

FRANKLIN COUNTY BOARD OF COMMISSIONERS

MINUTES OF GENERAL SESSION

May 4, 2021

The Franklin County Board of Commissioners convened the General Session meeting via Zoom conferencing, at 9:00 A.M. on Tuesday, May 4, 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 9:01 A.M.

Approval of the minutes of the April 27, 2021, General Session; the April 29, 2021, Briefing Session; and, the April 26, and 28, 2021, Administrative Briefings. Commissioner Brown moved to approve the minutes, seconded by Commissioner O'Grady. The minutes were unanimously approved by roll call vote.

PUBLIC HEARING: Resolution regarding vacation of a portion of Codet Road (unimproved), Mifflin Township, Franklin County, viewed Engineer to file report by May 11, 2021.

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. 0325-21, vacation of a portion of Codet Road (unimproved), Mifflin Township, Franklin County, Ohio, viewed, Engineer to file, report by May 11, 2021 (Engineer), presented by Cornell Robertson, Engineer, Engineer's Office.

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

Commissioner Brown moved to approve Resolution 0325-21, seconded by Commissioner O'Grady. The Resolution was unanimously adopted by roll call vote.

Resolution No. 0326-21, authorization for the Franklin County Engineer to enter into an agreement with the City of Dublin to resurface a portion of Dublin Road, City of Dublin, Washington 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 Brown moved to approve Resolution 0326-21, seconded by Commissioner O'Grady. The Resolution was unanimously adopted by roll call vote.

Resolution No. 0327-21, adopting the Franklin County Engineer's annual review and amendment to the 10-Year Capital Improvement Program for Roads and Bridges (Engineer), presented by Cornell Robertson, Engineer, Engineer's Office.

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

Commissioner Brown moved to approve Resolution 0327-21, seconded by Commissioner O'Grady. The Resolution was unanimously adopted by roll call vote.

Resolution No. 0328-21, report (1st) of the Franklin County Engineer, establishing sums of compensation for a portion of the owners of property abutting the Borrer Road over Tributary of Strader Ditch Improvement project, Jackson Township, Franklin County, Ohio (\$1,200.00) (Engineer), presented by Cornell Robertson, Engineer, Engineer's Office.

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

Commissioner Brown moved to approve Resolution 0328-21, seconded by Commissioner O'Grady. The Resolution was unanimously adopted by roll call vote.

Resolution No. 0329-21, report (1st) of the Franklin County Engineer, establishing sums of compensation for a portion of the owners of property abutting the Elliott Road and Hayden Run Road Drainage Improvement project, Washington Township, Franklin County, Ohio (\$64,630.50) (Engineer), presented by Cornell Robertson, Engineer, Engineer's Office.

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

Commissioner Brown moved to approve Resolution 0329-21, seconded by Commissioner O'Grady. The Resolution was unanimously adopted by roll call vote.

Resolution No. 0330-21, awarding contract and approving contract bond to Shelly & Sands, Inc., for the Toy Road, Swisher Road, Saltzgaber Road and Groveport Road Improvement, Part 1 & 2 (\$2,264,838.52) (Engineer), presented by Cornell Robertson, Engineer, Engineer's Office.

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

Commissioner Brown moved to approve Resolution 0330-21, seconded by Commissioner O'Grady. The Resolution was unanimously adopted by roll call vote.

Resolution No. 0331-21, authorizing Contracts for Canned, Dry, Frozen and Dairy Food Products for the Franklin County Correctional Facilities (\$1,300,000.00) (Sheriff), presented by Dave Masterson, Director of Administrative Services, Sheriff's Office.

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

Commissioner Brown moved to approve Resolution 0331-21, seconded by Commissioner O'Grady. The Resolution was unanimously adopted by roll call vote.

Resolution No. 0332-21, authorizing the Board of Franklin County Commissioners to sign the attached "Discharge of MORTGAGE" instrument for Gretchen Space at 4995 Fishburn Road, Columbus Ohio 43207 (Economic Development and Planning), presented by Emily Hillyer, Senior Program Coordinator, Economic Development and Planning.

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

Commissioner Brown moved to approve Resolution 0332-21, seconded by Commissioner O'Grady. The Resolution was unanimously adopted by roll call vote.

Resolution No. 0333-21, authorizing the Board of Franklin County Commissioners to sign the attached "Discharge of MORTGAGE" instrument for Josephine Freeman at 176 Robinwood Avenue, Whitehall, Ohio 43213 (Economic Development and Planning), presented by Emily Hillyer, Senior Program Coordinator, Economic Development and Planning.

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

Commissioner Brown moved to approve Resolution 0333-21, seconded by Commissioner O'Grady. The Resolution was unanimously adopted by roll call vote.

Resolution No. 0334-21, authorizing the Board of Franklin County Commissioners to sign the attached "Discharge of MORTGAGE" instrument for Cullen E. A. Starkey and Kendra N. Starkey at 523 Maplewood Avenue, Whitehall, Ohio 43213 (Economic Development and Planning), presented by Emily Hillyer, Senior Program Coordinator, Economic Development and Planning.

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

Commissioner Brown moved to approve Resolution 0334-21, seconded by Commissioner O'Grady. The Resolution was unanimously adopted by roll call vote.

Resolution No. 0335-21, approving subaward agreements with the Columbus Urban League, Godman Guild Association, and TECH CORPS Ohio, for the Franklin County Ready 2 Earn summer youth work readiness program (\$1,403,766.59) (Job and Family Services), presented by Vivian Turner, Assistant Director, Job and Family Services.

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

Commissioner Brown moved to approve Resolution 0335-21, seconded by Commissioner O'Grady. The Resolution was unanimously adopted by roll call vote.

Resolution No. 0336-21, authorizing the Franklin County Department of Job and Family Services Director to enter into a Memorandum of Understanding with the City of Columbus Department of Neighborhoods to support the My Brother's Keeper Village initiatives and services (\$100,000.00) (Job and Family Services), presented by Vivian Turner, Assistant Director, Job and Family Services.

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

Commissioner Brown moved to approve Resolution 0336-21, seconded by Commissioner O'Grady. The Resolution was unanimously adopted by roll call vote.

Resolution No. 0337-21, approving an update to the Facilities Master Plan and appropriations adjustments for construction maintenance projects (Public Facilities Management), presented by Zachary Talarek, Director, Office of Management & Budget, Board of Commissioners.

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

Commissioner Brown moved to approve Resolution 0337-21, seconded by Commissioner O'Grady. The Resolution was unanimously adopted by roll call vote.

Resolution No. 0338-21, approving purchases for various Franklin County agencies (\$2,409,345.21) (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 Brown moved to approve Resolution 0338-21, seconded by Commissioner O'Grady. The Resolution was unanimously adopted by roll call vote.

Resolution No. 0339-21, authorizing a contract with MAXIMUS Consulting Services, Inc. for the annual update to Franklin County's cost allocation plan and the Data Center's cost analysis and rate study (Board of Commissioners), presented by Zachary Talarek, Director, Office of Management & Budget, Board of Commissioners.

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

Commissioner Brown moved to approve Resolution 0339-21, seconded by Commissioner O'Grady. The Resolution was unanimously adopted by roll call vote.

Resolution No. 0340-21, authorizing the County Administrator to approve and execute minor contract modifications to all existing and future construction contract agreements where the modification does not involve an increase to the contract price, and authorizing the County Administrator to take any further actions necessary to effectuate the approval and execution of such modifications (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.

President Boyce: Is this just for the jail contract or is this for all construction contracts into perpetuity?

Ms. Long: This is for all construction contracts, but only construction contracts, and only for no cost increases.

President Boyce: Is there a way we can modify this? I understand on the cost increase issue, but I also think of issues that come up like removing a vendor from a contract and usually when there are vendors being removed from a contract, there's backstory and I don't want to not have that come before the Commissioners. We've got great people in place today to address that, but I think about the future. When you adopt this kind of authority, it doesn't take into account that there may be different players, from the County Administrator to the County Commissioners a few years from now, and we need to be thoughtful about a policy that applies no matter who the people are. Is there a way we can make this temporary and we come back and review it in a year or it has to be renewed in a year, or just for the current contracts or the big ones that are queued up right now?

Ms. Long: We can do a couple of things. We can put a one-year timeframe on this resolution and come back and review what modifications have been adopted under it, and make sure the Commissioners are comfortable with that. Or, we can table this for a week or longer to go over other options.

Kenneth N. Wilson, County Administrator: I would like to note we can change the standard language in the contract, for example that allows the county to cancel a contract for convenience. Currently, now, I can send a letter to a vendor if we end a contractual relationship with them. That feature is built into contracts. But if we want to change contracts after this resolution, we could put language in there that only contracts can be canceled for convenience by a vote of the Board of Commissioners. That's something that we haven't had in contracts, but we can put that in contracts.

President Boyce: As a compromise for me, I would be ok with the one-year review language.

Commissioner Brown: I agree with that.

Mr. Wilson: I think that would be effective, because we have these big construction projects on board now and when you look at the county's future, there are so many different contracts, it would meet the need of efficiency now as we continue to progress through the current correctional facility [project], but it gives it the opportunity to be reviewed after one-year.

Commissioner Brown: Do you have any other examples that the public could understand, when we're talking about these kind of no-cost contract modifications?

Jesse Armstrong, Assistant Prosecuting Attorney, Prosecuting Attorney's Office: Generally speaking, the first paragraph of the resolution is specifically limited to contract modifications for extensions of time which do not result in an increase in price. Secondly, to approve or execute documents that allow the county to recoup amounts that are unpaid and unearned allowance that were already in the contract and already approved. So, this resolution is specifically limited to those two categories. Commissioner Brown, to your

point, we have had at least three of these come through, just this year by resolution with respect to specific contracts, where those were each extensions of time. So, during the course of these contracts, issues come where additional time is needed, however, it's not compensable and so rather than having that come through by resolution each time, that allows the Administrator to approve those where it's no fault, there's no additional compensation, some additional time to complete the work is required. The second category, the unpaid and unearned allowances is essentially a repayment to the county of funds that were already approved under the original contract, but the work under those allowances did not use all of the funds already approved, so that reduces the contract amount and allows the county to recoup those funds without that coming back to you. So, in response to both, Commissioner Boyce and Brown, certainly the suggestion by Administrator Wilson and Deputy Administrator Long, can be put into this resolution, but I do want to point out that, as it's written, it is limited under paragraph one to those two specific circumstances.

President Boyce: I still would like the change, so I'd be okay with the modification, if that's a good compromise for everybody.

Ms. Long: I think that makes a lot of sense and with your approval to amend this resolution for a one-year sunset, and then we can come back in front of you, show you the contracts that were executed under this authority and make sure you are comfortable with that going forward.

Commissioner Brown made a motion to amend Resolution 0340-21 to state that its sunsets a year from this date [May 4, 2022], seconded by Commissioner O'Grady. The amendment to the proposed resolution was unanimously adopted by roll call vote.

Commissioner Brown moved to adopt amended Resolution 0340-21, seconded by Commissioner O'Grady. The Resolution was unanimously adopted by roll call vote.

Resolution No. 0341-21, resolution reappointing Paul Chodak, III, and Eric Smith, to the National Veterans Memorial and Museum (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 Brown moved to approve Resolution 0341-21, seconded by Commissioner O'Grady. The Resolution was unanimously adopted by roll call vote.

Dean M. Hindenlang, Clerk to the Board of Commissioners, read one (1) journalization into the record:

Case number ANX-13-21, an expedited type 2 annexation petition, ANX-13-21, was filed with the Franklin County Economic Development and Planning Department on April 22, 2021. The petition is requesting to annex 8.95 +/- acres from Blendon Township to the City of Columbus. The petition will be considered by the Board of Commissioners on May 25, 2021. Site: 4955 Sunbury Road, PID #110-000080.

There being no further business before the Board, the meeting was adjourned at 9:40 A.M.

(Signature Page Follows)

These minutes are a general summary of the Commissioners' General Session meeting of Tuesday, May 4, 2021.

KEVIN L. BOYCE, PRESIDENT



MARILYN BROWN



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

Submitted by:



Victoria A. Caldwell