

**COMMISSIONERS JOURNAL NO. 75 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD NOVEMBER 18, 2021**

THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY MET IN REGULAR SESSION ON THIS DATE WITH THE FOLLOWING MEMBERS PRESENT:

Present:
Gary Merrell, President
Barb Lewis, Vice President
Jeff Benton, Commissioner

1
RESOLUTION NO. 21-1132

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD NOVEMBER 15, 2021:

It was moved by Mrs. Lewis, seconded by Mr. Benton to approve the following:

WHEREAS, the Board of Commissioners of Delaware County, Ohio (the "Board") met in regular session on November 15, 2021; and

WHEREAS, the Clerk of the Board has certified, pursuant to section 305.11 of the Ohio Revised Code, that the entire record of the proceedings at that meeting is completely and accurately captured in the electronic record of those proceedings;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the electronic record of proceedings at the previous meeting.

Vote on Motion Mrs. Lewis Aye Mr. Merrell Aye Mr. Benton Aye

2
PUBLIC COMMENT

3
**TRIBUTE, HONORING LEN FISHER, UPON HIS PASSING
 DELAWARE COUNTY TRAIL COMMITTEE**

4
RESOLUTION NO. 21-1133

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR1117 AND MEMO TRANSFERS IN BATCH NUMBERS MTAPR1117:

It was moved by Mr. Benton, seconded by Mrs. Lewis to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR117, memo transfers in batch numbers MTAPR1117 and Purchase Orders as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>
PO' Increase			
(P2101062) RICART	VEHICLE MAINTENANCE	10011106-5228	\$3,100.00
(P2101062) RICART	VEHICLE MAINTENANCE	10011106-5328	\$2,900.00
(P2101605) OH. DEPT. MEDICAID	MEDICAL SERVICES	70161605-5342	\$29,200.00

Vote on Motion Mr. Merrell Aye Mrs. Lewis Aye Mr. Benton Aye

5
RESOLUTION NO. 21-1134

IN THE MATTER OF APPROVING THE REQUEST FOR STATEMENTS OF QUALIFICATIONS AND SETTING DATE AND TIME FOR THE STATEMENTS OF QUALIFICATIONS FOR A JAIL NEEDS ASSESSMENT FOR DELAWARE COUNTY, OHIO:

It was moved by Mrs. Lewis, seconded by Mr. Benton to approve the following:

WHEREAS, the Delaware County Sheriff and staff recommend the request for statements of qualifications, the specifications, and date and time for receiving statements of qualifications for a jail needs assessment for Delaware County, Ohio;

NOW, THEREFORE, BE IT RESOLVED that the Board of Delaware County Commissioners approves the

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request for statements of qualifications, the specifications, and date and time for receiving statements of qualifications for a jail needs assessment for Delaware County, Ohio:

**Public Notice
Request for statements of Qualifications
JAIL NEEDS ASSESSMENT
FOR DELAWARE COUNTY, OHIO**

The Delaware County Board of Commissioners, in accordance with Section 153.67 of the Ohio Revised Code, wishes to receive Statements of Qualifications (SOQ) from qualified criminal justice consulting firms that possess knowledge, skills, and experience in pre-architectural jail planning to conduct a comprehensive assessment analyzing current and future projections for county needs in the area of correctional facilities, alternatives to incarceration, transformational incarceration programs to include in-house rehabilitation/treatment programs, as well as a study for potential staffing and structural/space requirements involving the Delaware County Jail and the current law enforcement portion of the existing structure.

The work may involve, but is not limited to, physical facility assessments, programming reviews, conceptual design and cost estimation for identified facility improvements and other associated services.

The complete Request for Qualifications may be obtained at the County's web page, <http://www.co.delaware.oh.us> under the heading "Public Notices and Bids" or by contacting the Delaware County Jail at (740) 833-2840, email nkarafa@co.delaware.oh.us, or in person at 844 U.S. Highway 42 North, Delaware, Ohio 43015 during normal business hours.

Statements of Qualifications will be received at the Delaware County Jail, Attention: Jail Director Nicholas Karafa, Jail Director, 844 U.S. Highway 42 North, Delaware, Ohio 43015 until 4:00 PM on Tuesday December 21, 2021. Five (5) copies of all submittals are to be included. Submittals pursuant to this invitation will not be received after the hour and date stated above.

End of Advertisement

**Request for statements of Qualifications
JAIL NEEDS ASSESSMENT
DELAWARE COUNTY, OHIO**

The Delaware County Board of Commissioners is accepting Statements of Qualifications (SOQ) for the following project:

- 1. Project Name**
Jail Needs Assessment
- 2. Public Authority/Owner of Record**
Delaware County Board of Commissioners.
- 3. Project Location**
Delaware County Jail, 844 U.S. Highway 42 North, Delaware, Ohio 43015
- 4. General Description**
The project seeks an interdisciplinary team proposal for professional services, including but not limited to planning, conceptual design, and cost estimating for construction and best possible uses of the current and future space at the Delaware County Jail.
- 5. Background Information**
The Delaware County Jail was built in 1988, with substantial subsequent additions. The Jail houses both male and female adult inmates and has a maximum capacity of 286 beds. The most recent Master Plan for the Jail Facility was prepared in July of 2010 by Shremshock Architects, Inc., Columbus, Ohio. A new building for the Delaware County Sheriff's Office, separate from the Jail, is expected to be completed in 2023. At that time, the law enforcement portion of the current facility (6,244 sq. ft.) immediately adjacent to the Jail will be vacated and available for repurposing to fill the needs of the Jail.
- 6. Budget**
Up to \$50,000
- 7. Scope of Work**
Provide necessary information to assist the County with determining the best use of the current Jail Facility, including the renovation of the existing law enforcement area, based on current and near future jail operational needs. The analysis will include, but not be limited to the following items:
 - 7.1 Assessment of the existing jail facilities
 - a. The report will include a physical plant assessment of the current Jail and Law Enforcement facilities including but not limited to a review of the condition of the building envelope, mechanical, plumbing, and electrical systems. Evaluate with regard to remaining service life. Make recommendations and include cost estimates regarding needed repairs/replacement.

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- b. Conduct a functional evaluation of the jail based on current state jail standards and current industry best practices.
 - c. Inventory staffing needs at the existing jail.
- 7.2 Estimate the space and operation requirements for future needs
- a. Prepare preliminary space needs based on current jail population and capacity levels, and separation and classification needs for each area of function.
 - b. Develop options for space dedicated for detoxification, rehabilitation, mental health and substance abuse counseling, classrooms, etc. as recommended.
- 7.3 Develop renovation options to meet current needs
- a. Develop options for meeting current bed utilization needs focusing on segregation requirements of inmates.
 - b. Site analysis may be included in the development of the options and should also indicate requirements for facility and secured access (i.e. lighting, loading zones, entrances, employee/visitor parking).
- 7.4 Evaluate Options
- a. The options will be evaluated based on initial construction/renovation costs and ongoing operational costs including staffing needs.
 - b. The options may also be evaluated on criteria to be developed by the County Sheriff at a later date.
- 7.5 Recommendation for project delivery method
Assist the County with the selection of the most appropriate project delivery method based on the project characteristics, County requirements, and the construction marketplace, among others, as permitted for public authorities under the Ohio Revised Code.
- 7.6 Project schedule and starting date
Consultant should provide a timetable for the study to illustrate general sequence and when key activities would occur.

8. Content of Consultant's Statement of Qualifications

Statement of Qualifications should include, but is not limited to the following:

- 8.1 Name of firm, address, contact name, email, and telephone number.
- 8.2 Names, qualification and experience of principals and key personnel who are to be assigned to the project. Provide detailed information on these individuals so as to indicate their availability to the project. This information should include, but not be limited to the following for each individual:
 - Number and type of projects in which individual is involved.
 - A graphical or tabular representation of hours available for key personnel.
 - Key personnel being defined as project engineers, design engineers, designers and other professionals needed by the project.
- 8.3 Number and composition of staff available for the project, including a table of organization. Composition should be broken into professional, sub-professional, technicians, administrative and clerical.
- 8.4 Name of the responsible firm member and project manager.
- 8.5 Listing of all sub-consultants whose qualifications are being used to obtain qualifications in any of the areas identified.
- 8.6 Listing of previous projects with Delaware County and/or similar projects. Include the scope of the project, square footage, budget, and completion date.
- 8.7 A brief statement of the firm's intended approach to the project and the services the firm would recommend, including, but not limited to the services requested.
- 8.8 A statement of the firm's overall operating philosophy and organizational characteristics.
- 8.9 An outline of the firm's Quality Assurance or Quality Management Program.

9. Schedule

All design efforts resulting from the adoption of Work are expected to proceed expeditiously upon the approval of the contract.

10. Submittal Deadline

Statements of Qualifications will be received until **4:00 PM on Tuesday December 21, 2021** at:
Delaware County Jail
Attention: Nicholas Karafa, Jail Director
844 U.S. Highway 42 North
Delaware, Ohio 43015

Five (5) copies of all submittals are to be included. Submittals pursuant to this invitation will not be received after the hour and date stated above.

Any proposals submitted to Delaware County, Ohio are to be prepared at the submitter's expense. Delaware County reserves the right to reject any and all proposals in whole or in part. Acceptance of a proposal shall not constitute an agreement between the submitter and Delaware County. Delaware County shall have no liability whatsoever to any submitter whose proposal is not accepted.

11. Inquires

Questions regarding this Request for Qualifications should be submitted in writing to:

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Delaware County Jail
 Email: nkarafa@co.delaware.oh.us (preferred)
 Attention: Nicholas Karafa, Jail Director
 844 U.S. Highway 42 North
 Delaware, OH 43015

12. Evaluation of SOQ

Statements of Qualifications will be evaluated on the following criteria:

- Competence of the professional design firm and all consultants to perform the required professional design services as indicated by the technical training, education, and experience of the firm's personnel, especially the technical training, education, and experience of the employees within the firm who would be assigned to perform the services.
- Ability of the firm in terms of its workload and the availability of qualified personnel, equipment, and facilities to perform the required professional design services competently and expeditiously.
- Past performance of the firm as reflected by the evaluations of previous clients and with the Delaware County Board of Commissioners with respect to such factors as control of costs, quality of work, and meeting of deadlines.
- Knowledge or past experience in the construction and design of like projects.
- Location of the firm in relation to the project site.
- Any other relevant factors as determined by the public authority.

As required by the Ohio Revised Code Sections 153.65 to 153.71, responding firms will be evaluated and ranked in order of their qualifications by a selection committee based on proposals and any conducted interviews. Dependent on the total number of proposals submitted, the selection committee may short list the top firms and conduct interviews with the short listed firms only. Upon ranking of at least the top three firms, Delaware County may enter into contract negotiations with the firm ranked most qualified. If no agreement can be reached with the first firm, Delaware County may enter into negotiations with the firm ranked to be the next most qualified firm.

Vote on Motion Mr. Benton Aye Mr. Merrell Aye Mrs. Lewis Aye

6

RESOLUTION NO. 21-1135

IN THE MATTER OF ACCEPTING THE MATERIAL TERMS OF THE ONE OHIO SUBDIVISION SETTLEMENT PURSUANT TO THE ONE OHIO MEMORANDUM OF UNDERSTANDING AND CONSISTENT WITH THE TERMS OF THE JULY 21, 2021 NATIONAL OPIOID SETTLEMENT AGREEMENT AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE ONE OHIO SUBDIVISION PARTICIPATION AGREEMENT WITH JANSSEN/JOHNSON & JOHNSON:

It was moved by Mr. Benton, seconded by Mrs. Lewis to approve the following:

WHEREAS, the County of Delaware, Ohio (the "County") is a county formed and organized pursuant to the Constitution and laws of the State of Ohio; and

WHEREAS, the people of the State of Ohio and its communities, including the County, have been harmed by misfeasance, nonfeasance and malfeasance committed by certain entities within the Opioid Pharmaceutical Supply Chain; and

WHEREAS, the State of Ohio, through its Attorney General, and certain Local Governments, through their elected representatives and counsel, are separately engaged in litigation seeking to hold Opioid Pharmaceutical Supply Chain Participants accountable for the damage caused by their misfeasance, nonfeasance and malfeasance; and

WHEREAS, the State of Ohio, through its Governor and Attorney General, and its Local Governments share a common desire to abate and alleviate the impacts of that misfeasance, nonfeasance and malfeasance throughout the State of Ohio; and

WHEREAS, the State and its Local Governments, subject to completing formal documents effectuating the Parties Agreements, have drafted and the County has adopted, and hereby reaffirms its adoption of, a OneOhio Memorandum of Understanding ("MOU") relating to the allocation and the use of the proceeds of any potential settlements described; and

WHEREAS, the MOU has been collaboratively drafted to maintain all individual claims while allowing the State and Local Governments to cooperate in exploring all possible means of resolution; and

WHEREAS, the County's Board of Commissioners (the "Board") understands that an additional purpose of the MOU is to create an effective means of distributing any potential settlement funds obtained under the MOU between the State of Ohio and Local Governments in a manner and means that would promote an effective and meaningful use of the funds in abating the opioid epidemic throughout Ohio, as well as to permit collaboration and explore potentially effectuation earlier resolution of the Opioid Litigation against Opioid Pharmaceutical Supply Chain Participants; and

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WHEREAS, nothing in the MOU binds any party to a specific outcome, but rather, any resolution under the MOU requires acceptance by the State of Ohio and the Local Governments; and

WHEREAS, a settlement proposal is being presented to the State of Ohio and Local Governments by Janssen/Johnson & Johnson to resolve governmental entity claims in the State of Ohio using the structure of the OneOhio MOU and consistent with the material terms of the July 21, 2021 proposed Settlement Agreement; and

WHEREAS, the Board wishes, on behalf of the County, to agree to the material terms of the proposed National Opioid Settlement Agreement with Janssen/Johnson & Johnson (the “Proposed Settlement”);

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DELAWARE, STATE OF OHIO:

Section 1. That the Board hereby accepts the Proposed Settlement on behalf of the County, pursuant to the terms of the OneOhio MOU.

Section 2. That the Board hereby authorizes the County Administrator to execute the One Ohio Subdivision Participation Agreement with Janssen/Johnson & Johnson.

Section 3. That it is found and determined that all formal actions of the Board relating to the adoption of this Resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Vote on Motion Mrs. Lewis Aye Mr. Benton Aye Mr. Merrell Aye

**7
ADMINISTRATOR REPORTS**

Dawn Huston, Acting County Administrator
-No reports.

**8
COMMISSIONERS’ COMMITTEES REPORTS**

Commissioner Lewis
-Attended the Engineer’s annual luncheon for Township Trustees.
-The Gazette ran an article about a former reporter, Tony Bodkin, who passed away last week.

Commissioner Benton
-Central Ohio Youth Center will meet today at 4:00 PM. There will be another County added to the four already in the COYC. Logan County will join Madison, Champaign, Union and Delaware Counties. There will also be by-law changes today to add two more directors.

Commissioner Merrell
-Regional Planning will meet tonight.
-Attended a Stratford Farms luncheon yesterday to welcome their new executive director, Erin Gliatta.

**9
RESOLUTION NO. 21-1136**

IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR CONSIDERATION OF APPOINTMENT OF A PUBLIC EMPLOYEE OR PUBLIC OFFICIAL; TO CONSIDER THE SALE OF PROPERTY AT COMPETITIVE BIDDING; FOR PENDING OR IMMINENT LITIGATION; AND CONFIDENTIAL INFORMATION RELATED TO ECONOMIC DEVELOPMENT:

It was moved by Mr. Benton, seconded by Mrs. Lewis to approve the following:

WHEREAS, pursuant to section 121.22(G) of the Revised Code, a public body may hold an executive session only after a majority of a quorum of the public body determines, by a roll call vote, to hold an executive session and only at a regular or special meeting for the sole purpose of the consideration of any of the matters specified in section 121.22(G)(1)–(7) of the Revised Code; and

WHEREAS, pursuant to section 121.22(G)(8) of the Revised Code, a public body may hold an executive session to consider confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance, or to negotiations with other political subdivisions respecting requests for economic development assistance, provided that both of the following conditions apply:

(1) The information is directly related to a request for economic development assistance that is to be provided or administered under any provision of Chapter 715., 725., 1724., or 1728. or sections 701.07, 3735.67 to 3735.70, 5709.40 to 5709.43, 5709.61 to 5709.69, 5709.73 to 5709.75, or 5709.77 to 5709.81 of the Revised Code, or that

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involves public infrastructure improvements or the extension of utility services that are directly related to an economic development project; and

(2) A unanimous quorum of the public body determines, by a roll call vote, that the executive session is necessary to protect the interests of the applicant or the possible investment or expenditure of public funds to be made in connection with the economic development project;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Delaware County, State of Ohio:

Section 1. The Board hereby adjourns into executive session for consideration of appointment of a public employee or public official; to consider the sale of property at competitive bidding; for pending or imminent litigation; and confidential information related to economic development.

Section 2. The Board hereby adjourns into executive session to consider confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance, or to negotiations with other political subdivisions respecting requests for economic development assistance.

Section 3. The Board hereby finds and determines that the information listed in Section 2 is directly related to a request for economic development assistance that is to be provided or administered under any provision of Chapter 715., 725., 1724., or 1728. or sections 701.07, 3735.67 to 3735.70, 5709.40 to 5709.43, 5709.61 to 5709.69, 5709.73 to 5709.75, or 5709.77 to 5709.81 of the Revised Code, or that involves public infrastructure improvements or the extension of utility services that are directly related to an economic development project.

Section 4. The Board hereby finds and determines that the executive session held pursuant to Section 2 is necessary to protect the interests of an applicant for economic development assistance or the possible investment or expenditure of public funds to be made in connection with the economic development project.

Vote on Motion Mr. Merrell Aye Mr. Benton Aye Mrs. Lewis Aye

RESOLUTION NO. 21-1137

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

It was moved by Mrs. Lewis, seconded by Mr. Merrell to adjourn out of Executive Session.

Vote on Motion Mrs. Lewis Aye Mr. Merrell Aye Mr. Benton Absent

Recessed at 10:43 AM until 11:00 AM

RESOLUTION NO. 21-1138

IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR CONSIDERATION OF APPOINTMENT OF A PUBLIC EMPLOYEE OR PUBLIC OFFICIAL:

It was moved by Mr. Benton, seconded by Mrs. Lewis to approve the following:

WHEREAS, pursuant to section 121.22(G) of the Revised Code, a public body may hold an executive session only after a majority of a quorum of the public body determines, by a roll call vote, to hold an executive session and only at a regular or special meeting for the sole purpose of the consideration of any of the matters specified in section 121.22(G)(1)–(7) of the Revised Code; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Delaware County, State of Ohio:

Section 1. The Board hereby adjourns into executive session for consideration of appointment of a public employee or public official.

Vote on Motion Mr. Merrell Aye Mr. Benton Aye Mrs. Lewis Aye

RESOLUTION NO. 21-1139

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

It was moved by Mr. Benton, seconded by Mrs. Lewis to adjourn out of Executive Session.

Vote on Motion Mr. Benton Aye Mr. Merrell Aye Mrs. Lewis Aye

There being no further business, the meeting adjourned.

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Gary Merrell

Barb Lewis

Jeff Benton

Jennifer Walraven, Clerk to the Commissioners