

## Minutes

April 26, 2022

Commissioners present: Michael Pepple, William Bateson and Timothy Bechtol.

Also Present: Christine Carrigan, Cindy Land, Phil Johnson, Auditor Charity Rauschenberg, Adam Witteman and Engineer Doug Cade.

Commissioner Pepple opened the meeting at 9:30 a.m. in the Commissioners' 1<sup>st</sup> floor conference room. The Pledge of Allegiance was recited. Minutes from the April 21st 2022, meetings were read with Timothy Bechtol making a motion to approve, William Bateson seconded. Motion passed 3-0.

The Assistant Clerk presented the following resolutions for consideration:

Resolution #254-22 – Authorizing payment of the listed and/or attached purchase orders. Timothy Bechtol made a motion to approve, William Bateson seconded. Motion passed 3-0.

Resolution #255-22 – Transfer of funds from Indigent Defense to General Fund (March 2022 \$2,050.85). Timothy Bechtol made a motion to approve, William Bateson seconded. Motion passed 3-0.

Resolution #256-22 – Transfer of funds within the appropriation – MV&GT. Timothy Bechtol made a motion to approve, William Bateson seconded. Motion passed 3-0.

Resolution #257-22 – Transfer of funds from the General Fund to Juvenile Probate Bond Retirement. Timothy Bechtol made a motion to approve, William Bateson seconded. Motion passed 3-0.

Resolution #258-22 – Additional appropriation – within the Auditor's certification – Commissioners to appropriate to Severance – Litter Landing. Timothy Bechtol made a motion to approve, William Bateson seconded. Motion passed 3-0.

Resolution #259-22 – Transfer of funds within the appropriation – Board of Elections. Timothy Bechtol made a motion to approve, William Bateson seconded. Motion passed 3-0.

Resolution #260-22 – Additional appropriation – within the Auditor's certification – Commissioners to appropriate to Contingencies. Timothy Bechtol made a motion to approve, William Bateson seconded. Motion passed 3-0.

Timothy Bechtol made the motion and William Bateson seconded to approve the Warrant Journal. Motion passed 3-0. Eight travel requests for Hancock County Job & Family Services, three travel requests for the Sheriff's department and one travel request for the Commissioners' office were approved.

Cindy Land presented the following resolution for consideration:

Resolution #261-22 – Resolution authorizing a participation agreement regarding the usage of the CLEAR system by Hancock County JFS. Timothy Bechtol made a motion to approve, William Bateson seconded. Motion passed 3-0. Cindy stated this resolution is regarding the usage of the agreement that currently exist between the County Commissioners Association of Ohio Service Corporation and West Publishing Corporation. It is for a database that is used to find non-custodial parents. The Hancock

County Commissioners are part of the County Commissioner Association of Ohio and therefore able to participate in the contractual arrangement to utilize the Consolidated Lead Evaluation and Reporting database (CLEAR).

Phil Johnson presented the following resolutions for consideration:

Resolution #262-22 – Authorizing solicitation of bids for construction of road reconstruction project for the villages of Jenera & Mount Blanchard pursuant to the provisions and regulations associated with a CDBG project. Timothy Bechtol made a motion to approve, William Bateson seconded. Motion passed 3-0. Phil Johnson stated previously we did not receive any bids that were less than 10 percent over the original Engineer estimate. A new Engineer estimate was issued, bids were received and opened by Regional Planning. The lowest and best bid received was from Helms & Sons Excavating, Inc. in the amount of \$146,510.00.

Resolution #263-22 – Authorizing the expenditure of funds for publication fees in relation to lost, abandoned & seized personal property held by the Hancock County Sheriff's office in 2022. Timothy Bechtol made a motion to approve, William Bateson seconded. Motion passed 3-0. Phil stated this resolution relates to cleaning out the property room at the Sheriff's department. There are certain types of that property that require that notice be published in order to give people who may claim an interest in the item some sort of notice to come and claim their item. The publication fees could cost up to \$726.90.

Resolution #264-22 – Authorizing entry into an agreement regarding construction and maintenance of a ditch within and around the Woods at Hillcrest 9th Addition Subdivision pursuant to Ohio Revised Code Section 6131.63. Timothy Bechtol made a motion to approve, William Bateson seconded. Motion passed 3-0. Phil Stated this is an agreement with Jim Koehler. Doug stated this is a newer subdivision that falls under the new subdivision regulations that require a petition ditch to be established. This resolution will not only establish the petition ditch by agreement but also establish the ditch maintenance account and assess two percent of the total cost.

Resolution #265-22 – Authorizing entry into an agreement regarding construction and maintenance of a ditch within and around Best Liberty Addition 1st Addition Subdivision pursuant to Ohio Revised Code Section 6131.63. Timothy Bechtol made a motion to approve, William Bateson seconded. Motion passed 3-0. Phil stated this is a petition ditch agreement that will provide for entry into a contract for maintenance to the ditch system. Mr. Cade has supplied his recommendation for the Commissioners to enter into this agreement and has also supplied a list of the properties involved.

Phil Johnson requested an executive session in regards to potential real estate acquisition, potential real estate sale, and pending litigation.

Auditor Rauschenberg inquired how ditches receive their name. Doug stated they are named the subdivision name. Sales tax information was received and will be distributed to the Commissioners. Charity reminded the Commissioners to make sure budget is in place to avoid Then & Nows during the design build process. Charity stated that State Audit tends to look at the Then & Nows and we need to make sure the percentage we have is reasonable. Discussion took place on how we can eliminate maintenance Then & Nows. In addition, discussion took place regarding ARPA reporting and cyber security.

Engineer Doug Cade discussed progress on the county wide paving project. This project is funded through local tax dollars received through Motor Vehicle Gas Tax. The project is projected to be finished

by the end of May. Doug also stated the Olive St. project is expected to be completed significantly ahead of schedule. There is a concern that the steel guardrail might not be received on time. On Monday County Road 7 will be closed for a new bridge installation. This project should take about four weeks.

### **Meetings/Reports**

Timothy Bechtol met with Kyle and Doug from the Engineer's office to learn the Bid Express program. In addition, Commissioner Bechtol prepared a side by side comparison spreadsheet to show the similarities and differences between the three Juvenile/Probate court design build firms.

William Bateson had nothing to report.

Michael Pepple had nothing to report.

At 10:09 a.m. Michael Pepple made a motion to enter into executive session in regards to potential real estate acquisition, potential real estate sale and potential litigation. William Bateson seconded. A roll call vote resulted as follows: Michael Pepple, yes; William Bateson, yes; Timothy Bechtol, yes.

At 10:29 a.m., Michael Pepple made a motion to come out of executive session, in regards to potential real estate acquisition, potential real estate sale and pending litigation with no action taken. Timothy Bechtol seconded. Motion passed 3-0.

At 10:30 a.m. the Commissioners met to open the insurance consultants Request for Proposals (RFP). Christine Carrigan, Cindy Land, Charity Rauschenberg, Adam Witteman and Rob Boynar were in attendance. At 10:30 a.m. the Commissioners' office confirmed with the mailroom attendant that no other insurance consultant RFP's were received. The five companies that submitted RFP's are Oswald Companies, First Insurance Group, One Digital, Gallagher Benefit Services, Inc. and Marsh McLennan Agency. Rob Boynar from Oswald Companies provided information regarding Oswald Companies and the services that they provide. Commissioner Pepple stated the proposals will be reviewed and a decision will be made at a later date.

At 1:30 p.m. the Commissioners reconvened to discuss the Juvenile/Probate Court design-build firms. Christine Carrigan, Judge Starn, Judge Johnson, Shawn Carpenter, Auditor Rauschenberg, Adam Witteman and Lou Wilin from The Courier were in attendance. Commissioner Pepple stated the meeting this afternoon is to discuss last week's three design-build firm presentations and to discuss the next steps to take in the process. Commissioner Pepple also stated they have reached out to legal counsel for more information regarding some of the information that was presented by the firms. Commissioner Bechtol shared his design-build team comparison chart he prepared with the information received from the team presentations and documents that were submitted from each team. Commissioner Bechtol discussed in detail each section of his comparison chart. The comparison chart includes a section for members that make up each team; schedule for schematic design, design development, construction drawings and construction period; self-performed work; fees; shared savings and self-motivated work already started. Commissioner Bechtol asked the group for any impressions that should be taken under consideration when making the first-choice decision. Judge Johnson stated that the design-build contingencies are very different between the three firms. She asked if it was typical to have a smaller contingency when you are doing a brand-new build. Commissioner Bechtol stated this is the amount the firms want to keep in reserve for the project. Commissioner Bechtol stated there is a lot more control with new builds, so he

thought the contingencies should run between two & three percent. Judge Starn expressed concern with one of the firms disregarding the question about the National Center for State Courts input. Commissioner Bechtol concurred. Judge Johnson asked what the Board's plan was regarding the National Center to review the plans. Commissioner Bechtol stated he definitely wanted to have the architect of record make sure we have a run through with the National Center. Judge Johnson asked if they anticipated a contract with the National Center. Commissioner Bechtol stated yes. Discussion took place regarding the three firm budgets and the soft costs. Judge Johnson asked the Commissioners where they anticipate getting the additional money from. Commissioner Bechtol stated his presumption was they would use the \$7.9 million that has been put into the General Fund from the quarter percent sales tax where the monthly deposits have been taken for this fund. Commissioner Pepple stated they are going to meet with their municipal advisor to discuss the best option for funding, should they use all cash or borrow some? Auditor Rauschenberg was concerned on the calculations not adding up. Commissioner Bechtol stated he reached out to the legal advisor for more clarification on the calculation. Judge Starn wanted the Commissioners reaction to one of the firms looking at different ways to structure the building, maybe staying away from steel. The firm suggested maybe using concrete or block. Commissioner Pepple stated he was talking generalities, part of his service would look at all the different options depending on the availability of steel. The RFP stated what the Commissioners were looking for. He can suggest material but the Commissioners will have the final determination of what is being used. Commissioner Bechtol stated that one of the beauties of the design-build delivery method is that we get that upfront pricing and availability input from the contractor before the architect finishes the drawings. Judge Johnson expressed concern with the schematic design and the design development timelines. Commissioner Bechtol went over each firm's schematic design and design development timeline. Judge Johnson stated the plans that have been presented have no input from her. She is concerned that one of the firms is going to give no time to the schematic design. Discussion took place regarding staying in the twelve-million-dollar budget even if modifications to the plan have to be made. Commissioner Bechtol stated he is anticipating the guaranteed maximum price should be around twelve-million-dollars. All of the firms are looking to find a way to make it work at twelve-million-dollars. Judge Starn asked what happens if it can't. Commissioner Bateson commented that they will have to relook at it. All of the firms seemed pretty positive that this three-story building can be built with what the County needs for twelve-million-dollars. Judge Starn asked at what point does change order kick in. Commissioner Bateson stated he looks at change orders happening after the final design is done. Commissioner Bechtol stated that change orders play a bigger rule in renovation. Judge Starn stated he is a little concerned with timelines. There is a deadline of this year that is clearly not going to get met. Commissioner Bechtol stated he feels all three of the firms will give us a top-notch facility. Additional discussion took place regarding the value of the National Center for State Courts expertise. Discussion took place regarding security of the new building and the disruptions that would take place during the construction. Judge Starn stated that ultimately all of the numbers are really pretty close to each other. He also stated the schedules are an issue. Commissioner Bechtol stated we want to make sure the schedules are realistic. Judge Johnson asked when they anticipate making a decision. Commissioner Bechtol stated this week. A lot will depend on how fast they get answers back from the legal advisor. Auditor Rauschenberg inquired if penalties were allowed with design-build if there were delays and targets not met. Commissioner Bechtol stated he will check with legal counsel.

Respectfully submitted,

Christine Carrigan  
Christine Carrigan, Assistant Clerk

Reviewed and approved by:  
Michael W. Pepple  
Michael W. Pepple

William L. Bateson  
William L. Bateson

Timothy K. Bechtol  
Timothy K. Bechtol