

# CONTROLLING BOARD

OHIO OFFICE OF BUDGET AND MANAGEMENT

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## MINUTES OF THE NOVEMBER 18, 2002 MEETING

President, Lisa Dodge, called the Controlling Board meeting to order at 1:39 p.m. Serving on the Controlling Board were Senator James Carnes, Representative Charles Calvert, Senator Bill Harris, Representative John Carey, Senator Tom Roberts and Representative Barbara Sykes.

Executive Secretary, Vanessa Niekamp, distributed the minutes of the October 28, 2002, meeting. A motion to approve the minutes was made by Senator Carnes, seconded by Representative Calvert and approved by the Board members.

Attached is the November 18, 2002, meeting agenda. A motion for blanket approval of all items not held for questions was made by Senator Harris, and seconded by Senator Carnes. Senator Roberts asked to correct his holds to include item 80, DOT140-03, instead of item 81, DOT142-03. A second motion for blanket approval of all items not held for questions was then made by Senator Harris, seconded by Senator Carnes and approved by all Board members.

The following items were discussed and acted upon as stated.

Item 1, AGO206-03 was held by Senator Roberts. Senator Roberts asked why a higher price is being paid for this counsel. Andy Bowers, Director of Special Counsel, stated the case is for a specialized cable stay bridge and this attorney has the expertise needed to represent the case. Senator Roberts asked if there are people in the office who could review this claim. Mr. Bowers stated there are people in the office who could review the case, but do not have the expertise needed to represent it. Senator Roberts asked for a report of all contracts with special counsel including the number of hours per contract approved at a higher than normal rate. The item was approved without objection.

Items 2, AGO207-03 and 3, AGO208-03 were held by Representative Calvert. Representative Calvert asked if this is a temporary fix. Doug Lumpkin, Office of the Attorney General, stated there have been steps taken to reduce staff in looking forward to the next biennial budget. The item was approved without objection.

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Item 5, AGO210-03 was held by Senator Roberts. Senator Roberts asked if a contract for \$39,000.00 has been awarded to this vendor. Doug Lumpkin, Office of the Attorney General, yes that is correct. Senator Roberts stated it seems the Attorney General has circumvented the process. Mr. Lumpkin, stated that is incorrect as the project has two phases and the Attorney General retained Ben Games and Associates for phase one only, and this request would continue the project through phase two. Senator Roberts stated he personally believed there has been a circumvention of the Controlling Board process. The item was approved with Senator Roberts and Representative Sykes objecting.

Item 6, AGO211-03 was held by Senator Roberts. Senator Roberts asked if the \$1.7 million has already been released on the contract. Doug Lumpkin, Office of the Attorney General, stated yes that is correct. Senator Roberts asked what was received for the amount. Mr. Lumpkin stated the \$1.7 million is partial funding for a larger project in London. Senator Roberts asked for the total estimate of the project. Mr. Lumpkin stated \$8.9 million. Senator Roberts asked for a copy of the project budget. Senator Roberts asked if the request is retroactive. Mr. Lumpkin stated no it is not. The item was approved with Senator Roberts and Representative Sykes objecting.

Item 12, UCN277-03 was held by Senator Roberts. Senator Roberts asked if the price is still good with this vendor. Chuck Darling stated the price is being held with this vendor. The item was approved without objection.

Item 16, MUN016-03 was held by Representative Sykes. Representative Sykes asked if this will complete the project. Miami's representative indicated that this would complete the project. The item was approved without objection.

Items 17, MUN017-03 and 18, MUN018-03 were held by Representative Carey and Senator Roberts. Representative Carey asked for the source of the funding. Richard Norman, Vice President of Finance, stated the funds are non-tuition dollars. Representative Carey asked why the University is willing to pay more than the highest appraised price. Mr. Norman, stated he believed the estimates were much lower than they should be, because the comparables were not for properties in the campus area. Senator Roberts asked if the University will return for funding to maintain these properties. Mr. Norman stated no. Senator Roberts asked if the University thought about getting a third estimate. Mr. Norman stated yes, but they did not. The items were approved without objection.

Item 21, BOR094-03 was amended to read: Board of Regents requests Controlling Board approval to transfer appropriation authority in the amount of \$1,111,888.00 from FY02 appropriation line item 401, Rental Payments - OPFC and \$488,112.00 from FY02 appropriation line item 909, Higher Education General Obligation to FY03 appropriation line item 404, College Readiness Initiatives. The item was held by Senator Harris. Senator Harris asked if Accountability Standards would be applied to this project. Richard Petrick, Vice Chancellor for the Board of Regents, indicated they would. The item was approved without objection.

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Item 26, DAS241-03 was held by Senator Carnes. Senator Carnes asked why the contract was not renewed in the last six months. Harry Krieger, Administrative Services, stated it was a clerical oversight. Senator Harris asked if there is a loss of training. Mr. Krieger stated the training has not been lost, only delayed. Senator Harris asked how many agencies were not trained due to the delay. Mr. Krieger stated none were requested in the past six months. Senator Carnes recommended the request be revised to a six month time period. The item was amended to read: Administrative Services requests Controlling Board approval to waive competitive selection in the amount of \$150,000.00 to contract with the Columbus Area Labor/Management Committee, Columbus, Franklin County. The item was approved at amended.

Item 31, COM015-03 was held by Senator Harris. Senator Harris asked how the agency is contracting with this vendor without the work being bid. Dave Williams, Commerce, stated the vendor is currently under contract for maintenance and the new contract is for development. The item was approved without objection.

Item 37, DEV336-03 was held by Representative Carey. Representative Carey asked if 44% is an unusual amount. Tom Johnston, Chief Fiscal Officer, stated no. Representative Carey asked whether other states' offers are taken into account when making these offers. Mr. Johnston stated yes. The item was approved without objection.

Item 39, EDU262-03 was held by Senator Roberts. Senator Roberts asked if the December 31, 2002, deadline is a statutory deadline. Paul Marshall, Education, stated no. The item was approved without objection.

Item 41, EDU265-03 was held by Representative Calvert. Representative Calvert asked what are the subsidies for. Paul Marshall, Education, stated the funds will go to each school district and each type of fund has specific allowable expenses. Representative Calvert asked how school districts are identified. Cindy Pucket, Education, stated by using federal guidelines for each fund. The item was approved without objection.

Item 57, DNR333-03 was held by Representative Carey. Representative Carey asked why the department is seeking this transfer. Bill Moody, Assistant Director, stated the additional revenue has been received and the department would like to use these new sources. The item was approved without objection.

Item 58, DNR334-03 was held by Representative Calvert and Senator Roberts. Representative Calvert asked why this request is needed at this time. Bill Moody, Assistant Director, stated maintenance will be deferred in order for parks to remain open. Senator Roberts indicated his questions had been answered. The item was approved with Representative Calvert objecting.

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Item 60, ODB001-03 was held by Senator Harris. Senator Harris asked if the increase will offset the deficit. Bob Clegg, Optical Dispensers Board, stated the increase is more than sufficient. Senator Harris asked how the amount of the increase was chosen. Mr. Clegg stated it is the maximum allowable by law. The item was approved without objection.

Item 61, DHS614-03 was held by Representative Calvert. Representative Calvert asked why a university in Ohio was not chosen for this training. Dave Dickens, Fiscal Services Executive Officer, stated Northwestern provides an expertise in policing matters that other universities do not offer. The item was approved without objection.

Item 69, DRC359-03 was held by Senator Roberts. Senator Roberts asked for a motion to change his hold from item 69, DRC359-03 to item 68, DRC358-03. With a motion by Senator Harris and a second by Senator Carnes, the hold was changed to item 68.

Item 68, DRC358-03 was held by Senator Roberts. Senator Roberts asked why there is a contract with this doctor. Kay Northrup, Deputy Director, stated the doctor contacted Corrections in response to advertisements by the agency, and was then chosen for a contractual position. Senator Roberts asked if other doctors were interested in this contract. Ms. Northrup stated this is the only doctor who has responded. Representative Sykes asked if this contract is for one year. Ms. Northrup stated the contract will expire June 30, 2003. The item was approved without objection.

Item 77, DOT066-03 was held by Representative Calvert. The item was deferred by request of the agency.

Item 79, DOT097-03 was held by Representative Carey. Representative Carey asked why did it take two extra days to complete the project. Michele Holdgreve, Legislative Liaison, stated the additional days were needed to include additional work needed. Representative Carey asked if the Attorney General agreed with this settlement. Ms. Holdgreve, stated the Attorney General is not involved in this settlement. The item was approved without objection.

Item 80, DOT140-03 was held by Senator Roberts. Senator Roberts asked if the work was done without proper authorization. Michele Holdgreve, Legislative Liaison, stated yes, and the new staff person will be trained to ensure it does not happen again. The item was approved without objection.

Item 86, DOT174-03 was held by Senator Carnes. The item was deferred by request of the agency.

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With no further business before the board, the meeting was then adjourned at 3:25 p.m.

Respectfully submitted,

Vanessa Niekamp  
Controlling Board Executive Secretary

*11/18/02 Minutes approved by the Board:*

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