

CONTROLLING BOARD

OHIO OFFICE OF BUDGET AND MANAGEMENT

MINUTES OF THE JANUARY 27, 2003 MEETING

President, Lisa Dodge, called the Controlling Board meeting to order at 1:45 p.m. Serving on the Controlling Board were Senator Bill Harris, Representative Charles Calvert, Senator James Carnes, Representative Gary Cates, Senator Robert Hagan and Representative Sylvester Patton.

Executive Secretary, Vanessa Niekamp, distributed the minutes of the December 16, 2002, meeting. A motion to approve the minutes was made by Senator Harris, seconded by Representative Calvert and approved by the Board members.

Attached is the January 27, 2003, meeting agenda. A motion for blanket approval of all items not held for questions was made by Senator Harris, seconded by Representative Calvert and approved by all Board members.

The following items were discussed and acted upon as stated.

Item 5, KSU196-03 was held by Representative Calvert. Representative Calvert asked the status of the two projects listed as deferred. Thomas Euclide, Director of The University Architects Office, stated the two projects are basic renovation projects and will be included in the future capital bill under the basic renovation line item. The item was approved without objection.

Item 6, MUN022-03 was held by Senator Hagan. Senator Hagan asked why the University only used one paper to advertise the bid. Robert Keller, University Architect, stated he did not know. Senator Hagan asked if the University had ever advertised on the web. Mr. Keller stated not to his knowledge. Representative Patton asked if the one vendor who bid on the project, received the proposal information from the one paper used. Mr. Keller stated he did not know, but would be using a more broad-based bid approach in the future. The item was approved without objection.

Item 20, BOR098-03 was held by Representative Calvert. Representative Calvert asked for a comparison of the funding. Jane Fullerton, Board of Regents, stated the current funding is exactly the same as previous years, which is approximately \$2.5 million. Representative Calvert asked if the request for proposal has been issued. Ms. Fullerton, stated yes, it was issued in the late fall. The item was approved without objection.

Item 25, ADJ049-03 was deferred by request of the agency.

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Item 28, DAS248-03 was approved as amended to read: Administrative Services requests Controlling Board approval to release \$10,000.00 for the Historic Hopewell Church project, Oxford, Butler County.

Item 31, AGR044-03 was held by Senator Harris. Senator Harris released the hold. The item was approved without objection.

Item 36, COM018-03 was deferred by request of the agency.

Item 43, DEV363-03 was approved as amended to read: Development requests Controlling Board approval to release \$75,000.00 from the Business Development Account to the City of Tiffin, Seneca County, to construct public infrastructure improvements needed to allow Toledo Molding and Die, Inc., to expand at the city's Eagle Rock Business Park.

Item 51, DEV371-03 was deferred by request of the agency.

Item 52, EDU269-03 was deferred by request of the agency.

Item 53, EDU270-03 was deferred by request of the agency.

Item 54, EDU272-03 was held by Representative Calvert and Representative Patton. Representative Patton asked what projects are included in this request. Paul Marshall, Education, stated the request is for the Student Intervention program. Representative Patton asked for the total amount of the reimbursement to the districts. Mr. Marshall stated he would have to provide the information at a later date. Representative Patton asked when the districts would receive the money. Mr. Marshall stated within 10 days of the Controlling Board approval. Senator Hagan asked if the money is currently late. Mr. Marshall stated the money is a reimbursement that should have been distributed last fall. Senator Hagan asked if there are any unused funds. Mr. Marshall stated all the funding is for distribution to the districts and there will not be any unused amounts. Representative Calvert asked if the reimbursement is for 2001 or 2002. Mr. Marshall stated 2002. The item was approved without objection.

Item 55, EDU273-03 was held by Senator Hagan and Representative Patton. Senator Hagan asked if there are additional phases to this request. Paul Marshall, Education, stated there is one more phase before the work is completed. Representative Patton did not have additional questions. The item was approved without objection.

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Item 62, DOH060-03 was held by Senator Carnes. Senator Carnes asked if this vendor was the low bidder. Sean Keller, Administrator, stated this vendor was not the lowest bidder, but was chosen by an evaluation process. Senator Carnes asked how much higher the chosen vendor is compared to the lowest bidder. Sean Keller stated the lowest bid was for \$238,000.00. The item was approved without objection.

Item 63, DOH061-03 was held by Senator Carnes. Senator Carnes asked if the Department considered using federal funds instead of general revenue funds. Sean Keller, Administrator, stated the Department would use the federal funds due to a timing issue and the general revenue funds are being used to expedite the contract. The item was approved without objection.

Item 67, JFS124-03 was held by Senator Harris. Senator Harris asked for the number of foster families. Christopher Carlson, Deputy Director, stated there are approximately 11,000. Senator Harris asked if the conference is for only 450 of the 11,000. Mr. Carlson indicated that is correct. Senator Harris asked if there is a mandate that states how many should attend the conference. Mr. Carlson stated there are no mandates in regards to this conference. Senator Harris asked how the 450 figure was developed. Mr. Carlson stated the 450 number was developed by using the average attendance at previous conferences. The item was approved without objection.

Item 68, JFS125-03 was held by Representative Cates. Representative Cates asked if the three new positions are permanent employees. Christopher Carlson, Deputy Director, stated the positions are permanent, however the employees are aware of the possible funding problems that could necessitate a layoff. The item was approved without objection.

Item 74, DMH332-03 was held by Senator Carnes. Senator Carnes asked if one company with one employee will work 73 hours per week. William Weimer, Chief of Human Resources, stated the position requires the employee to physically be in the hospital on call. The item was approved without objection.

Item 80, DMR312-03 was held by Senator Hagan and Representative Patton. Senator Hagan asked if there has been an attempt to recover the funds from the contractor. Richard Wymer, Mental Retardation and Developmental Disabilities, stated the error was on the part of the Department, not the contractor. Representative Patton asked if this project has been identified as an emergency. Mr. Wymer stated the project is not an emergency, but any delay will only result in additional costs to the project. The item was approved without objection.

Item 84, DMR316-03 was held by Representative Calvert. Representative Calvert asked if the state would have to provide the match, if the locals refuse to participate. Jeff Davis, Mental Retardation and Developmental Disabilities, stated no. Representative Calvert asked if the counties that are ready to move forward now will use more of the resources than those who are waiting. Mr. Davis

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stated there is a structured process that will allow a uniform resource to every county. The item was approved without objection.

Items 93, DNR118-03 and 94, DNR119-03 were held by Senator Harris, Representative Calvert, Senator Hagan and Representative Patton. Senator Harris asked if this is the time to start these projects. Bill Moody, Assistant Director, stated these projects have been on the docket for years and the Department believes the projects will save money by consolidating several smaller outposts. Representative Calvert asked where the funds are coming from. Mr. Moody stated these funds were originally set aside for these projects in a statewide line item. Representative Calvert asked what the commissary will offer. Mr. Moody explained the commissary will have incidentals that campers may have forgotten at home, such as: toothbrush, fire wood, candy, chips, soda, etc. Senator Hagan asked what would happen to the buildings that will be abandoned by the projects included in this request. Mr. Moody stated the spaces are rented and will be leased again by the landlord when Natural Resources vacates. Senator Hagan asked if the Department owns any of the sites. Mr. Moody stated the Department owns the site on which the new commissary will be built. The items were approved without objection.

Items 96, DNR343-03; 97, DNR344-03; and 98, DNR345-03 were held by Representative Calvert, Senator Hagan, and Representative Patton. Representative Patton asked for an explanation of the requests. Bill Moody, Assistant Director, stated the three requests are to produce soil information that will cross county lines and add to the continuity of the information. Representative Patton asked if the same 11 counties are included in the three requests. Mr. Moody stated the requests are for the same 11 counties. Representative Calvert asked if there are duplication of soil samples between the Departments of Transportation, Agriculture and Natural Resources. Mr. Moody stated no, the mapping effort has been a coordinated effort between the Federal Department of Agriculture and Natural Resources. Senator Hagan asked for a copy of the letter addressed to the committee. Mr. Moody stated the letter will be redistributed. Senator Hagan asked if Draft-Co, Inc., is the only vendor who met the requirements. Mr. Moody stated Draft-Co, is the only vendor who met the Federal Guidelines for this particular part of the work. The items were approved without objection.

Item 100, DNR347-03 was deferred by request of the agency.

Item 101, DNR349-03 was held by Representative Cates. Representative Cates asked how the 4 positions might be funded in the future. Bill Moody, Assistant Director, stated the 4 positions are not new; they have previously been funded out of the general revenue fund, but will now be moved to the federal funds. Representative Cates asked what will happen if the funding is not available in the future. Mr. Moody stated the positions would be eliminated if the funding would not be available. The item was approved without objection.

Item 106, DNR368-03 was approved as amended to read: Rehabilitation and Correction requests Controlling Board approval to release \$6,976.00, and to waive competitive selection to amend the

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contract with ms consultants, inc., Youngstown, Mahoning County, to provide design services for the Water Storage Renovation project at the Lebanon Correctional Institution, Lebanon, Warren County. (501-2000-152)

Items 108, DRC372-03 and 110, DRC376-03 were held by Senator Hagan. Senator Hagan asked how many units are in an hour. Debbie Nixon, Chief of Mental Health Services, stated the Department wanted to get away from hours of service and focus on units of service. A unit of service was based on the average time needed per evaluation. Senator Hagan asked if there is a possibility of a physician being paid for a unit that only takes half an hour and others that may take much longer. Kay Downing, Bureau of Medical Services, stated the dental services units are paid uniformly for each service being requested on a monthly basis. The items were approved without objection.

Item 109, DRC375-03 was held by Representative Cates. Representative Cates asked for an explanation of the air mattresses. Donna Lehner, Controlling Board Administrator, stated the air mattresses are clinical mattresses that help prevent bedsores and assist in the healing process. Representative Cates asked why a less expensive mattress is not suitable. Ms. Lehner stated the mattresses included in the request are clinical air mattresses that do not compare with a typical air mattress that could be purchased in a retail store. Kay Downing, Bureau of Medical Services, stated the clinical mattresses are prescribed by the Ohio State University Medical Center after an inmate has been treated at their facility. Senator Hagan asked if these mattresses are typically prescribed to the public in nursing homes. Ms. Downing stated yes. Representative Patton asked if there is only one vendor. Ms. Downing stated there is another vendor, however the cost is much higher. The item was approved with Representative Cates objecting.

Item 112, DRC378-03 was held by Senator Harris. Senator Harris asked if there is any recourse the state can take to recover costs when a physician ends a contract early. Donna Lehner, Controlling Board Administrator, stated the legal department performs a review of each contract on a case-by-case basis. The item was approved without objection.

Item 113, SFC092-03 was held by Senator Harris. Senator Harris released the hold. The item was approved without objection.

Items 116, SFC095-03 and 120, SFC099-0304 were held by Senator Hagan. Senator Hagan asked if the vendors listed in the manual are sole source. Steve Lutz, Chief of Planning, stated the school manual calls for types of materials and equipment, but do not name vendors. The items were approved without objection.

Item 125, DOT098-03 was held by Senator Carnes and Representative Cates. Senator Carnes asked if any funds might be recovered from the Utility Company who caused the delay. Michele

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Holdgreve, Legislative Liaison, stated the Department does not have the necessary legal recourse to recover costs at this time. Representative Cates stated he would like to see the Department pursue action against the Utility Company. The item was approved without objection.

Item 126, DOT178-03 was held by Representative Cates. Representative Cates asked why this request is necessary. Michele Holdgreve, Legislative Liaison, stated signs are currently designed by hand and this program will bring the sign design into the 21st century. Representative Cates asked if this is the only available software. Ms. Holdgreve stated there are 3 other software packages, however this is the only package compatible with the Department's current computer systems. The item was approved without objection.

Item 134, INS303-03 was added to the agenda with a motion to waive the seven-day rule by Senator Harris and a second by Senator Carnes. Senator Hagan asked if there were any Ohio firms interested in the proposal. Holly Saelens, Insurance, stated the one vendor from Ohio could not come to an agreement on the terms of the contract. The item was approved without objection.

With no further business before the board, the meeting was then adjourned at 4:25 p.m.

Respectfully submitted,

Vanessa Niekamp
Controlling Board Executive Secretary

01/27/03 Minutes approved by the Board:
