

Commissioner O'Grady moved to approve Resolution 0323-21, seconded by Commissioner Brown. The Resolution was unanimously adopted by roll call vote.

Dean M. Hindenlang, Clerk to the Board of Commissioners, read (1) Journalization into the record: Case number ANX-12-21, an expedited type 2 annexation petition, ANX-12-21, was filed with the Franklin County Economic Development and Planning Department on April 20, 2021. The petition is requesting to annex 1.34 +/- acres from Jackson Township to the City of Grove City. The petition will be considered by the Board of Commissioners on May 25, 2021. Site: 3150 Demorest Road (PID #160-000892).

Resolution No. 0324-21, Resolution of the Franklin County Board of Commissioners to convene into Executive Session for the purpose of considering personnel matters, and to confer with an attorney for the public body concerning disputes involving the public body (Board of Commissioners).

Commissioner O'Grady moved to approve Resolution 0324-21, to convene into Executive Session to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee and to confer with an attorney for the public body concerning

disputes involving the public body that are the subject of pending or imminent court action, seconded by Commissioner Brown. The Resolution was unanimously adopted by roll call vote and the Commissioners convened into Executive Session at 10:35 A.M.

At 11:02 A.M., Commissioner Brown moved to come out of Executive Session, with President Boyce seconding, which was approved by roll call vote. No action was taken upon exiting Executive Session, and with no further business before the Board, the meeting was adjourned at 11:02 A.M.

(Signature Page Follows)

These minutes are a general summary of the Commissioners' General Session meeting of Tuesday, April 27, 2021.



KEVIN L. BOYCE, PRESIDENT



MARILYN BROWN



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

Submitted by:



Victoria A. Caldwell