



Approved
12-12-13

4-0
(PRECS
abstain)

September 11, 2013 at 5:00pm
Notice posted

Minutes

**Meeting of the Cuyahoga County Debarment Review Board
Wednesday, September 11, 2013 at 4:30 P.M.
Cuyahoga County Administration Building, 4th Floor**

**Cuyahoga County Fiscal Officer Wade Steen, Chair
Cuyahoga County Council President C. Ellen Connally, Vice Chair
Brandon D. Cox
Roland J. DeMonte
Evan T. Byron**

Required notices were provided and posted and the inaugural meeting of the Cuyahoga County Debarment Review Board (CCDRB) was called to order at 4:30 PM by Chair. The roll was called.

Present: Representative from the Fiscal Office on behalf of Wade Steen; C. Ellen Connally; Cox; DeMonte; Byron

Absent: None;

A quorum was present. Also present were Inspector General Nailah Byrd; Inspector General Staff member Mary Segulin; County Council Staff Member Trevor McAleer; Assistant County Law Director Michael King; and James Boyle, Clerk of the Debarment Review Board.

The Chair called the meeting to Order. The Chair noted that all members of the Debarment Review Board had properly completed the appropriate paperwork

regarding appointment and service on this body. The Affirmations were filed with the Law Department as required.

The Chair called for public comments. There were no public comments.

The Chair called upon Inspector General Byrd to provide background information on the work performed by the Office of the Inspector General. Additionally, the comments incorporated the mandates provided by approved County legislation.

Byrd provided background about the office and the staffing. She introduced Mary Segulin, an assistant in the Office of the Inspector General. Byrd noted that a total of 36 contractors had been investigated for potential debarment. She stated that, of those 36, 6 contractors had been issued "no violation" notices and were no longer involved in any process of review for potential debarment. Of the remaining 30 contractors, 25 failed/refused to respond; 2 consented to debarment; and 3 were contesting debarment in some fashion. Byrd noted that all of the current 36 contractors that were being reviewed pursuant to the County's Debarment policy were connected to the lengthy federal corruption investigation.

McAleer inquired whether any of the 36 contractors that had been subject to investigation for potential debarment had any current contractual relationship with the County. Byrd stated that none of the 36 has any current County contracts. Segulin discussed the terms of the Debarment Ordinance including potential infractions that could lead to a recommendation of debarment. Additionally, Byrd described the process that would be followed, from start to finish, from the perspective of the Agency of the Inspector General. Byrd detailed the potential results that could occur after an investigation was completed.

Byrd noted that there was no preclusion against a formerly debarred business from re-registering with the county once the term of debarment had expired. Additionally, she noted that, pursuant to the County ordinance, any contractor that wished to contest the finding of debarment had to file a notice with the Clerk within thirty days of receiving notice. Thereafter, the Debarment Review Board was required to conduct a hearing within a reasonable time thereafter.

Assistant Law Director King discussed the background of the Debarment Ordinance and the reasons why it was enacted. He noted that the implementation of the Debarment process was not designed to be punitive in nature, but rather, to serve as a risk management tool.

Byron posed several questions about the processes that the Review Board would follow as it moved forward. He noted that evidentiary issues would need to be addressed and clarified. It was determined that the Board would discuss a comprehensive set of policies to follow for the conduct in the upcoming hearings. Byrd noted that, as of the date of this meeting, no contractor had filed an appeal.

There being no further business before the CCDRB, the Chair made a motion to adjourn. The motion was seconded by Byron. The motion was unanimously approved by a voice vote of the CCDRB members. The meeting was adjourned at 5:30PM.

Draft 12-5-13

Issue 12-5-13

App. 12-12-13

Posted 12-13-13

Handwritten signature "JPB" inside an oval.