

Minutes

January 14, 2022

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

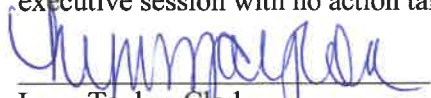
Also Present: Lynn Taylor, Judge Johnson, Judge Routson, Shawn Carpenter, Treasurer Welton, Judge Starn, Sheriff Heldman, Richard Kirk and Lou Wilin. Attorney Steve Friedman was present via telephone.

Commissioner Pepple opened the meeting at 11:00 a.m. in the Commissioners' 1st floor


Commissioner Bechtol provided details of the proposed 2 story Probate/Juvenile Court building. Tim stated that the most recent cost estimate received of a build of similar size from the previous architect, was in the \$8 million range. The current Board is comfortable in working with a \$9 million budget for this design/build contract. Tim stated that the Board is looking for vote today from the 7-member committee to prepare design/build packages for public consideration. Richard Kirk wanted to know when it was decided to go with a design/build contract. Furthermore, Richard stated that the normal delivery method for a project like this is design/bid. Richard stated that the design/bid process is the quickest delivery method. In his opinion, it does not make a lot of sense after paying \$400,000-\$500,000 to the prior architect to go design/bid. Richard also stated that he supports this project and he thinks that the community needs this building, and appreciated all the work put into this project, but the idea of design/build is not the traditional way to go. He feels that the design/bid can be ready in 60 days. Going design/build takes so much longer. Richard stated that he never heard why Garmin Miller was removed from the discussion and plan process. In addition, Richard stated that he has experience in both design processes, and he said the design/build is more expensive and time consuming. Richard asked who did the drawings and Tim confirmed that he did the drawings. Tim agreed that this is an important project and needs to be done properly. Tim stated that he is serving as the criteria architect on this project and it will be finalized and sealed by the architect as part of the design/build process. Richard stated that he feels this is a conflict of interest. He stated that Garmin Miller is a reputable firm and is asking why this is going a design/build. Richard stated that he heard that plans were ready for contract before the mall option was announced. Tim stated that this is not true. Richard still wanted to know why Garmin Miller was not being used. Richard stated the he guaranteed design/build will go under budget and the end results won't be liked. Richard stated that he is an advocate on design/bid build projects for public works. Judge Routson stated that as a member of the committee, he is not ready to vote today. Tim acknowledged. Judge Routson would like to find a time in the very near future to discuss publicly some of these details on the plan with all 7 members present. Judge Routson stated that he cannot speak to Mr. Kirk's comments, that's for another time. Judge Routson would like the questions answered on the Domestic Relations issue. Judge Johnson stated that with DR (Domestic Relations) we would have about 27,500 square feet, without DR there is about 25,147 square feet. Sheriff Heldman wanted to know why the Commissioners are asking the committee to come back and relook at the whole thing. Bill Bateson stated that they were trying to get a little bit of savings. Bill stated that as they all are aware of; another property was visited to remove pressure from the Courthouse and to make more room for County Government. Judge Johnson stated that Garmin Miller has both versions available, with DR and without DR. Judge Johnson stated that the issues were resolved with the detainee entrance and was ready to vote when the mall option was announced. Judge Johnson stated that she was not familiar with the design build process, she is unsure of the process of what the committee is voting on since these drawings today are not the final drawings. The final drawings will be provided by the architect the builder chooses. Judge Johnson stated that these are important decisions. Tim explained that these drawings are setting up for their criteria. If there are any changes that they are suggesting for whatever reasons, they would still come back to us to have their changes reviewed. Judge Johnson stated that she had hours of meetings with topics to include technology, electrical and outlet discussions. Sheriff Heldman concurred and said camera discussions were also held. She is concerned about the ability they would have to change things.


Tim stated that she would still have that ability. Richard Kirk stated that he agreed 100% with what Judge Johnson stated. Richard suggested that the Commissioners read the State of Ohio Standard Form Agreement for Design Build. Richard said that we don't know what we are buying with a design/build contract. He stated the importance of saving money. Richard stated that an error/omissions form is required as a criteria architect, as well as insurance requirements. Tim stated that he has checked into this. Bills stated that the Prosecutor's Office did check into this before the process was started and it was determined that Tim fell under the requirements of a criteria architect. Additionally, Tim stated that he is not charging a fee for any of this. Richard acknowledged. Tim stated that they are well aware of this monumental project. Judge Starn stated that over \$500,000 was spent with Garmin Miller previously and they still aren't present. Judge Starn stated that he has been present at almost all of the meetings and still hasn't heard of why Garmin Miller was eliminated from these discussions. No answer was given. Judge Routson stated that all these issues are important, but did express his desire to have a nice follow up meeting to further discuss the plans. Tim stated that he is personally available next week. Judge Routson stated that he would like there to be a re-consideration of the DR plan. Sheriff concurred with Judge Routson's request as it pertains to security concerns for everyone involved. Judge Routson acknowledged that there is a commitment of these issues. However, what we might spend now may be a lot less to move DR now as opposed to doing it later. Tim did not agree that there is no other option for DR. The other option is to move 3 offices from the second floor to make room for DR at the Courthouse. Judge Starn stated that currently, there is no place to move DR to. Tim agreed. The other location that is being considered has not been secured. So, if that falls through, there is no option as Judge Starn indicated. Bill Bateson stated that the property owner will provide an assessment and is due back the 3rd week of January. Tim stated that when DR was initially included, it was as an enhancement to the plan. It wasn't part of the core building program that needed to be built. It led to some of the cost overruns that simply put we can't afford as part of this project. Tim wants to make improvements to DR and realizes the need for it. Judge Starn stated that in September the Board was willing to spend \$14-18 million dollars on the mall and only Juvenile Probate Court. Bill Bateson stated \$7 million dollars was dedicated. Bill stated that he thinks the public can support this price. Bill offered to bring in more experts to discuss the design/build process. Richard Kirk stated to bring back Garmin Miller to find out what happened. He stated that with Tim as the criteria architect, it puts him in a rough spot. He stated that Tim shouldn't vote on issues related to the project. Bill inquired as to why Tim shouldn't vote and Richard stated that it's a conflict of interest. Bill stated that they will check with the Prosecutor's Office for clarification. Bill stated that they are giving the concept and then the architect will work the Judge Johnson and the rest of the County on specific issues. Richard stated that the design builder does not work for the owner, they work for the builder. Steve Freidman wanted to emphasize that as part of the case in the Third District Court of appeals, the Commissioners have committed to Judge Johnson a deadline of this calendar year and they do need to move as fast as possible. He was unsure of the DR space; however, he feels it's not ideal, but is sufficient. Clearly Judge Johnson's courthouse was insufficient and needs to be done timely. Judge Johnson is correct, the Commissioners would need to be aware of material changes under 153.36 to get approval. Mike stated that upon hearing the comments, a follow up meeting needs to be arranged. Sheriff Helman inquired about the time line, and Tim stated that contact needs to be made with Clerk Wilcox and Judge Routson about their availability. Judge Johnson and Sheriff Helman indicated next week is ample time. Judge Starn inquired that if a vote is to be held, will all the information of 153.36 be met? Steve stated that in some ways this is a preliminary approval to move forward with the plans and specifications based upon the criteria architect. He does agree that the committee needs to gather again once the design/build architect comes back with final construction drawings. Tim stated that there will be another vote. Judge Starn stated that this is more of a concept vote of the general idea. Tim concurred. Sheriff stated that this committee will possibly meet several times to vote. Tim confirmed that they don't want to get too far down the road and find out that the committee was not in favor of anything. Tim wants to keep all involved. Treasurer Welton stated that when Garmin Miller made the final presentation, there was discussions of moving people and all agreed. Then we took a break to talk about the shopping center. He stated that he feels that is where we need to get back to.


At 12:38 p.m., Michael Pepple made the motion to enter into executive session to discuss pending litigation. William Bateson seconded. A roll call vote resulted as follows; Michael Pepple, yes; William Bateson, yes; Timothy Bechtol, yes. At 12:58 p.m., Michael Pepple made the motion to come out of executive session with no action taken, William Bateson seconded. Motion passed 3-0.


Lynn Taylor, Clerk

Reviewed and approved by:


Michael W. Pepple


William L. Bateson


Timothy K. Bechtol