

AGENDA FOR TUESDAY, APRIL 14, 2020

Review

Pledge of Allegiance

Approval of Minutes for Tuesday, April 7, 2020

A Resolution authorizing a fund to fund transfer. Auditor – fund 1080.
[Auditor- Finance]

A resolution authorizing the approval of proclamations. [Commissioners]

A resolution acknowledging employees serving as community volunteers, county board members serving on various board, and other community volunteers during National Volunteer Week, April 19-April 25 [Commissioners]

A resolution approving to Appropriate from Unappropriated into a major expense category for Grant Fund# 3034, subfund# 8236 for the FY2020 Ohio Airport Grant Program/Ohio Department of Transportation (ODOT), Grant match transfer from the General Fund # 1001 & Advance from the General fund – Fairfield County Commissioners [Commissioners]

A resolution approving and acknowledging electronic signature procedures
[Commissioners]

A resolution approving an account to account transfer in major object expense categories for General Fund# 1001 – Fairfield County Commissioners [Commissioners]

Economic Development

- 2020-04.14.g A resolution to approve the Memo of Understanding setting the parameters for the disbursement of funds from the State of Ohio [Economic & Workforce Development]

Emergency Management Agency

- 2020-04.14.h A resolution authorizing an account to account transfer for EMA Fund 2707 (Subfund 8183) Emergency Management Performance Grant [EMA]

Engineer

- 2020-04.14.i A Resolution to Approve Advertising for the Purchase of Liquid Asphalt. [Engineer]

JFS

- 2020-04.14.j A resolution to approve a memo receipt and expenditure for Fairfield County Job & Family Services [JFS]

Juvenile/Probate Court

- 2020-04.14.k A resolution to appropriate from unappropriated in a major expenditure object category – Juvenile Court Fund #2036 Department of Youth Services (reclaim) [Juvenile/Probate Court]

- 2020-04.14.l A resolution to appropriate from unappropriated in a major expenditure object category - Juvenile Court - Fund #2036 Ohio Department of Youth Services Fund (reclaim) [Juvenile/Probate Court]

Prosecutor

- 2020-04.14.m A resolution to appropriate a perpetual easement for highway purposes from Parcel No. 036-00286-00 (2-SH). [Prosecutor]

Regional Planning Commission

- 2020-04.14.n A resolution to approve a Development Agreement for the Views at Pine Hills Phase 2 [Regional Planning] [Regional Planning Commission]

- 2020-04.14.o A resolution to approve The Views at Pine Hill Estates Final Plat [Regional Planning] [Regional Planning Commission]

The next Regular Meeting is scheduled for Tuesday, April 21, 2020 at 10:00 a.m.

Adjourn

Regular Meeting #16 - 2020
Fairfield County Commissioners' Office
April 7, 2020

Review

The Commissioners met at 9:00 a.m. to review legal issues and pending or future action items and correspondence. Commissioner Davis called the meeting to order with the following Commissioners present via teleconference: Steve Davis, Jeff Fix, and Dave Levacy. Also present were Carri Brown, Rachel Elsea, Mark Conrad, Jeff Barron, and Innerphase Video. Joining via teleconference were Joshua Horacek, Amy Brown-Thompson, Tom Lininger, Jon Kochis, Tiffany Nash, and Larry Hanna.

- Welcome
- COVID-19 Update

Jon Kochis, EMA Director updated the group by phone.

Ms. Nash reported there are 59 cases, 10 hospitalized, 4 in the ICU, and zero deaths.

Mr. Davis heard there are 7 cases admitted at FMC.

Mr. Hanna and Ms. Nash thanked the Commissioners for all their work.

Mr. Levacy asked about the publication of zip codes.

Ms. Nash reported the state was hoping to start that today.

The Commissioners provided video messages to the employees and community. The messages were on the county website, and they were shared by email.

We sent a thank you note to Crissy Devine, who is a contractor who updates our webpages quickly. We similarly thanked Bob Competti with Innerphase Video for his support.

We also sent thank you notes to Aerosport, Atwood Rope, and Zebco Industries for their part in answering the call to support the medical industry as manufacturers.

Also, the OSU Extension Office offered to help townships and villages set up digital meetings. We have shared our information from the CCAO bulletin.

In the review packet, there were several fact sheets from the Ohio Department of Health, including guidance on dispute resolutions for essential and non-essential businesses; guidance on Ohio travel; and a checklist for face cloth coverings.

We highlighted the website link for county information and for the Board of Elections. People can request an absentee ballot with a form found online.

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- Legal Update

Mr. Horacek reported the Ohio Department of Health has extended the Stay at Home order until May 1st.

- Administration and Budget Update/Carri's List

- a. Announcements & Date Reminders

April 8 – Wear Blue for Child Abuse Prevention Awareness

April 10 – Good Friday – Stopping Business at Noon

May 5 – Wear Orange for Supervised Visitation Awareness

May 25 – Memorial Day Holiday – Offices are Closed for Business

The review packet included special dates of the year, as well as a list of prospective proclamations. In April and May, there are no large meetings.

- b. Highlights of Resolutions

Dr. Brown highlighted 36 resolutions planned for the voting meeting.

JFS had 23 resolutions for protective placement in network.

The County Engineer proposed a resolution to lift the weight limit reductions on roads with weight limits so posted, effective April 7, 2020.

The County Engineer also proposed a resolution to remove a bridge load rating on the BER-26 Bridge.

In addition, the County Engineer recommended:

- A contract with 2LMN, Inc. to provide engineering services for the BER-26 Bridge Replacement Project;
- A contract with BUD's, Inc. for the BLO-35, FAI-CR23-2.461 Winchester Road over a Tributary to Walnut Creek Culvert Replacement project; and
- Approval of a Notice to Commence for the BLO-35 Culvert Replacement.

EMA proposed approval of a bill of sale for DAS, connected with the Multi-Agency Radio Communication Tower located in Walnut Township.

There were financial and grant related resolutions to approve, such as:

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- Planned allocations for MSY, MCJDC, and JFS (three resolutions);
- An account to account transfer of appropriations for supplies (within Facilities and potentially reimbursable);
- An advance and budget adjustment for the Target of Opportunity Program; and
- County Engineer memo transactions, appropriations, and fund to fund transfers for projects (two resolutions).

There were additional financial and contracting resolutions in queue.

Also, in April, we will have a resolution to honor employees who serve as volunteers in the community.

Mr. Kochis added that the MARCs resolution is the final step before it goes to the state controlling board.

c. Administrative Approvals, Program, & Budget Update

Administrative & Program Updates

Administrative Approvals

The review packet contained a list of administrative approvals. There were no questions posed.

We held administrative meetings to review the bond market and the energy conservation project. The bond market is, of course, in turmoil and unpredictable. As such, we are going to evaluate our options in June. During the next several weeks, we will shore up the estimates for the energy conservation project.

Budget Update

Dr. Brown led a discussion about the budget. From a macro-perspective, the bad news is that we are experiencing unprecedented increases in unemployment. There are multiple reports of furloughs and cuts in pay, too.

There are global market impacts, and there is much uncertainty. Sales tax, casino revenue, interest income, and other revenue sources will certainly be impacted.

The good news is that the stimulus package checks are in progress, and unemployment checks are coming, too. The CARES Act support will be important for residents and businesses.

And Fairfield County is strong with collaboration. We will do everything we can to keep critical services going with our existing staff.

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For the county, as discussed in the past two meetings, initial parameters for 20221 are flat parameters, with the exception of insurance, for which a 2% increase is anticipated. This will be for "level one" of the process to prepare a Tax Budget. We will continue to communicate with departments.

Flat parameters for salaries will be calculated on the existing salaries right now extrapolated for a twelve-month period, with no new hires and a hiring freeze, with the exception of emergency response positions.

Allocations have been adjusted, as well, for 2021.

For the first quarter of 2020, as compared to the previous year first quarter, our general fund revenues in the aggregate are up 13%. Sales tax is up 6%, and property taxes are up 18%. Expenditures are relatively flat, up .13%.

The healthy carry-over from the end of 2019 is a good thing, as well.

Mr. Davis stated that if any entity within the budget intends to compete with or challenge the flat parameters he would like to me made aware of that and that they will be called to multiple budget hearings and challenged publicly for their unwillingness to follow parameters and go against the Commissioners parameters.

Mr. Levacy has talked to numerous people who have not received anything from the Census Bureau. They reached out to the US Census contact who blamed it on how post office boxes were used. The Post Office said that is not the case.

Dr. Brown highlighted the Census website (Census2020.gov) and the phone number for the Census customer service: 1-800-923-8282. At the website, you can proceed with completing the census information. You can do this by phone, as well. You will be asked your address if you do not have your questionnaire.

Mr. Davis commended Valeda Sloan for her work in increase the responses in Amanda.

d. BRAVOs

Thank you so much to elected officials and department heads for collaborating and thoughtfully being there for one another to help maintain critical services.

Everyone has been very helpful and creative in solving operational problems.

Thank you to elected officials for restricting expenditures as much as possible during this time.

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Dr. Brown thanked Luann Davidson for sewing a mask for her.

Mr. Davis thanked InnerPhase Video for the Commission videos.

Dr. Brown thanked the Department Heads for their hard work during this time.

- Old Business

- a. Fairfield Medical Center

The review packet contained the article of interest in the Lancaster Eagle Gazette about Fairfield Medical Center and their preparedness.

Mr. Davis has been in recent communication with Mr. Janoso. They remain at the ready for a surge. As of last night, they had seven hospitalizations. Mr. Janoso remains engaged with state and federal leaders regarding the viability of the hospital in months to come as revenues have dropped substantially and they await COVID-19 patients.

Dr. Brown reminded everyone that donations can be made to the Fairfield Medical Center Foundation. A few people have called about this. The phone number is 740 687 8107. The email address is fmcfoundation2@fmchealth.org

Mr. Levacy proposed the question of rural hospital issues to CCAO to keep it on the front burner. He will continue to raise the issue with federal and state leaders as well.

Mr. Fix reported on the CCAO Board Meeting from last week. He proposed CCAO help find a solution. He has been working with Ms. Subler, the CCAO executive director, on this. State Rep Jeff LaRe has been appointed to the Ohio House Economic Task Force. Mr. Janoso will be making a presentation to that task force in the coming days.

- b. Attorney Fees and the Ohio Public Defender Commission

We are aware that after a meeting on March 19, the Ohio Public Defender Commission has decided at this time to not take any further action regarding raising assigned counsel rates and maximum fees.

Mr. Davis stated he had a robust conversation with Mr. Elsea. He made him aware of the new guidance from the Ohio Public Defender and advised him the hope of getting a new fee structure in place by July 1st is at risk. He expressed concern with the state budget and the County's budgetary pressure.

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Mr. Davis reported that Mr. Elsea was very understanding. He's been paying attention and knows the issue at both the state and local levels.

Mr. Davis stated he will continue to communicate with Mr. Elsea and Mr. Price. His sense is this is something that will need to be delayed for some time as the see the effects of the pandemic at the state and local levels.

Mr. Fix expressed appreciation for the cooperative attitude of the bar association.

Dr. Brown added that the OPD Commission recognized that 36 counties, of which Fairfield County was one, had already raised rates for assigned counsel. The OPD Commission appreciated those counties' commitment to ensuring that the right to counsel for indigent Ohioans is protected and properly funded.

- New Business (none)
- General Correspondence Received
 - a. Regional Planning Commission Packet for April 7th
 - b. Thank you e-mail from Mr. Janoso
- Calendar Review/Invitations Received (none)
- FYI
 - a. Jail Population – 191
 - b. Notice of Routine Internal Inspection of ATEX Line No. P62.1
 - c. Violet Township Zoning Notices of Variance Applications
 - d. Notice of Schedule (Notice) for the upcoming issuance of The Federal Energy Regulatory Commission's (FERC) Environmental Assessment developed for the Leach XPress Project Amendment: This proposal is a pipeline compressor station modification proposed by Columbia Gas Transmission, LLC at its existing Ceredo Compressor Station (Wayne County, West Virginia) and Crawford Compressor Station (Fairfield County, Ohio) under FERC Docket No. CP20-12-000.
 - e. Anytime, a public records request or a question can be posed to Rachel.Elsea@fairfieldcountyohio.gov or [Carri. Brown@fairfieldcountyohio.gov](mailto:Carri.Brown@fairfieldcountyohio.gov)

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- **Open Items**

Mr. Davis asked Dr. Brown to touch base with Chief Lape for the variable cost of housing a single inmate given the reduction in population. He surmised they could be some line items that would experience reduced costs with the reduced population of inmates.

Mr. Levacy stated that he spoke with Chief Lape and he knows hand washing is a priority, but the jail could use more hand sanitizers and wipes. He asked Mr. Kochis to reach out to Chief Lape. Mr. Kochis stated that he was already able to place a significant order which should be in about two weeks.

Mr. Davis stated that in the short run he thought if the Sheriff had an immediate need, they could put it that need on social media and it would be addressed quickly by the public.

Dr. Brown stated that the order placed by Mr. Kochis, and any COVID-19 related purchase, is being tracked for potential reimbursement at a 75% rate as part of the request for public assistance through the Stafford Act for emergency management.

Commissioners' Regular Meeting

A regular meeting of the Fairfield County Board of Commissioners was held on Tuesday, April 7, 2020 beginning at 9:46 a.m., with the following Commissioners present via teleconference: Steve Davis, Jeff Fix and Dave Levacy. Also present were Carri Brown, Rachel Elsea, and Innerphase Video. Also joining via teleconference was Joshua Horacek, Amy Brown-Thompson, Tom Lininger, Tiffany Nash, Larry Hanna, and Jon Kochis.

Pledge of Allegiance

Commissioner Davis led everyone in the pledge of allegiance.

Announcements

Commissioner Davis asked if there were any announcements.

There were no announcements.

Public Comment

Commissioner Davis asked if anyone from the public who would like to speak or offer comments.

No public comments were received through the web application.

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Approval of Minutes for Tuesday, March 31, 2020

On the motion of Jeff Fix and the second of Dave Levacy, the Board of Commissioners voted to approve the minutes for the Thursday, March 31, 2020 Regular Meeting.

Roll call vote of the motion resulted as follows:

Voting aye thereon: Jeff Fix, Dave Levacy, and Steve Davis

Approval of the Commissioners' Resolutions

On the motion of Jeff Fix and the second of Dave Levacy, the Board of Commissioners voted to approve the following Commissioners' resolutions:

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|--------------|---|
| 2020-04.07.a | A resolution to approve a memo expense for W. Buckeye Lake/Ballard Lane expenses – Fairfield County Commissioners [Commissioners] |
| 2020-04.07.b | A resolution authorizing a fund to fund transfer to the Fairfield County Family Adult Children First Council for Multi-Youth Committee – 2nd payment for the 2020 Allocation - Fairfield County Commissioners [Commissioners] |
| 2020-04.07.c | A resolution to Approve to appropriate from unappropriated into a major expense category for contractual services & Approval of Advance from the General Fund #1001 for fund# 2788 – State of Ohio Community Development Block Grant (CDBG) Program – PY2019 Target of Opportunity Program – Fairfield County Commissioners [Commissioners] |
| 2020-04.07.d | A resolution authorizing a fund to fund transfer for the 2nd Quarter 2020 Allocation for the Multi County Juvenile Detention Center (MCJDC) - Fairfield County Commissioners [Commissioners] 2 |
| 020-04.07.e | A resolution to approve a Bill of Sale Agreement between the State of Ohio, Department of Administrative Services and the Fairfield County Board of Commissioners [Commissioners] |
| 2020-04.07.f | A resolution authorizing a fund to fund transfer for Fairfield County Job and Family Services (JFS) –2nd Quarter 2020 Allocation - Fairfield County Commissioners [Commissioners] |
| 2020-04.07.g | A resolution approving an account to account transfer in major object expense categories for General Fund# 1001 – Fairfield County Commissioners [Commissioners] |

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Roll call vote of the motion resulted as follows:

Voting aye thereon: Jeff Fix, Dave Levacy, and Steve Davis

Approval of the Engineer's Resolutions

On the motion of Jeff Fix and the second of Dave Levacy, the Board of Commissioners voted to approve the following Engineer's resolutions:

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|--------------|---|
| 2020-04.07.h | A resolution to Approve Lifting Weight Reductions on County and Township Roads [Engineer] |
| 2020-04.07.i | A resolution to approve an agreement between Fairfield County and 2LMN, Inc. [Engineer] |
| 2020-04.07.j | A resolution to remove a bridge load rating on the BER-26 Bridge. [Engineer] |
| 2020-04.07.k | A Resolution to Approve the Contract with BUD's, Inc. for the BLO-35, FAI-CR23-2.461 Winchester Road over a Tributary to Walnut Creek Culvert Replacement. [Engineer] |
| 2020-04.07.l | A Resolution to Approve the Notice to Commence for the BLO-35 Culvert Replacement [Engineer] |
| 2020-04.07.m | A resolution of increase appropriations, appropriate from unappropriate, account to account and fund to fund transfer for LIB-45 bridge replacement [Engineer] |

Roll call vote of the motion resulted as follows:

Voting aye thereon: Jeff Fix, Dave Levacy, and Steve Davis

Approval of the Job and Family Service Resolution

On the motion of Jeff Fix and the second of Dave Levacy, the Board of Commissioners voted to approve the following Job and Family Services resolutions:

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| 2020-04.07.n | A resolution regarding Network Placement and Related Services Agreement between Skyfall Residential Homes, LLC, and Child Protective Services Department [JFS] |
| 2020-04.07.o | A resolution regarding Network Placement and Related Services Agreement between Sojourners Care Network and Job and Family Services, Child Protective Services Department [JFS] |

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|--------------|---|
| 2020-04.07.p | A resolution regarding Network Placement and Related Services Agreement between Adolescent Oasis, Inc., and Child Protective Services Department [JFS] |
| 2020-04.07.q | A resolution regarding Network Placement and Related Services Agreement between National Youth Advocate Program and Job and Family Services, Child Protective Services Department [JFS] |
| 2020-04.07.r | A resolution regarding Network Placement and Related Services Agreement between Damar Services Inc., and Job and Family Services, Child Protective Services Department [JFS] |
| 2020-04.07.s | A resolution regarding Network Placement and Related Services Agreement between Buckeye Ranch Inc., and Job and Family Services, Child Protective Services Department [JFS] |
| 2020-04.07.t | A resolution regarding Network Placement and Related Services Agreement between Caregiver's Helper Inc., Child Protective Services Department [JFS] |
| 2020-04.07.u | A resolution regarding Network Placement and Related Services Agreement between Ohio Teaching Family Association and Job and Family Services, Child Protective Services Department [JFS] |
| 2020-04.07.v | A resolution regarding Network Placement and Related Services Agreement between Mended Reeds, Inc., Child Protective Services Department [JFS] |
| 2020-04.07.w | A resolution regarding Network Placement and Related Services Agreement between Adriel School, Inc., and Job and Family Services, Child Protective Services Department [JFS] |
| 2020-04.07.x | A resolution regarding Network Placement and Related Services Agreement between Nu Beginnings LLC, Child Protective Services Department [JFS] |
| 2020-04.07.y | A resolution regarding Network Placement and Related Services Agreement between The Marsh Foundation, and Job and Family Services, Child Protective Services Department [JFS] |
| 2020-04.07.z | A resolution regarding Network Placement and Related Services Agreement between Christian Children's Home of Ohio and Job and Family Services, Child Protective Services Department [JFS] |

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| 2020-04.07.aa | A resolution regarding Network Placement and Related Services Agreement between Department of Mental Health-Eastway Corporation, Child Protective Services Department [JFS] |
| 2020-04.07.bb | A resolution regarding Network Placement and Related Services Agreement between NECCO Inc., and Job and Family Services, Child Protective Services Department [JFS] |
| 2020-04.07.cc | A resolution regarding Network Placement and Related Services Agreement between The Village Network, Child Protective Services Department [JFS] |
| 2020-04.07.dd | A resolution regarding Network Placement and Related Services Agreement between Advantage Family Outreach & Foster Care, and Job and Family Services, Child Protective Services Department [JFS] |
| 2020-04.07.ee | A resolution regarding Network Placement and Related Services Agreement between A Home for Keeps and Job and Family Services, Child Protective Services Department [JFS] |
| 2020-04.07.ff | A resolution regarding Network Placement and Related Services Agreement between Kids Count Too, Inc., Child Protective Services Department [JFS] |
| 2020-04.07.gg | A resolution regarding Network Placement and Related Services Agreement between Foundations for Living and Job and Family Services, Child Protective Services Department [JFS] |
| 2020-04.07.hh | A resolution regarding Network Placement and Related Services Agreement between Applewood Centers, Inc., and Job and Family Services, Child Protective Services Department [JFS] |
| 2020-04.07.ii | A resolution regarding Network Placement and Related Services Agreement between Dimensional Phases Group Home and Job and Family Services, Child Protective Services Department [JFS] |
| 2020-04.07.jj | A resolution regarding Network Placement and Related Services Agreement between Specialized Alternatives for Families and Youth of Ohio, Inc., and Job and Family Services, Child Protective Services Department [JFS] |

Roll call vote of the motion resulted as follows:
Voting aye thereon: Jeff Fix, Dave Levacy, and Steve Davis

**A Resolution authorizing a fund to fund transfer.
Auditor – fund 1080.**

WHEREAS, after unclaimed monies are held within the Trust 1080 for 5 Years, the remaining unclaimed monies should be transferred to the General Fund; and

WHEREAS, Unclaimed money for the year 2014 totaling \$32,720.92 has Been held in Trust for the required amount of time and should now be Transferred to the General fund, (Claimants may still appeal to the Commissioners in the future),

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

Section 1. That the Fairfield County Board of County Commissioners Transfer funds in the amount of \$32,720.92 as follows:

From: 24108000 700000 Transfers Out
To: 00100110 439100 Transfers In

Prepared by: Lori Hampshire

Pay-In Date	Name	Document Referen	Amount	By Whom Paid	Amount Paid	Date
3/19/2014	AITKEN, JOYCE & CURTIS	9/27/2012 CK 67025	\$ 301.63	CLERK OF CTS		
3/19/2014	ANDERSON, MICHAEL	10/4/2012 CK 67174	\$ 105.50	CLERK OF CTS		
3/19/2014	BROWN, JOHN E	6/19/2012 CK 66140	\$ 12.59	CLERK OF CTS		
3/19/2014	BRUSEHAM, KATIE	4/16/2012 CK 65459	\$ 26.26	CLERK OF CTS	TREASURE WILL SEND AFFIDAVIT 6-8-16	
3/19/2014	BURKE, KENNETH JASON	10/4/2012 CK 67163	\$ 58.00	CLERK OF CTS		
3/19/2014	CARR, RICHARD L JR	10/3/2012 CK 67126	\$ 16.00	CLERK OF CTS		
3/19/2014	COLLINGSWORTH, MATT	4/17/2012 CK 65478	\$ 6.00	CLERK OF CTS		
3/19/2014	CULROSS, ANTHONY M	8/8/2012 CK 66503	\$ 225.00	CLERK OF CTS		
3/19/2014	CURRY, KIM	6/13/2012 CK 66107	\$ 6.00	CLERK OF CTS		
3/19/2014	DOUGHTY, TRINA LYNN	5/3/2012 CK 65682	\$ 79.50	CLERK OF CTS		
3/19/2014	FISCHBACH, HENRY	6/20/2012 CK 66151	\$ 85.75	CLERK OF CTS		
3/19/2014	KOSKA, LEE	1/30/2012 CK 64659	\$ 11.43	CLERK OF CTS		
3/19/2014	LINK, IAN	12/18/2012 CK 67884	\$ 369.52	CLERK OF CTS		
3/19/2014	MCCLELLAN, PATRICK M	10/4/2012 CK 67182	\$ 101.50	CLERK OF CTS		
3/19/2014	NEINAST, ROBERT	1/26/2012 CK 64640	\$ 28.00	CLERK OF CTS		
3/19/2014	PENTON-WEAVER, CHRISTINA	10/17/12 CK 67270	\$ 4.00	CLERK OF CTS		
3/19/2014	PORTER, LUCI	6/13/2012 CK 66109	\$ 6.00	CLERK OF CTS		
3/19/2014	ROBBINS, PAMELA	1/19/2012 CK 64525	\$ 51.75	CLERK OF CTS		
3/19/2014	SNOUSE, WILLIAM	3/14/2012 CK 65192	\$ 66.00	CLERK OF CTS		
3/19/2014	THE DONAHEY LAW FIRM PPL	1/19/2012 CK 64528	\$ 76.00	CLERK OF CTS		
3/19/2014	THE DONAHEY LAW FIRM PPL	01/19/12 CK 64538	\$ 69.00	CLERK OF CTS		
3/19/2014	VIGORITO, KIRSI MARGARET	10/23/2012 CK 37327	\$ 48.75	CLERK OF CTS	48.75	5/15/2015 5184242
3/19/2014	WALLPAPER OUTLET	1/26/2012 CK 64651	\$ 57.38	CLERK OF CTS		
3/19/2014	WALLPAPER OUTLET	4/11/2012 CK 65441	\$ 71.43	CLERK OF CTS		
3/19/2014	WALMART	7/26/2012 CK 66399	\$ 23.81	CLERK OF CTS		
3/19/2014	WALMART	12/15/2012 CK 67900	\$ 28.57	CLERK OF CTS		
5/30/2014	JACKIE VALDEZ EST OF JAMES FRANKLIN KOHLER SR	5/30/2014 CK 520	\$ 15,900.95	BY COURT ORDER FROM PROBATE COURT		
			\$ 17,836.32			
			\$ (48.75)			
			\$ 17,787.57			
		V#				
01/16/2014	MCLAUGHLIN, JOHN A	666666 5150956	\$ 30.00	AUDITOR		
01/16/2014	WESTKAMP, RONNIE CO	666666 5150973	\$ 30.00	AUDITOR		
01/23/2014	GOOD, RYAN & TE	7070 5151245	\$ 110.94	AUDITOR		
01/23/2014	FLORA, GRACE A&JACOB D	111111 5151538	\$ 1,198.16	AUDITOR		
02/06/2014	SMITH, MARK & A	10520 5152431	\$ 18.49	AUDITOR		
02/06/2014	HATCHER, KENNIFER	333333 5152660	\$ 6.00	AUDITOR		
02/06/2014	MAPES, CHARLOTTE	333333 5152666	\$ 6.00	AUDITOR		
02/06/2014	BERKFIELD, ANGELA	333333 5152669	\$ 6.00	AUDITOR		
02/06/2014	ROMANO, ELIZABETH	333333 5152671	\$ 6.00	AUDITOR		
02/06/2014	GEORGE, AMANDA	333333 5152672	\$ 6.00	AUDITOR		
02/06/2014	RALIFORD, SHAD	333333 5152673	\$ 6.00	AUDITOR		
02/06/2014	WARREN, MICHAEL	333333 5152681	\$ 6.00	AUDITOR		
02/06/2014	TEER, RICKY	333333 5152682	\$ 6.00	AUDITOR		
02/06/2014	DAVID, PAMELA	333333 5152683	\$ 6.00	AUDITOR		
02/06/2014	WHITE, SHAUNA	333333 5152693	\$ 6.00	AUDITOR		
02/06/2014	REMY, KATHERINE I	666666 5152740	\$ 30.00	AUDITOR		
02/06/2014	CORDER, KAREN L	666666 5152755	\$ 60.00	AUDITOR		
02/13/2014	PEOPLES BANK NA	6230 5153113	\$ 80,196.70	AUDITOR	reissue	5184265 cleared 5/21/2015
02/20/2014	STACY, STEPHEN J	666666 5153663	\$ 30.00	AUDITOR		
02/27/2014	PHILLIPS, BILLY	222222 5154045	\$ 6.00	AUDITOR		
03/20/2014	NEWLUN, DALLAS	333333 5155426	\$ 6.00	AUDITOR		
03/20/2014	RELIFORD, SHAD	333333 5155430	\$ 6.00	AUDITOR		
03/20/2014	MATTHIAS, KEIALL	333333 5155438	\$ 6.00	AUDITOR		
03/20/2014	SHIFLETT, VERNON	333333 5155439	\$ 6.00	AUDITOR		
03/20/2014	MURPHY, MINDA	333333 5155444	\$ 6.00	AUDITOR		
03/20/2014	COLON, ENRIQUE	333333 5155447	\$ 6.00	AUDITOR		
03/20/2014	PETERS, NANCY	333333 5155451	\$ 6.00	AUDITOR		
03/20/2014	SIDERS, BRENT	333333 5155459	\$ 6.00	AUDITOR		
03/20/2014	PARENT OF CHEYENNE LAWSON	333333 5155462	\$ 6.00	AUDITOR		
03/20/2014	PARENT OF SEARRIA LAWSON	333333 5155463	\$ 6.00	AUDITOR		
03/20/2014	GRIFFIN, FREDA	333333 5155465	\$ 6.00	AUDITOR		

03/20/2014	HUNTER, KRISTI	333333	5155466	\$	6.00	AUDITOR			
03/20/2014	MATTHIAS, KEIALL	333333	5155467	\$	6.00	AUDITOR			
03/20/2014	LASALLE BANK NATIONAL ASSO.	999999	5155520	\$	100,164.79	AUDITOR	reissue	5189054 cleared	7/27/2015
04/24/2014	VONBOKERN, DEBORAH H	10875	5157629	\$	250.00	AUDITOR			
04/24/2014	FRANCE, ASHLEY	333333	5157663	\$	6.00	AUDITOR			
04/24/2014	BOSTER, DANIELLE	333333	5157673	\$	6.00	AUDITOR			
04/24/2014	ISRALEWITZ, ICHAEAL	333333	5157678	\$	6.00	AUDITOR			
04/24/2014	GOODFLEISCH, NICHOLAS	333333	5157692	\$	6.00	AUDITOR			
04/24/2014	CALL, PHILLIP	333333	5157695	\$	6.00	AUDITOR			
04/24/2014	JASHINSKI, VICTORIA	333333	5157703	\$	6.00	AUDITOR			
04/24/2014	CAIN JR, WILLIAM	333333	5157704	\$	6.00	AUDITOR			
05/01/2014	BOB BOYD FORD	3040	5157781	\$	47.55	AUDITOR			
05/01/2014	GOOD, RYAN & TE	7070	5157867	\$	110.94	AUDITOR			
05/01/2014	PEOPLE'S STORE	10958	5157955	\$	218.06	AUDITOR			
05/01/2014	SHERMAN, DON	111111	5157983	\$	50.00	AUDITOR			
05/01/2014	JAYNE, GEORGE P	666666	5158162	\$	60.00	AUDITOR			
05/01/2014	HESS, JAMES B	666666	5158167	\$	30.00	AUDITOR			
05/01/2014	RAPP, MARK T	666666	5158195	\$	30.00	AUDITOR			
05/01/2014	BLANKENSHIP, RONALD	666666	5158208	\$	30.00	AUDITOR			
05/01/2014	FLOWERS, TONYA L	666666	5158219	\$	30.00	AUDITOR			
05/01/2014	WALKER, VIRGINIA	666666	5158222	\$	30.00	AUDITOR			
05/01/2014	TAX EASE OHIO, LLC	999999	5158237	\$	1,699.35	AUDITOR	reissued 10-31-16	5221162 7/29/16 Kelly Roberts sending affadavit	
05/15/2014	LA POLICE GEAR	7446	5158797	\$	396.43	AUDITOR			
05/15/2014	WHETSTONE, COUR	7944	5158810	\$	45.00	AUDITOR			
05/15/2014	SHULL, ANGIE	333333	5159153	\$	6.00	AUDITOR			
05/15/2014	PRITTS, CASEY	333333	5159158	\$	6.00	AUDITOR			
05/15/2014	SPRINGER, CHRISTA	333333	5159160	\$	6.00	AUDITOR			
05/15/2014	GILBERT, CODY	333333	5159161	\$	6.00	AUDITOR			
05/15/2014	SMITH, JAMES	333333	5159167	\$	6.00	AUDITOR			
05/15/2014	PUTNAM, JESSICA	333333	5159171	\$	6.00	AUDITOR			
05/15/2014	MATTHIAS, KEIALL	333333	5159176	\$	6.00	AUDITOR			
05/15/2014	MATTHIAS, KEIALL	333333	5159177	\$	6.00	AUDITOR			
05/15/2014	CARTER, KIM	333333	5159178	\$	6.00	AUDITOR			
05/15/2014	NIHISER, RICK MEDIC	333333	5159183	\$	6.00	AUDITOR			
05/15/2014	WATSON, RUSSELL G	333333	5159184	\$	6.00	AUDITOR			
05/15/2014	ROBINSON, DOUG F	666666	5159197	\$	30.00	AUDITOR			
05/15/2014	HOCHRADEL, JOSHUA A	666666	5159203	\$	30.00	AUDITOR			
05/15/2014	CAMPBELL, ROY L	666666	5159216	\$	30.00	AUDITOR			
05/22/2014	ROBERTS, JESSY	11017	5159411	\$	120.00	AUDITOR			
05/22/2014	NEW HUNTERWOOD	15660	5159638	\$	40.00	AUDITOR			
05/29/2014	LA POLICE GEAR	7446	5159820	\$	108.85	AUDITOR			
05/29/2014	MCKENZIE, RICKY	11026	5159865	\$	75.00	AUDITOR			
05/29/2014	PARTLO, JESSICA	333333	5160045	\$	6.00	AUDITOR			
05/29/2014	ANDERSON, JONATHAN	333333	5160046	\$	6.00	AUDITOR			
06/19/2014	BALTHASER, BONNIE S	666666	5161402	\$	30.00	AUDITOR			
06/26/2014	PICKERINGTON POLICE DEPART	8562	5161832	\$	750.00	AUDITOR			
06/26/2014	ZARTMAN, NICOLYN	222222	5161907	\$	6.00	AUDITOR			
06/26/2014	DIROSARIO, APRIL	333333	5161909	\$	6.00	AUDITOR			
06/26/2014	SMURR, BRANDY	333333	5161912	\$	6.00	AUDITOR			
06/26/2014	JOHNSON, JUDY	333333	5161925	\$	6.00	AUDITOR			
06/26/2014	SHAHAN, LOGAN	333333	5161931	\$	6.00	AUDITOR			
06/26/2014	IROSARIO, MATT	333333	5161932	\$	6.00	AUDITOR			
06/26/2014	STONER, MICHAEL	333333	5161935	\$	34.28	AUDITOR			
06/26/2014	GATRELL, SHERRY	333333	5161940	\$	6.00	AUDITOR			
06/26/2014	INMAN, THERESA	333333	5161943	\$	6.00	AUDITOR			
06/26/2014	CAIN, WILLIAM	333333	5161946	\$	6.00	AUDITOR			
06/26/2014	RAY, LINDA C	666666	5161983	\$	30.00	AUDITOR	void		
07/10/2014	GUARDIAN WATER&POWER IN	336	5162638	\$	62.54	AUDITOR			
07/10/2014	SCHWARZ, JERROL	64740	5162759	\$	981.00	AUDITOR			
07/17/2014	APPLIED CONCEPT	11126	5162985	\$	1,194.00	AUDITOR			
07/17/2014	KEYERS, KELSEY	82175	5163029	\$	66.59	AUDITOR			
07/17/2014	PICKAWAY COUNTY YMCA	6980	5163155	\$	150.00	AUDITOR			
07/29/2014	ROWLAND, DAVID	7975	5164067	\$	799.00	AUDITOR			
08/07/2014	CRAMER, DANIEL	9732	5164330	\$	18.49	AUDITOR			
08/14/2014	FUNK, ARTHUR	333333	5165041	\$	6.00	AUDITOR			
08/14/2014	BURCHETT, BRANDON	333333	5165046	\$	6.00	AUDITOR			

08/14/2014	YELLOWTHUNDER, BRITTANY	333333	5165047	\$	6.00	AUDITOR		
08/14/2014	QUAMME, CATHERINE	333333	5165048	\$	6.00	AUDITOR		
08/14/2014	DEVORE, CHARLENE	333333	5165050	\$	6.00	AUDITOR		
08/14/2014	JURIS, DARLIN	333333	5165057	\$	6.00	AUDITOR		
08/14/2014	SPANGLER, ELIZABETH	333333	5165062	\$	6.00	AUDITOR		
08/14/2014	WEBER, JUSTIN	333333	5165068	\$	6.00	AUDITOR		
08/14/2014	MCFARLAND, MARILYNN	333333	5165072	\$	6.00	AUDITOR		
08/14/2014	PERRY, MELISSA	333333	5165075	\$	6.00	AUDITOR		
08/14/2014	PARENT/GUARDIAN OF HALEY	333333	5165079	\$	6.00	AUDITOR		
08/14/2014	FOLLETTE, RICHARD	333333	5165083	\$	6.00	AUDITOR		
08/14/2014	CROFT, SCHEBEEKA	333333	5165088	\$	6.00	AUDITOR	void	
08/14/2014	INMAN, THERESA	333333	5165091	\$	6.00	AUDITOR		
08/14/2014	SHAHAN, TYLER	333333	5165092	\$	6.00	AUDITOR		
08/21/2014	UNTIED LANDMARK LLC	8326	5165349	\$	705.97	AUDITOR		
08/21/2014	KISSNER, CHRIST	10906	5165384	\$	150.00	AUDITOR		
08/21/2014	BREMEN CLERK TR	7160	5165562	\$	1,726.22	AUDITOR		
08/21/2014	CENTURYLINK	65160	5165638	\$	1.48	AUDITOR		
08/21/2014	SNOKE, DANIEL	111111	5165666	\$	28.32	AUDITOR		
08/21/2014	QUEEN, KATHERINE	111111	5165668	\$	32.55	AUDITOR		
08/28/2014	A T & T	4372	5165740	\$	712.83	AUDITOR		
08/28/2014	VAJEN, THOMAS R	6710	5165784	\$	4,125.00	AUDITOR	reissued 5-31-16	5210473
08/25/2014	CATHY L KESSLER&SUSAN K F	111111	5165943	\$	12.34	AUDITOR		
08/28/2014	SMITH, MARK E	666666	5166238	\$	30.00	AUDITOR		
09/04/2014	CLARK, JERRY &	1419	5166308	\$	36.98	AUDITOR		
09/04/2014	CHALFANT, TOM	7184	5166434	\$	18.49	AUDITOR	cleared	4/15/2015
09/04/2014	GUARDIAN WATER	336	5166572	\$	62.54	AUDITOR		
09/04/2014	GRIFFITH, BRITTANY	333333	5166667	\$	6.00	AUDITOR		
09/04/2014	LEWIS, COREY	333333	5166669	\$	6.00	AUDITOR		
09/04/2014	COLEMAN, COURTNEY RN	333333	5166670	\$	6.00	AUDITOR		
09/04/2014	HENDERSON, KRISTA	333333	5166674	\$	6.00	AUDITOR		
09/04/2014	COCHENOUR, REBECCA	333333	5166676	\$	6.00	AUDITOR		
09/11/2014	BARNHART, KIMBE	10550	5166889	\$	40.00	AUDITOR		
09/11/2014	FREELAND, SCOTT	333333	5167135	\$	6.00	AUDITOR		
09/11/2014	DOYLE, MARTIN A	666666	5167150	\$	60.00	AUDITOR		
09/18/2014	ROBY, TIMOTHY A	666666	5167764	\$	30.00	AUDITOR		
09/18/2014	HINTON, TRAVIS L	666666	5167766	\$	30.00	AUDITOR		
10/02/2014	STEVENS, ANITA	1796	5168277	\$	37.36	AUDITOR		
10/02/2014	WISEMAN, GARY &	1821	5168280	\$	18.68	AUDITOR		
10/02/2014	CHALFANT, TOM	7184	5168410	\$	18.68	AUDITOR		
10/02/2014	SEEL, MELLISA	111111	5168730	\$	6.00	AUDITOR		
10/02/2014	MCQUEEN, DANIEL	666666	5168747	\$	30.00	AUDITOR		
10/02/2014	REYNOLDS, RICHARD E	666666	5168786	\$	30.00	AUDITOR		
10/09/2014	ETAT ENTERPRISE	2109	5168850	\$	30.00	AUDITOR		
10/09/2014	NIBERT, MICHELL	9259	5168966	\$	500.00	AUDITOR	void	
10/16/2014	MEDIA NETWORK	3690	5169504	\$	750.00	AUDITOR		
10/16/2014	BOYLE, ANDREW	333333	5169626	\$	6.00	AUDITOR		
10/16/2014	PERKEY, AUTUMN	333333	5169629	\$	6.00	AUDITOR		
10/16/2014	VESSELS, BLAKE	333333	5169630	\$	6.00	AUDITOR		
10/16/2014	WAGNER, BRYAN A	333333	5169631	\$	6.00	AUDITOR		
10/16/2014	JOHNSON, CAROLYN	333333	5169633	\$	6.00	AUDITOR		
10/16/2014	MORRISON, ERIC	333333	5169639	\$	6.00	AUDITOR		
10/16/2014	GREEN, MARIE	333333	5169646	\$	6.00	AUDITOR		
10/16/2014	MOSS, MARVIN	333333	5169650	\$	6.00	AUDITOR		
10/16/2014	PARENT OF AUTUMN MOORE	333333	5169653	\$	6.00	AUDITOR		
10/16/2014	VESSELS, PATRICK	333333	5169657	\$	6.00	AUDITOR		
10/16/2014	BERRY, RODGER	333333	5169658	\$	6.00	AUDITOR		
10/16/2014	CROW, SEAN	333333	5169662	\$	6.00	AUDITOR		
10/16/2014	BIXLER, WILLIAM	333333	5169666	\$	6.00	AUDITOR		
10/16/2014	BUSH, MICHAEL J	666666	5169708	\$	60.00	AUDITOR		
10/16/2014	TIPPLE, MICHAEL L	666666	5169709	\$	30.00	AUDITOR		
10/16/2014	PEPPERS, SHAUN E	666666	5169722	\$	30.00	AUDITOR		
10/30/2014	TREASURER, STAT	59560	5170404	\$	50.00	AUDITOR		
10/24/2014	WATER STONE LANDING ONE L	111111	5170452	\$	10,408.18	AUDITOR	REISSUED 6-17-15	Ck#5187083
10/30/2014	CHASE MANHATTAN	5961	5170521	\$	1,664.75	AUDITOR		
11/06/2014	CHALFANT, TOM	7184	5170790	\$	18.68	AUDITOR		
11/06/2014	SMITH, MARK & A	10520	5170862	\$	18.68	AUDITOR		

11/06/2014	MORGAN, GREGORY	333333	5171012	\$	6.00	AUDITOR		
11/06/2014	SEITZINGER, RICHARD	333333	5171022	\$	6.00	AUDITOR	cleared	5/12/2015
11/06/2014	MCELWEE, TOM	333333	5171025	\$	6.00	AUDITOR		
11/20/2014	RUMPKE	74740	5171723	\$	187.21	AUDITOR		
11/20/2014	KILBARGER, DIAN	6996	5171869	\$	30.00	AUDITOR		
11/20/2014	BORGAN, ALEXAND	7576	5171929	\$	30.00	AUDITOR		
11/20/2014	MARSHALL, CLAUD	11332	5171977	\$	100.00	AUDITOR		
11/20/2014	DOWNOUR, ALEXAN	11350	5171981	\$	30.00	AUDITOR		
11/26/2014	TECHNICIAN DEVELOPMENT	154	5172398	\$	200.00	AUDITOR	void	
12/04/2014	WILLIAMS, ADAM	3543	5172705	\$	18.68	AUDITOR		
12/04/2014	TIRE KINGDOM IN	10044	5172849	\$	129.96	AUDITOR	void	
12/04/2014	SCHEER, KELLIE OR JESS	11307	5172886	\$	112.08	AUDITOR		
12/04/2014	ROMINE, GARY A	666666	5172968	\$	30.00	AUDITOR		
12/04/2014	MORRIS, LIDA L	666666	5172977	\$	30.00	AUDITOR	void	
12/11/2014	ELWING, THOMAS R	4891	5173447	\$	4,370.36	AUDITOR	REISSUED 4/11/16	CK#5207081
12/18/2014	PETERS, CHRIS	333333	5173924	\$	6.00	AUDITOR		
12/18/2014	YATER, DESTYNI	333333	5173928	\$	6.00	AUDITOR		
12/18/2014	MORGAN, GREGORY	333333	5173931	\$	6.00	AUDITOR		
12/18/2014	GREEN, KARIE	333333	5173932	\$	6.00	AUDITOR		
12/18/2014	MATHIAS, KEIALL	333333	5173933	\$	6.00	AUDITOR		
12/18/2014	VANDYKE, ROBERT	333333	5173938	\$	6.00	AUDITOR		
12/18/2014	DRENNER, RONALD	333333	5173939	\$	6.00	AUDITOR		
12/18/2014	FREELAND, SCOTT	333333	5173941	\$	6.00	AUDITOR		
12/18/2014	CORREA, SHAYLYNN	333333	5173942	\$	6.00	AUDITOR		
12/18/2014	HARMON, TIFFANY	333333	5173947	\$	6.00	AUDITOR		

216,818.18

02/13/2014	PEOPLES BANK NA	6230	5153113	\$	80,196.70	AUDITOR	reissue	5184265	cleared	5/21/2015
03/20/2014	LASALLE BANK NATIONAL ASSO.	999999	5155520	\$	100,164.79	AUDITOR	reissue	5189054	cleared	7/27/2015
12/11/2014	THOMAS ELWING	4891	5173447	\$	4,370.36	AUDITOR	reissue	5207081		
10/24/2014	WATER STONE LANDING ONE L	111111	5170452	\$	10,408.18	AUDITOR	reissue	5187083	cleared	6/26/2015
06/26/2014	RAY, LINDA C	666666	5161983	\$	30.00	AUDITOR	void			
08/14/2014	CROFT, SCHEBEEKA	333333	5165088	\$	6.00	AUDITOR	void			
09/04/2014	CHALFANT, TOM	7184	5166434	\$	18.49	AUDITOR	cleared		4/15/2015	
10/09/2014	NIBERT, MICHELL	9259	5168966	\$	500.00	AUDITOR	void			
11/06/2014	SEITZINGER, RICHARD	333333	5171022	\$	6.00	AUDITOR	cleared		5/12/2015	
11/26/2014	TECHNICIAN DEVELOPMENT	154	5172398	\$	200.00	AUDITOR	void			
12/04/2014	TIRE KINGDOM IN	10044	5172849	\$	129.96	AUDITOR	void			
12/04/2014	MORRIS, LIDA L	666666	5172977	\$	30.00	AUDITOR	void			

\$ 196,060.48

\$ 20,757.70 total of unclaimed 4-13-16

08/28/2014	VAJEN, THOMAS R	6710	5165784	\$	4,125.00	AUDITOR	reissued 5-31-16	5210473
05/01/2014	TAX EASE OHIO, LLC	999999	5158237	\$	1,699.35	AUDITOR	reissued 10-31-16	

\$ 14,933.35 total of auditors

\$ 17,787.57 clerk of courts

2014 TO BE TRANSFERRED TO 1080 IN 2016
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\$ 32,720.92 Grand total

2014 TO BE TRANSFERRED TO 1001 IN 2020
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Signature Page

Resolution No. 2020-04.14.a

A Resolution authorizing a fund to fund transfer. Auditor – fund 1080.

(Fairfield County Auditor- Finance)

This resolution has not yet been voted on.

CERTIFICATE OF CLERK

It is hereby certified that the foregoing is a true and correct transcript of a resolution acted upon by the Board of County Commissioners, Fairfield County, Ohio on the date noted above.

**A resolution authorizing the approval of proclamations.
[Commissioners]**

WHEREAS, it is the pleasant responsibility of the Fairfield County Board of Commissioners to recognize people, organizations, and occasions; and

WHEREAS, the Commissioners have reviewed and approve the attached Proclamations.

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

Section 1. That the Board of Commissioners approves the attached Proclamations of Recognition.

Prepared by: Rachel Elsea

Fairfield County Board of Commissioners

A Proclamation Recognizing National Crime Victims' Rights Week, April 19–25, 2020

Whereas, in 1982, the President's Task Force on Victims of Crime envisioned a national commitment to a more equitable and supportive response to victims;

Whereas, this commemorative week celebrates the energy, perseverance and commitment that launched the victims' rights movement, inspired its progress, and continues to advance the cause of justice for crime victims;

Whereas, crime can leave a lasting impact on any person, regardless of age, national origin, race, creed, religion, gender, sexual orientation, immigration, or economic status;

Whereas, incorporating communities' existing experts and trusted sources of support into efforts to fully serve survivors will develop a criminal justice system response that is truly accessible and appropriate for all victims of crime;

Whereas, with the unwavering support of their communities and victim service providers behind them, survivors will be empowered to face their grief, loss, fear, anger, and hope without fear of judgment, and will feel understood, heard, and respected;

Whereas, serving victims and rebuilding their trust restores hope to victims and survivors, as well as supports thriving communities;

Whereas, engaging a broader array of healthcare providers, community leaders, faith organizations, educators and businesses can provide new links between victims and services that improve their safety, healing, and access to justice;

Whereas, honoring the rights of victims, including the rights to be heard and to be treated with fairness, dignity, and respect, and working to meet their needs rebuilds their trust in the criminal justice and social service systems;

Whereas, National Crime Victims' Rights Week provides an opportunity to recommit to ensure that all victims of crime – especially those who are challenging to reach or serve – are offered culturally and linguistically accessible and appropriate services in the aftermath of crime; and

Whereas, The Fairfield County Prosecuting Attorney's Office, Victim Assistance Division, is hereby dedicated to strengthening victims and survivors in the aftermath of crime, building resilience in our communities and our victim responders, and working for a better future for all victims and survivors

Fairfield County Board of Commissioners

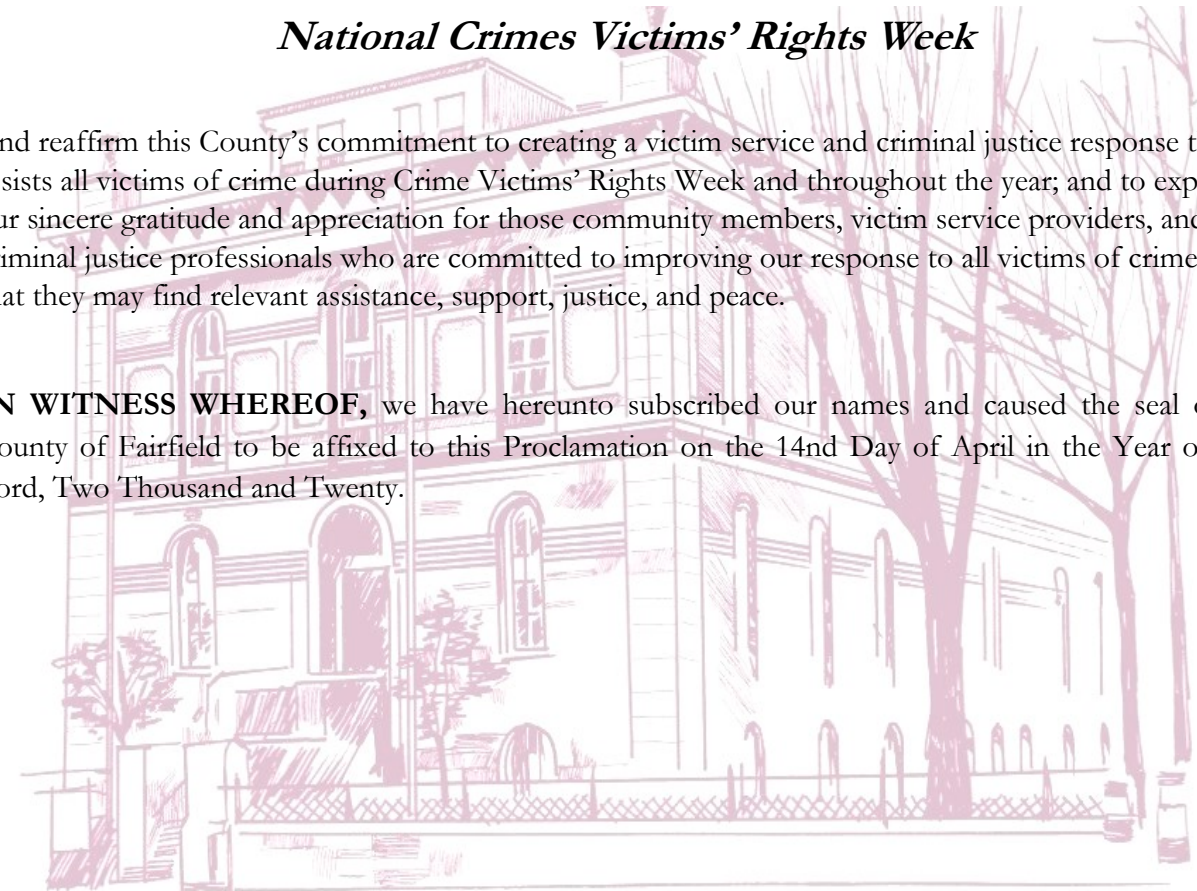
A Proclamation Recognizing National Crime Victims' Rights Week, April 19-25, 2020

NOW THEREFORE, the Fairfield County Board of Commissioners, do hereby formally proclaim April 19-25, 2020 as

National Crimes Victims' Rights Week

And reaffirm this County's commitment to creating a victim service and criminal justice response that assists all victims of crime during Crime Victims' Rights Week and throughout the year; and to express our sincere gratitude and appreciation for those community members, victim service providers, and criminal justice professionals who are committed to improving our response to all victims of crime so that they may find relevant assistance, support, justice, and peace.

IN WITNESS WHEREOF, we have hereunto subscribed our names and caused the seal of the County of Fairfield to be affixed to this Proclamation on the 14nd Day of April in the Year of Our Lord, Two Thousand and Twenty.



Steven A. Davis
Commissioner

Jeffrey M. Fix
Commissioner

David L. Levacy
Commissioner

Fairfield County Board of Commissioners

A Proclamation Recognizing April 22, 2020 as Earth Day

WHEREAS, it is the pleasant responsibility of the Fairfield County Commission to recognize people, organizations, and occasions of outstanding achievement and significance;

WHEREAS, Fairfield County has demonstrated environmental stewardship by reducing waste;

WHEREAS, Fairfield County has completed environmentally beneficial activities with its Energy Conservation Program. We have conserved energy and fuel use, utilized energy efficient products, and modified operations to improve energy efficiency;

WHEREAS, in 2019, there were more than 62,728 pounds of materials recycled from county buildings;

WHEREAS, an environmental stewardship work group is connecting to promote continuous improvement in this area;

NOW THEREFORE, the Fairfield County Board of Commissioners does hereby formally declare its respect for and recognition of:

April 22, 2020 as Earth Day

We call upon everyone in Fairfield County to observe this day and the month with programs and activities that increase awareness of environmental stewardship.

IN WITNESS WHEREOF, we have hereunto subscribed our names and caused the seal of the County of Fairfield to be affixed to this Proclamation on the 14th Day of April in the Year of Our Lord, Two Thousand Twenty.



Steven A. Davis
Commissioner



Jeffrey M. Fix
Commissioner



David L. Levacy
Commissioner

Resolution No. 2020-04.14.b

A resolution authorizing the approval of proclamations.

(Fairfield County Commissioners)

This resolution has not yet been voted on.

CERTIFICATE OF CLERK

It is hereby certified that the foregoing is a true and correct transcript of a resolution acted upon by the Board of County Commissioners, Fairfield County, Ohio on the date noted above.

A resolution acknowledging employees serving as community volunteers, county board members serving on various board, and other community volunteers during National Volunteer Week, April 19-April 25

WHEREAS, National Volunteer Week during the third week in April is an opportunity to thank all volunteers across the county who keep many organizations running, help keep communities safe, and provide vital services that otherwise might not exist without volunteers;

WHEREAS, it is also a time to consider volunteering or providing support to organizations within the Fairfield County community;

WHEREAS, the importance of volunteering is vital to the health of the Fairfield County community;

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

Section 1. That the Board of County Commissioners thanks all volunteers in Fairfield County, including county employees (a list of county employees who have volunteered at least 20 self-reported hours over the past year is attached to this resolution), board members, and many other community volunteers, including those who volunteer for Fairfield County departments and those who volunteer within a variety of community groups and other organizations.

Section 2. That the Board of County Commissioners encourages residents to consider volunteering or providing support to organizations of their choice within the Fairfield County community.

Section 3. County employees who have volunteered at least 20 self-reported hours over the past year (on a list attached to this resolution) will be recognized in a global email sent to county employees and those with a county email address.

Thank you to all volunteers in Fairfield County!

A resolution acknowledging employees serving as community volunteers, county board members serving on various board, and other community volunteers during National Volunteer Week, April 19-April 25

Procedures/To Do List

For 2020

1. From each department, obtain a list of employees who have volunteered at least 20 self-reported hours over the past year to any community group of their choice
2. Prepare a list of all volunteer board members appointed by the Board of County Commissioners
3. Obtain a list of all volunteer board members appointed by other county officials; send invitation to appreciation open house
4. Send global email thanking employees who have served as a volunteer, with the resolution and list from departments attached

Add for 2021 forward, if there is interest and a good level of support

5. Prepare a news release announcing an appreciation open house, open to any volunteer within the community
6. Seek help from department heads and elected officials to share information about the appreciation open house
7. Obtain donations for appreciation open house
8. Hold open house during National Volunteer Week

Fairfield County Volunteer Recognition
April 2020

Aunie Cordle
Abby Begley
Bev Anders
Bob Competti
Brian Plummer
Carri Brown
Carrie Stoneman
Cheryl Mace
Christina Foster
Christy Ward
Cindi West
CJ Roberts
Corey Clark
Derek Upp
Dennis Keller
Donna Fox-Moore
Elizabeth Burwell
Fred Baughman
James Averill
Jami McClure
Jan Picklesimer
Janet Stout
Jay Mattlin
Jean Reed
Jeff Porter
Jennifer Beckley-Watson
Jennifer Smith
Jennifer Yancey
Jeremy Grant
Jodi Fuhr
Jonathan McCombs
Jon Kochis
Joseph Palmer
Joseph Sidon
Julie Brunner
Karen Wolfe
Katie Baum
Keith Tremblay
Krista Humphries
Kristi Burre
Laura Coholich
Laura Elder
Laura Holton
Linda Millington
Lisa Wells
Liz Burwell

Makaila Tussing
Matt Wideman
Melanie Culbertson
Ned Albasha
Nikki Drake
Pam Barkley
Pam Barkley
Pam Redding
Patricia Waits
Patrick Epler
Patrick Welsh
Rachel Elsea
Rachel Shafer
Rick Szabrak
Ron Osgood
Sandy Bryan
Sarah Johnson
Sarah Kauffman
Shar Bails
Sharon Scruggs
Staci Knisley
Stephanie Mulholland
Suzie Lynch
Teresa Mowen
Tiffany Wilson
Todd McCullough
Tony Vogel
Val Carpico

Resolution No. 2020-04.14.c

A resolution acknowledging employees serving as community volunteers, county board members serving on various board, and other community volunteers during National Volunteer Week, April 19-April 25

(Fairfield County Commissioners)

This resolution has not yet been voted on.

CERTIFICATE OF CLERK

It is hereby certified that the foregoing is a true and correct transcript of a resolution acted upon by the Board of County Commissioners, Fairfield County, Ohio on the date noted above.

A resolution approving to appropriate from Unappropriated into a major expense category for Grant Fund# 3034, subfund#8236 for the FY2020 Ohio Airport Grant Program/Ohio Department of Transportation (ODOT), Grant match transfer from the General Fund # 1001 & Advance from the General fund – Fairfield County Commissioners

WHEREAS, the Fairfield County Airport Authority and the Board of Commissioners accepted the FY2020 Ohio Airport Grant Program funding of a maximum of \$91,698 with a local match of \$4,826; and

WHEREAS, it is necessary to establish 2020 budget figures: and

WHEREAS, appropriate from unappropriated into a major expenditure object category will allow the budget to be established; and

WHEREAS, a fund to fund transfer will transfer the local match monies; and

WHEREAS, an advance is necessary due to the grant being reimbursed after expenses occur; and

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

Section 1. Request that the Board of County Commissioners approve to appropriate from unappropriated into a major expense category:
12303420 Capital Outlay \$96,524

Section 2. Request that the Board of County Commissioners approve the following fund to fund transfer:
\$ 4,826 12100148 700019 General Fund Match Transfers to
 12303420 439100 Intergovernmental transfers in

Section 3. Request that the Fairfield County Auditor process the following advance with the repayment date of 6/15/2021.

DEBIT	1001 090000 General Fund Advance	<\$91,698>
CREDIT	8236 223001 FY20 ODOT grant fund advance in (Fund # 3034)	\$91,698

A resolution approving to appropriate from Unappropriated into a major expense category for Grant Fund# 3034, subfund#8236 for the FY2020 Ohio Airport Grant Program/Ohio Department of Transportation (ODOT), Grant match transfer from the General Fund # 1001 & Advance from the General fund – Fairfield County Commissioners

For Auditor's Purpose only:

Section 1.

\$ 96,524 12303420 570000 Capital outlay

Section 4. Request that the County Auditor on behalf of the Budget commission to issue an amended certificate for fund # 3034, Subfund#8236 in the amount of \$96,524.

Section 4a. Request that the County Auditor update the following revenue accounts:

\$4,826 12303420 439100 Intergovt. Transfers in
\$91,698 12303420 433400 State Govt. revenue

Prepared by: Staci Knisley, Commissioners' Office
cc: Christina Foster

Signature Page

Resolution No. 2020-04.14.d

A resolution approving to Appropriate from Unappropriated into a major expense category for Grant Fund# 3034, subfund# 8236 for the FY2020 Ohio Airport Grant Program/Ohio Department of Transportation (ODOT), Grant match transfer from the General Fund # 1001 & Advance from the General fund – Fairfield County Commissioners

(Fairfield County Commissioners)

This resolution has not yet been voted on.

CERTIFICATE OF CLERK

It is hereby certified that the foregoing is a true and correct transcript of a resolution acted upon by the Board of County Commissioners, Fairfield County, Ohio on the date noted above.

A resolution approving and acknowledging electronic signature procedures

WHEREAS, electronic signatures of the Commissioners, County Administrator, and Clerk to the Board of Commissioners are permissible and have been in use since 2013, whenever possible and appropriate;

WHEREAS, written procedures and passwords are in place for the use of the County Commissioners Resolution Management System and for specific circumstances;

WHEREAS, there may be additional guidelines established by the County Data Board, but at this point and for the past seven years, these procedures have been in place with no issues;

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

Section 1. That the Board approves the attached written procedures.

Fairfield County Security Procedure for Electronic Signatures

For county commissioners signature on resolutions, after approval in public meeting, is that the clerk or assistant clerk has a uniquely assigned password known to them and not shared with others, and that password is required for use of the electronic signatures within the county commissioners' resolution management system.

For signatures on contracts, if an electronic signature is needed, prior to the Clerk using such a signature, the approval must have been provided by a vote in public meeting for the Commissioners, by approval of a resolution or a motion.

For the County Administrator's signature, the approval could be made solely within the county resolution management system.

Contracts are uploaded within CRMS once all signatures are reflected, and those contracts are available for review by auditors, staff, and others to ensure accuracy.

Electronic signatures as individual signatures for non-voted items can be used with verbal approval.

Chapter 304: ELECTRONIC RECORDS AND SIGNATURES**304.01 Definitions.**

As used in this chapter:

- (A) "Agreement" means the bargain of the parties in fact, as found in their language or inferred from other circumstances and from rules, regulations, and procedures given the effect of agreements under laws otherwise applicable to a particular transaction.
- (B) "County office" means any officer, department, board, commission, agency, court, or other instrumentality of a county.
- (C) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.
- (D) "Electronic record" means a record created, generated, sent, communicated, received, or stored by electronic means.
- (E) "Electronic signature" means an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.
- (F) "Information" means data, text, images, sounds, codes, computer programs, software, databases, or the like.
- (G) "Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, governmental agency, public corporation, or other legal or commercial entity.
- (H) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.
- (I) "Transaction" means an action or set of actions occurring between two or more persons relating to the conduct of business, commercial, or governmental affairs.

Effective Date: 11-05-2004

304.02 County office to adopt security procedure prior to use.

Prior to the use of electronic records and electronic signatures by a county office under Chapter 1306. of the Revised Code, and except as otherwise provided in section **955.013** of the Revised Code, a county office shall adopt, in writing, a security procedure for the purpose of verifying that an electronic signature, record, or performance is that of a specific person or for detecting changes or errors in the information in an electronic record. A security procedure includes, but is not limited to, a procedure that requires the use of algorithms or other codes, identifying words or numbers, encryption, or callback or other acknowledgment procedures.

Effective Date: 11-05-2004

304.03 Authorized electronic filing to have same effect as paper filing.

(A) Whenever any rule or law requires or authorizes the filing of any information, notice, lien, or other document or record with any county office, a filing made by an electronic record shall have the same

force and effect as a filing made on paper in all cases where the county office has authorized or agreed to the electronic filing and the filing is made in accordance with applicable rules or an applicable agreement.

(B) Nothing in this section authorizes or shall be construed to authorize the use of a financial transaction device in an electronic transaction for the acceptance of payments for county expenses, except pursuant to section 301.28 or 955.013 of the Revised Code.

(C) As used in this section, "financial transaction device" and "county expenses" have the same meanings as in section 301.28 of the Revised Code.

Effective Date: 11-05-2004

304.04 Use not required.

Nothing in this chapter or Chapter 1306. of the Revised Code requires or shall be construed to require any county office to use or permit the use of electronic records and electronic signatures.

Effective Date: 11-05-2004

Chapter 1306: UNIFORM ELECTRONIC TRANSACTIONS ACT**1306.01 Definitions.**

As used in sections 1306.01 to 1306.23 of the Revised Code:

(A) "Agreement" means the bargain of the parties in fact, as found in their language or inferred from other circumstances and from rules, regulations, and procedures given the effect of agreements under laws otherwise applicable to a particular transaction.

(B) "Automated transaction" means a transaction conducted or performed, in whole or in part, by electronic means or electronic records, in which the acts or records of one or both parties are not reviewed by an individual in the ordinary course in forming a contract, performing under an existing contract, or fulfilling an obligation required by the transaction.

(C) "Computer program" means a set of statements or instructions to be used directly or indirectly in an information processing system in order to bring about a certain result.

(D) "Contract" means the total legal obligation resulting from the parties' agreement as affected by sections 1306.01 to 1306.23 of the Revised Code and other applicable law.

(E) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

(F) "Electronic agent" means a computer program or an electronic or other automated means used independently to initiate an action or respond to electronic records or performances in whole or in part, without review or action by an individual.

(G) "Electronic record" means a record created, generated, sent, communicated, received, or stored by electronic means.

(H) "Electronic signature" means an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

(I) "Governmental agency" means any executive, legislative, or judicial agency, department, board, commission, authority, institution, or instrumentality of the federal government, of a state, or of a county, municipality, or other political subdivision of a state.

(J) "Information" means data, text, images, sounds, codes, computer programs, software, databases, or the like.

(K) "Information processing system" means an electronic system for creating, generating, sending, receiving, storing, displaying, or processing information.

(L) "Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, governmental agency, public corporation, or any other legal or commercial entity.

(M) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(N) "Security procedure" means a procedure employed for the purpose of verifying that an electronic signature, record, or performance is that of a specific person or for detecting changes or errors in the

information in an electronic record. "Security procedure" includes a procedure that requires the use of algorithms or other codes, identifying word or numbers, encryption, or callback or other acknowledgment procedures.

(O) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States. "State" includes an Indian tribe or band, or Alaskan native village, that is recognized by federal law or formally acknowledged by a state.

(P) "Transaction" means an action or set of actions occurring between two or more persons relating to the conduct of business, commercial, or governmental affairs.

Effective Date: 09-14-2000

1306.02 Scope of chapter - exceptions.

(A) Except as provided in division (B) of this section, sections [1306.01](#) to [1306.23](#) of the Revised Code apply to electronic records and electronic signatures relating to a transaction.

(B) Sections [1306.01](#) to [1306.23](#) of the Revised Code do not apply to a transaction to the extent it is governed by any of the following:

- (1) A law governing the creation and execution of wills, codicils, or **testamentary trusts**;
- (2) Chapter 1301., except section [1301.306](#), and Chapters 1303., 1304., 1305., 1307., 1308., and 1309. of the Revised Code.

Amended by 129th General Assembly File No. 9, HB 9, §1, eff. 6/29/2011.

Effective Date: 03-12-2001

1306.03 Prospective application of chapter.

Sections [1306.01](#) to [1306.23](#) of the Revised Code apply to any electronic record or electronic signature created, generated, sent, communicated, received, or stored on or after the effective date of sections [1306.01](#) to [1306.23](#) of the Revised Code.

Effective Date: 09-14-2000

1306.04 Applicability - agreements.

(A) Sections [1306.01](#) to [1306.23](#) of the Revised Code do not require a record or signature to be created, generated, sent, communicated, received, stored, or otherwise processed or used by electronic means or in electronic form.

(B) Sections [1306.01](#) to [1306.23](#) of the Revised Code apply only to transactions between parties each of which has agreed to conduct transactions by electronic means. Whether the parties agree to conduct a transaction by electronic means is determined from the context and surrounding circumstances, including the parties' conduct.

(C) A party that agrees to conduct a transaction by electronic means may refuse to conduct other transactions by electronic means. The right granted by this division may not be waived by agreement.

(D) Except as otherwise provided in sections [1306.01](#) to [1306.23](#) of the Revised Code, any of the provisions of such sections may be varied by agreement. The presence in certain provisions of sections [1306.01](#) to [1306.23](#) of the Revised Code of the words "unless otherwise agreed," or words of similar import, does not imply that the effect of other provisions may not be varied by agreement.

(E) Whether an electronic record or electronic signature has legal consequences is determined by sections [1306.01](#) to [1306.23](#) of the Revised Code and other applicable law.

Effective Date: 09-14-2000

1306.05 Citation, construction and application of chapter.

Sections [1306.01](#) to [1306.15](#) of the Revised Code may be known and cited as the "uniform electronic transactions act" and shall be construed and applied as follows:

- (A) To facilitate electronic transactions consistent with other **applicable law**;
- (B) To be consistent with reasonable practices concerning electronic transactions and with the **continued expansion of those practices**;
- (C) To effectuate its general purpose to make uniform the law with respect to the subject of sections [1306.01](#) to [1306.15](#) of the Revised Code among states enacting the uniform electronic transactions act.

Effective Date: 09-14-2000

1306.06 Electronic record or signature satisfies legal requirements.

- (A) A record or signature may not be denied legal effect or enforceability solely because it is in electronic form.
- (B) A contract may not be denied legal effect or enforceability solely because an electronic record was used in its formation.
- (C) If a law requires a record to be in writing, an electronic record satisfies the law.
- (D) If a law requires a signature, an electronic signature satisfies the law.

Effective Date: 09-14-2000

1306.07 Electronic record capable of retention by recipient at time of receipt.

- (A) If the parties have agreed to conduct a transaction by electronic means and a law requires a person to provide, send, or deliver information in writing to another person, the requirement is satisfied if the information is provided, sent, or delivered, as the case may be, in an electronic record capable of retention by the recipient at the time of receipt. An electronic record is not capable of retention by the recipient if the sender or its information processing system inhibits the ability of the recipient to print or store the electronic record.
- (B) If a law other than sections [1306.01](#) to [1306.23](#) of the Revised Code requires a record to be posted or displayed in a certain manner, to be sent, communicated, or transmitted by a specified method, or to contain information that is formatted in a certain manner, all of the following apply:

(1) The record shall be posted or displayed in the manner specified in the other law.

(2) Except as otherwise provided in division (D)(2) of this section, the record shall be sent, communicated, or transmitted by the method specified in the other law.

(3) The record shall contain the information formatted in the manner specified in the other law.

(C) If a sender inhibits the ability of a recipient to store or print an electronic record, the electronic record is not enforceable against the recipient.

(D) Divisions (A), (B), and (C) of this section may not be varied by agreement, except as follows:

(1) To the extent a law, other than sections 1306.01 to 1306.23 of the Revised Code, requires information to be provided, sent, or delivered in writing but permits that requirement to be varied by agreement, the requirement under division (A) of this section that the information be in the form of an **electronic record capable of retention also may be varied by agreement**;

(2) A requirement under a law, other than sections 1306.01 to 1306.23 of the Revised Code, to send, communicate, or transmit a record by regular mail may be varied by agreement to the extent permitted by the other law.

Effective Date: 09-14-2000

1306.08 When electronic record or signature is attributable to person - effect.

(A) An electronic record or electronic signature is attributable to a person if it was the act of the person. The act of the person may be shown in any manner, including a showing of the efficacy of any security procedure applied to determine the person to which the electronic record or electronic signature is attributable.

(B) The effect of an electronic record or electronic signature attributed to a person under division (A) of this section shall be determined from the context and surrounding circumstances at the time of its creation, execution, or adoption, including the parties' agreement, if any, and otherwise as provided by law.

Effective Date: 09-14-2000

1306.09 Effect of change or error in transmission.

(A) If a change or error in an electronic record occurs in a transmission between parties to a transaction, both of the following apply:

(1) If the parties have agreed to use a security procedure to detect changes or errors and one party has conformed to the procedure, but the other party has not, and the nonconforming party would have detected the change or error had that party also conformed, the conforming party may avoid the effect of the changed or erroneous electronic record.

(2) In an automated transaction involving an individual, the individual may avoid the effect of an electronic record that resulted from an error made by the individual in dealing with the electronic agent of another person, if the electronic agent did not provide an opportunity for the prevention or correction of the error and, at the time the individual learns of the error, the individual does all of the following:

- (a) The individual promptly notifies the other person of the error and that the individual did not intend to be bound by the electronic record received by the other person.
 - (b) The individual takes reasonable steps, including steps that conform to the other person's reasonable instructions, to return to the other person or, if instructed by the other person, to destroy the consideration received, if any, as a result of the erroneous electronic record.
 - (c) The individual has not used or received any benefit or value from the consideration, if any, received from the other person.
- (B) If divisions (A)(1) and (2) of this section do not apply, the change or error has the effect provided by other law, including the law of mistake, and the parties' contract, if any.
- (C) Divisions (A)(2) and (B) of this section may not be varied by agreement.

Effective Date: 09-14-2000

1306.10 Notary, acknowledgment, verification or oath requirement.

If a law requires a signature or record to be notarized, acknowledged, verified, or made under oath, the requirement is satisfied if the electronic signature of the person authorized to perform those acts, together with all other information required to be included by other applicable law, is attached to or logically associated with the signature or record.

Effective Date: 09-14-2000

1306.11 Requirement that record be retained - original records.

- (A) If a law requires that a record be retained, the requirement is satisfied by retaining an electronic record of the information in the record if both of the following are satisfied:
- (1) The electronic record accurately and completely reflects the information set forth in the record after it was first generated in its final form as an electronic record or otherwise.
 - (2) The electronic record remains accessible for later reference.
- (B) A requirement to retain a record in accordance with division (A) of this section does not apply to any information the sole purpose of which is to enable the record to be sent, communicated, or received.
- (C) A person satisfies division (A) of this section by using the services of another person if the requirements of that division are satisfied.
- (D) If a law requires a record to be presented or retained in its original form, or provides consequences if the record is not presented or retained in its original form, that law is satisfied by an electronic record retained in accordance with division (A) of this section.
- (E) If a law requires retention of a check, that requirement is satisfied by retention of an electronic record of the information on the front and back of the check in accordance with division (A) of this section.
- (F) A record retained as an electronic record in accordance with division (A) of this section satisfies a law requiring a person to retain a record for evidentiary, audit, or similar purposes, unless a law

enacted after the effective date of this section specifically prohibits the use of an electronic record for the specified purpose.

(G) This section does not preclude a governmental agency of this state from specifying additional requirements for the retention of a record subject to the agency's jurisdiction.

Effective Date: 09-14-2000

1306.12 Admissibility in evidence.

In a proceeding, evidence of a record or signature may not be excluded solely because it is in electronic form.

Effective Date: 09-14-2000

1306.13 Automated transaction - contracts - terms.

In an automated transaction, all of the following apply:

(A) A contract may be formed by the interaction of electronic agents of the parties, even if no individual was aware of or reviewed the electronic agents' actions or the resulting terms and agreements.

(B) A contract may be formed by the interaction of an electronic agent and an individual, acting on the individual's own behalf or for another person, including by an interaction in which the individual performs actions that the individual is free to refuse to perform and that the individual knows or has reason to know will cause the electronic agent to complete the transaction or performance.

(C) The terms of the contract described in this section are determined by the substantive law applicable to the contract.

Effective Date: 09-14-2000

1306.14 Sending and receiving conditions.

(A) Unless otherwise agreed between the sender and the recipient, an electronic record is sent when it satisfies all of the following:

(1) The record is addressed properly or otherwise directed properly to an information processing system that the recipient has designated or uses for the purpose of receiving electronic records or information of the type sent, and from which the recipient is able to retrieve the electronic record.

(2) The record is in a form capable of being processed by the information processing system described in division (A)(1) of this section.

(3) The record enters an information processing system outside the control of the sender or of a person that sent the electronic record on behalf of the sender, or enters a region of the information processing system designated or used by the recipient that is under the control of the recipient.

(B) Unless otherwise agreed between a sender and the recipient, an electronic record is received when both of the following are satisfied:

(1) The record enters an information processing system that the recipient has designated or uses for the purpose of receiving electronic records or information of the type sent, and from which the recipient is able to retrieve the electronic record.

(2) The record is in a form capable of being processed by the information processing system described in division (B)(1) of this section.

(C) Division (B) of this section applies even if the place the information processing system is located is different from the place the electronic record is deemed to be received under division (D) of this section.

(D)

(1) Unless otherwise expressly provided in the electronic record or agreed between the sender and the recipient, an electronic record is deemed to be sent from the sender's place of business and to be received at the recipient's place of business.

(2) For purposes of division (D)(1) of this section, both of the following apply:

(a) If the sender or recipient has more than one place of business, the place of business of that person is the place having the closest relationship to the underlying transaction.

(b) If the sender or the recipient does not have a place of business, the place of business is the sender's or recipient's residence, as the case may be.

(E) An electronic record is received under division (B) of this section even if no individual is aware of its receipt.

(F) Receipt of an electronic acknowledgment from an information processing system described in division (B) of this section establishes that a record was received, but, by itself, does not establish that the content sent corresponds to the content received.

(G)

(1) If a person is aware that an electronic record purportedly sent under division (A) of this section, or purportedly received under division (B) of this section, was not actually sent or received, the legal effect of the sending or receipt is determined by other applicable law.

(2) Except to the extent permitted by other law, division (G)(1) of this section may not be varied by agreement.

Effective Date: 09-14-2000

1306.15 Control of transferable record.

(A) As used in this section, "transferable record" means an electronic record that satisfies both of the following:

(1) The transferable record would be a note under Chapter 1303. or a document under Chapter 1307. of the Revised Code, if the electronic record were in writing.

(2) The issuer of the electronic record expressly has agreed that it is a transferable record.

(B) A person has control of a transferable record if a system employed for evidencing the transfer of interests in the transferable record reliably establishes that person as the person to which the transferable record was issued or transferred.

(C) A system satisfies division (B) of this section, and a person is deemed to have control of a transferable record, if the transferable record is created, stored, and assigned in such a manner that satisfies all of the following:

(1) A single authoritative copy of the transferable record exists that is unique, identifiable, and, except as provided in divisions (C)(4) to (6) of this section, unalterable.

(2) The authoritative copy identifies the person asserting control as either of the following:

(a) The person to which the **transferable record** was issued;

(b) If the authoritative copy indicates that the transferable record has been transferred, the person to which the transferable record most recently was transferred.

(3) The authoritative copy is communicated to and maintained by the person asserting control or its designated custodian.

(4) Copies or revisions that add or change an identified assignee of the authoritative copy may be made only with the consent of the person asserting control.

(5) Each copy of the authoritative copy and any copy of a copy is readily identifiable as a copy that is not the authoritative copy.

(6) Any revision of the authoritative copy is readily identifiable as authorized or unauthorized.

(D)

(1) Except as otherwise agreed, a person having control of a transferable record is the holder, as defined in section 1301.201 of the Revised Code, of the transferable record and has the same rights and defenses as a holder of an equivalent record or writing under the uniform commercial code. If the applicable statutory requirements under section 1303.32, 1307.501, or 1309.27 of the Revised Code are satisfied, these rights and defenses include the rights and defenses of a holder in due course, a holder to which a negotiable document of title has been duly negotiated, or a purchaser, respectively.

(2) Delivery, possession, and indorsement are not required to obtain or exercise any of the rights under division (D)(1) of this section.

(E) Except as otherwise agreed, an obligor under a transferable record has the same rights and defenses as an equivalent obligor under equivalent records or writings under the uniform commercial code.

(F)

(1) If requested by a person against which enforcement is sought, the person seeking to enforce the transferable record shall provide reasonable proof that the person is in control of the transferable record.

(2) Proof required by division (F)(1) of this section may include access to the authoritative copy of the transferable record and related business records sufficient to review the terms of the transferable record and to establish the identity of the person having control of the transferable record.

Amended by 129th General Assembly File No.9, HB 9, §1, eff. 6/29/2011.

Effective Date: 09-14-2000

1306.16 Enforceability against consumer.

(A) A provision of a nonelectronic contract involving a consumer and to which a state agency or a county office is not a party that authorizes the conducting of a transaction or any part of a transaction by electronic means is unenforceable against the consumer, unless the consumer separately signs the provision.

(B) A consumer's agreement to conduct a transaction or a part of a transaction electronically shall not be inferred solely from the fact that the consumer has used electronic means to pay an account or register a purchase or warranty.

(C) Divisions (A) and (B) of this section apply to every transaction described in those divisions notwithstanding any other provision of this chapter. This section shall not be varied by agreement.

(D) For purposes of this section:

(1) "Consumer" means an individual who is involved in a transaction primarily for personal, family, or household purposes.

(2) "State agency" means every organized body, office, or agency established by the laws of the state for the exercise of any function of state government.

(3) "County office" means any officer, department, board, commission, agency, court, or other instrumentality of a county.

Effective Date: 09-14-2000; 11-05-2004

1306.17 Commercial reasonableness of security procedure.

(A) This section and section **1306.18** of the Revised Code apply to the attribution of electronic records and electronic signatures among parties that are not state agencies.

(B) For purposes of this section and section **1306.18** of the Revised Code, the commercial reasonableness of a security procedure is to be determined by a court. In making this determination, both of the following apply:

(1) A security procedure established by statute or regulation is effective for transactions covered by the statute or regulation.

(2) Except as otherwise provided in division (B)(1) of this section, the commercial reasonableness and effectiveness is to be determined in light of the purposes of the security procedure and the commercial circumstances at the time the parties agree to or adopt the procedure.

(C) As used in this section, "state agency" means every organized body, office, or agency established by the laws of the state for the exercise of any function of state government.

Effective Date: 09-14-2000

1306.18 Security procedures.

(A) If there is a security procedure between the parties with respect to an electronic signature or electronic record, both of the following apply:

(1) The effect of compliance with a security procedure established by a law or regulation is determined by that law or regulation.

(2) In all other cases than those described in division (A)(1) of this section, if the parties agree to use or otherwise knowingly adopt a security procedure to verify the person from which an electronic signature or electronic record has been sent, the electronic signature or electronic record is attributable to the person identified by the security procedure, if the person relying on the attribution establishes all of the following:

(a) The security procedure is commercially reasonable.

(b) The party accepted or relied on the electronic message in good faith and in compliance with the security procedure and any additional agreement with or separate instructions of the other party.

(c) The security procedure indicates that the electronic message is from the person to which attribution is sought.

(B) If the electronic signature or electronic record is not attributable to a party under section **1306.08** of the Revised Code but is attributable to the party under other provisions of this section, then, notwithstanding the other provisions of this section, the electronic signature or electronic record is not attributable to the party if the party establishes that the electronic signature or electronic record was caused directly or indirectly by a person meeting any of the following:

(1) The person was not entrusted at any time with the right or duty to act for the party with respect to such electronic signature or electronic record or security procedure.

(2) The person lawfully obtained access to transmitting facilities of the party, if such access facilitated the misuse of the security procedure.

(3) The person obtained, from a source controlled by the party, information facilitating misuse of the security procedure.

(C) If the parties use a commercially reasonable security procedure to detect errors or changes with respect to an electronic signature or electronic record, both of the following apply:

(1) The effect of a security procedure is determined by the agreement between the parties, or, in the absence of an agreement, by this section or any law establishing the security procedure.

(2) Unless the circumstances indicate otherwise, if a security procedure indicates that an electronic signature or electronic record has not been altered since a particular time, it shall be treated as not having been altered since that time.

Effective Date: 09-14-2000

1306.19 Exemption for consumer transactions.

Sections 1306.17 and 1306.18 of the Revised Code do not apply to transactions to which a consumer is a party.

Effective Date: 09-14-2000

1306.20 State agency provisions.

(A) Subject to section 1306.11 of the Revised Code, each state agency shall determine if, and the extent to which, it will send and receive electronic records and electronic signatures to and from other persons and otherwise create, generate, communicate, store, process, use, and rely upon electronic records and electronic signatures.

(B)

(1) Subject to division (B)(2) of this section, a state agency may waive a requirement in the Revised Code, other than a requirement in sections 1306.01 to 1306.15 of the Revised Code, that relates to any of the following:

(a) The method of posting or displaying records;

(b) The manner of sending, communicating, or transmitting records;

(c) The manner of formatting records.

(2) A state agency may exercise its authority to waive a requirement under division (B)(1) of this section only if the following apply:

(a) The requirement relates to a matter over which the state agency has jurisdiction;

(b) The waiver is consistent with criteria set forth in rules adopted by the state agency. The criteria, to the extent reasonable under the circumstances, shall contain standards to facilitate the use of electronic commerce by persons under the jurisdiction of the state agency consistent with rules adopted by the department of administrative services pursuant to division (A) of section 1306.21 of the Revised Code.

(C) If a state agency creates, uses, receives, or retains electronic records, both of the following apply:

(1) Any rules adopted by a state agency relating to electronic records shall be consistent with rules adopted by the department of administrative services pursuant to division (A) of section 1306.21 of the Revised Code.

(2) Each state agency shall create, use, receive, and retain electronic records in accordance with section 149.40 of the Revised Code.

(D) If a state agency creates, uses, or receives electronic signatures, the state agency shall create, use, or receive the signatures in accordance with rules adopted by the department of administrative services pursuant to division (A) of section 1306.21 of the Revised Code.

(E)

(1) To the extent a state agency retains an electronic record, the state agency may retain a record in a format that is different from the format in which the record was originally created, used, sent, or

received only if it can be demonstrated that the alternative format used accurately and completely reflects the record as it was originally created, used, sent, or received.

(2) If a state agency in retaining any set of electronic records pursuant to division (E)(1) of this section alters the format of the records, the state agency shall create a certificate of authenticity for each set of records that is altered.

(3) The department of administrative services, in consultation with the state archivist, shall adopt rules in accordance with section 111.15 of the Revised Code that establish the methods for creating certificates of authenticity pursuant to division (E)(2) of this section.

(F) Whenever any rule of law requires or authorizes the filing of any information, notice, lien, or other document or record with any state agency, a filing made by an electronic record shall have the same force and effect as a filing made on paper in all cases where the state agency has authorized or agreed to such electronic filing and the filing is made in accordance with applicable rules or agreement.

(G) Nothing in sections 1306.01 to 1306.23 of the Revised Code shall be construed to require any state agency to use or permit the use of electronic records and electronic signatures.

(H)

(1) Notwithstanding division (C)(1) or (D) of this section, any state agency that, prior to the effective date of this section, used or permitted the use of electronic records or electronic signatures pursuant to laws enacted, rules adopted, or agency policies adopted before the effective date of this section, may use or permit the use of electronic records or electronic signatures pursuant to those previously enacted laws, adopted rules, or adopted policies for a period of two years after the effective date of this section.

(2) Subject to division (H)(3) of this section, after the two-year period described in division (H)(1) of this section has concluded, all state agencies that use or permit the use of electronic records or electronic signatures before the effective date of this section shall only use or permit the use of electronic records or electronic signatures consistent with rules adopted by the department of administrative services pursuant to division (A) of section 1306.21 of the Revised Code.

(3) After the two-year period described in division (H)(1) of this section has concluded, the department of administrative services may permit a state agency to use electronic records or electronic signatures that do not comply with division (H)(2) of this section, if the state agency files a written request with the department.

(I) For the purposes of this section, "state agency" means every organized body, office, or agency established by the laws of the state for the exercise of any function of state government, but does not include the general assembly, any legislative agency, the supreme court, the other courts of record in this state, or any judicial agency.

Effective Date: 09-14-2000

1306.21 Rules for state agency use of electronic records or electronic signatures.

(A) With regard to state agency use of electronic records or electronic signatures, the department of administrative services, in consultation with the state archivist, shall adopt rules in accordance with section 111.15 of the Revised Code setting forth all of the following:

- (1) The minimum requirements for the method of creation, maintenance, and security of electronic records and electronic signatures;
- (2) If electronic records must be signed by electronic means, all of the following:
 - (a) The type of electronic signature required;
 - (b) The manner and format in which the electronic signature must be affixed to the electronic record;
 - (c) The identity of, or criteria that must be met by, any third party used by the person filing a document to facilitate the process.
- (3) Control processes and procedures as appropriate to ensure adequate preservation, disposition, integrity, security, confidentiality, and auditability of electronic records;
- (4) Any other required attributes for electronic records that are specified for corresponding nonelectronic records or are reasonably necessary under the circumstances.

(B)

- (1) The department of administrative services may adopt rules in accordance with section 111.15 of the Revised Code to ensure consistency and interoperability among state agencies with regard to electronic transactions, electronic signatures, and security procedures.
- (2) If the department of administrative services adopts rules pursuant to division (B)(1) of this section, the department shall consider consistency in applications and interoperability with governmental agencies of this state, agencies of other states, the federal government, and nongovernmental persons to the extent practicable when adopting rules pursuant to that division.
- (C) With regard to electronic transactions, electronic signatures, and security procedures, the department of administrative services may publish recommendations for governmental agencies and nongovernmental persons to promote consistency and interoperability among nongovernmental persons, agencies of this state and other states, and the federal government.
- (D) For purposes of this section, "state agency" has the same meaning as in section 1306.20 of the Revised Code.

Effective Date: 09-14-2000

1306.22 Use of electronic records and electronic signatures by general assembly and courts.

- (A) Nothing in sections 1306.01 to 1306.23 of the Revised Code shall be construed to require the general assembly, any legislative agency, the supreme court, the other courts of record in this state, or any judicial agency to use or permit the use of electronic records and electronic signatures.
- (B) The general assembly and the supreme court may adopt rules pertaining to the use of electronic records and electronic signatures by their respective bodies and agencies.

Effective Date: 09-14-2000

1306.23 Exemptions to public records laws.

Records that would disclose or may lead to the disclosure of records or information that would jeopardize the state's continued use or security of any computer or telecommunications devices or services associated with electronic signatures, electronic records, or electronic transactions are not public records for purposes of section 149.43 of the Revised Code.

Effective Date: 09-14-2000

117.111 County office using electronic records and signatures to include security procedure in audit.

(A) If a county office uses electronic records and electronic signatures under Chapter 1306. of the Revised Code, the auditor of state, in conducting an audit of that office under division (A) or (B) of section 117.11 of the Revised Code, shall inquire into the method, accuracy, and effectiveness of any security procedure adopted by that office under section 304.02 of the Revised Code.

(B) As used in this section, "county office," "electronic," "electronic record," and "electronic signature" have the same meanings as in section 304.01 of the Revised Code.

Effective Date: 11-05-2004

304.02 County office to adopt security procedure prior to use.

Prior to the use of electronic records and electronic signatures by a county office under Chapter 1306. of the Revised Code, and except as otherwise provided in section 955.013 of the Revised Code, a county office shall adopt, in writing, a security procedure for the purpose of verifying that an electronic signature, record, or performance is that of a specific person or for detecting changes or errors in the information in an electronic record. A security procedure includes, but is not limited to, a procedure that requires the use of algorithms or other codes, identifying words or numbers, encryption, or callback or other acknowledgment procedures.

Effective Date: 11-05-2004

**LUCAS COUNTY, OHIO
BOARD OF COMMISSIONERS**

NUMBER: 34

PAGE 1

TITLE: ELECTRONIC SIGNATURE

**PERSONNEL
ADMINISTRATIVE X**

**RESOLUTION
NO:08-113**

**EFFECTIVE
DATE: February 5, 2008**

**TYPE:
POLICY X
PROCEDURE**

**SUPERSEDES:
POLICY #
PROCEDURE #**

PURPOSE:

To authorize and provide procedures to verify that an electronic signature, record, or performance is that of a specific person or for detecting changes or errors in the information in an electronic record as required to facilitate secure authentication of electronic financial transactions and records.

SCOPE:

This policy applies to County Auditor data processing systems and processes that use electronic signature or other means to process financial transactions and other electronic records.

DEFINITIONS:

“Electronic record” means a record created, generated, sent, communicated, received, or stored by electronic means. An electronic record is not capable of retention by the recipient to print or store the electronic record. Electronic Signature systems should provide the signatory and recipient with the ability to print a copy of the document.

“Electronic signature” (E-Sign) means an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record. Electronic signatures have the equivalent level of legal protection that is given to paper-based signatures. All security procedures and technologies should provide a reasonable level of authentication and integrity based on risk and purpose.

“Security procedure” means a procedure employed for the purpose of verifying that an electronic signature, record, or performance is that of a specific person or for detecting changes or errors in the information in an electronic record. “Security procedure” includes a procedure that requires the use of algorithms or other codes, identifying word or numbers, encryption, or callback or other acknowledgment procedures.

“Digital Certificate” means an attachment to an electronic message used for security purposes. The most common use of a digital certificate is to verify that a user sending a message is who he or she claims to be and to provide the receiver with the means to encode a reply.

“Identification and Authentication” means the verification of the identity of a requesting entity (a person, computer, system or process). Once it is determined who may have access to a system, the identification and authentication (I&A) process helps to enforce access control to the system by verifying the identity of the entity. Systems may use a variety of techniques or combinations of techniques such as user-ID, password, personal identification number, and digital certificates, to enforce I&A depending upon the level of access control required to protect the system.

“Integrity” means the assurance that information is not changed accidentally or through a malicious or otherwise improper act. Any changes occurring through the transmission or processing of an E-Sign record should either invalidate the signature or clearly show the change and create a security log identifying the user or system that produced the change and the time that it occurred. Comparative record audits and internal control procedures should also be considered to ensure the integrity of the information. These control procedures should be recorded in the system documentation along with any changes to the application, system environment, and operating procedures during the lifetime of the system.

“Risk Assessment” means a process concerned with identifying, analyzing and responding to Information Technology (IT) security risks. Risk assessment attempts to maximize the results of positive events and minimize the results of negative events.

“Interface Requirements” means that the Auditor must require a separate and distinct action on the part of the person for each signature action. The separate and distinct action must be clearly marked as indicating the user’s intent to electronically sign a record. The separate and distinct action may include a series of keystrokes, a click of a mouse or other similar action.

“Nonrepudiation” procedures are designed to ensure that the signatory adopted or assented to the record or electronic transaction. An example would be add a statement as follows: **“By pressing the “Submit” button you are certifying that you are the authorized user of this system and agree that you are submitting an Electronic Signature which is comparable to your written signature for the purposes of this document.”**

Per the Ohio Revised Code § 304.01:

(B) “County Office” means any officer, department, board, commission, agency, court, or other instrumentality of a county.

(E) “Electronic signature” means an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

➤ Note: The signature can be by a County employee or a citizen transacting with the County.

Ohio Revised Code § 304.02:

Prior to a county office using electronic records and electronic signatures, a county office shall adopt, in writing, a security procedure to verify that an electronic signature, record, or performance is that of a specific person or for detecting changes or errors in the information in an electronic record. A security procedure includes, but is not limited to, a procedure requiring algorithms or other codes, identifying words or numbers, encryption, or callback or other acknowledgment procedures.

All E-Sign projects will be managed according to the Lucas County Auditor Management Policies and may require approval of the Lucas County Data Processing Board (LCDP Board).

The Security Procedures relating to E-Sign Systems developed or procured under authority of the LCDP Board will be managed by the Lucas County Auditor’s LCIS representative and coordinated with agency staff and their Business Account Representative. All E-Sign Project Plans must contain a Security Assessment, which identifies and documents the level and type of technology used to provide security for the system. This assessment will become a permanent component of the Project File and associated System Documentation.

PROCEDURES:

As part of the Information Technology project planning process, the Auditor’s LCIS Representative will complete an assessment of the risk for the use of the application by completing an “Electronic Transaction Security Assessment.” The risk assessment identifies the appropriate security level by analyzing the impact of a security breach and the probability of an attempt to breach security. The agency risk assessment shall consider the nature of the information and the systems, the business purpose, the operating environment, the existing protections, the impact of a security breach, and the likelihood of a breach occurring. This process is initiated by each agency completing an “Electronic Transaction Security Assessment Request”

E-Sign systems shall receive a comprehensive Security Assessment to verify that an electronic signature created by the system is that of a specific person and for detecting changes or errors in the information in an electronic record. This Security Assessment must include, but is not limited to, a procedure requiring algorithms or other

codes, identifying words or numbers, encryption, or callback or other acknowledgment procedures. The system documentation must include the specific security procedures and processes automatically employed by the system or conducted by security administrators, to ensure the identity of the signatory and the integrity of the electronic records stored within the system.

RISK ASSESSMENT BY EACH COUNTY AGENCY:

(1) A representative of LCIS will assist Agencies in completing an assessment of the transaction risk for the use of the set of similar electronic transactions. The transaction risk assessment identifies the appropriate security level by analyzing the impact of a security breach and the probability of an attempt to breach security

(2) In determining the potential impact of a security breach, county agencies shall consider the:

- (a) intended use of the electronic record or signature;
- (b) type of information being transmitted, received or stored;
- (c) network used;
- (d) degree of risk to the state;
- (e) degree of risk to the users of the system;
- (f) degree of risk to third parties;
- (g) projected volume of transactions;
- (h) estimated cost;
- (i) potential legal liability; and
- (j) appropriate requirements for authentication of identity.

(3) Impact of a Security Breach. The potential impact of a security breach falls into one of four categories: low-impact, medium-impact, high-impact and very high-impact.

(a) Low-impact: A security breach is considered low-impact if: (i) there is no impact of a breach of security or (ii) the impact is slight or so insignificant that there would be no or only a slight and negligible financial loss, loss of the public's trust or adverse legal consequences.

(b) Medium-impact: A security breach is considered medium-impact if the impact is limited in nature. Limited in nature means that: (i) the financial loss when averaged for the electronic transaction set is less than ten thousand dollars to the business, citizen, state or other entity involved, or (ii) there are no major adverse legal implications, or (iii) the breach would cause at least some but not significant public distrust of the county.

(c) High-impact: A security breach is considered high-impact if: (i) compromised security would have a significant impact so that the financial harm when averaged for the electronic transaction set ranges from ten thousand dollars to five hundred thousand dollars, or (ii) the breach would result in media scrutiny and significant public distrust, or (iii) the breach would have adverse legal consequences

(d) Very High-impact: The result of a security breach that has a very high impact would be extremely serious. This type of breach results in: (i) financial loss when averaged for the electronic transaction set exceeding five hundred thousand dollars, or (ii) considerable legal violations, or (iii) intense media scrutiny and widespread, deep public distrust.

(4) Probability of an Attempt to Breach Security. The primary consideration is the value of a security breach to a person attempting a breach. Value includes financial gain, unauthorized access to confidential information, and the ability to harass, embarrass or shock. The probability is characterized as low, medium or high.

(a) Low-probability: A low-probability electronic transaction is one that would have little value to someone attempting a breach, and therefore, the likelihood of breach attempts is small with any attempts likely to be none or few and limited in effort.

(b) Medium-probability: A medium-probability electronic transaction is one which would provide value to someone seeking to breach security.

(c) High-probability: A high-probability electronic transaction would provide great value to someone should he or she breach security.

SECURITY LEVELS:

In general, there are four levels of security that apply to internal E-Sign applications. Security Level "A" provides the minimum level of security for E-Sign systems. Security Level "D" provides the highest level of security:

Security Level A: Applications must use, at a minimum, a unique user-ID and an alphanumeric password consisting of at least eight characters, or other security procedures or features as approved by the Auditor. In cases where a user password is used for Electronic Signature authentication, a statement notifying the User should be provided at the point where the User logs into the system. An example would be: **"This Password acts as an Electronic Signature and is comparable to the authorized user's written legal signature. Passwords must never be shared or revealed to anyone else. Revealing a password exposes the authorized user to responsibility for actions that another party takes with password."**

Security Level B: The addition of a smartcard or other physical device with a unique proprietary password combined with the password requirements described in Level A.

Security Level C: Under Level C security, agencies must use either digital certificates for authentication or a combination of a unique user-ID, password (described above), and a physical device such as a smartcard. The transmission of user-IDs and passwords must be encrypted using secure sockets layer or equivalent encryption when transmitted over the Internet or wireless transmission. Digital certificates used for electronic signatures require a significant infrastructure known as public key infrastructure (PKI). Therefore, Auditor employees may use a PKI only with the approval of the Auditor.

Security Level D: Security Level D requires a unique user-ID and password, a digital certificate issued under PKI, and a physical device such as a smartcard or biometric.

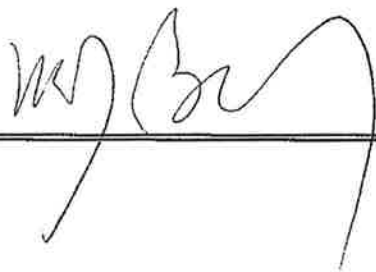
The above Security Levels are provided as guidelines. There may be cases where additional levels or types of security technology may be required. Each proposed E-Sign system and project will have its own set of variables which must be reviewed in the Security Analysis. These include the intended use of the signature; type of documents or information stored on the system; audit requirements; potential liability or cost of a security breach; network used, and degree of risk to the County or users of the system. Therefore, it's important that the business and functional requirements, and operating environment for each proposed E-Sign system are fully identified, analyzed, and documented before a Project Plan for development or purchase is approved.

References:

Rule 123:3-1-01 of the Ohio Administrative Code: Use of Electronic Signatures and Records.

Ohio Revised Code §304.02: Adoption of Security Procedures for Use of Electronic Records and Signatures

APPROVED BY:

A handwritten signature in black ink, appearing to be 'WJ (B)' followed by a large, sweeping flourish.

DATE:

A handwritten date '2/14/08' in black ink, with the '2' and '14' written in a cursive style.

Number of Hits in this Document: 5

IPP.8105 Electronic Transactions and Signatures

June 12, 2009 - Original

I. PURPOSE/REASON:

For purposes of conducting electronic transactions and utilizing electronic signatures, ODJFS hereby adopts as its minimum standards, the provisions in Ohio Administrative Code (OAC) Rule 123:3-1-01.

II. REFERENCES/AUTHORITY:

A. REFERENCES:

NOTE: ORC and OAC references can be accessed at LAWriter's website. (<http://codes.ohio.gov/>)

1. Ohio Revised Code (ORC) 1306
2. Ohio Administrative Code (OAC) 123: 3-1
3. ORC 5101.02

B. AUTHORITY

1. This policy is established by order of the director, ODJFS, hereinafter referred to as director.
2. Per ORC 5101.02, all duties conferred on the various work units of the department by law or by order of the director shall be performed under such rules as the director prescribes and shall be under the director's control.

III. SUPERSEDES:

No previous policy exists.

IV. SCOPE:

- A. This procedure applies to all ODJFS offices, bureaus, programs and employees who wish to utilize electronic transactions or e-signatures for official ODJFS business and program administration.
- B. This IPP applies to electronic transactions that include electronically signed records or electronic transactions between ODJFS and an individual, a corporation or another entity.

V. DEFINITIONS:

The following definitions are applicable to this IPP:

- A. **AUTHENTICATION** - the assurance that the **electronic signature** is that of the person purporting to sign a record or otherwise conducting an electronic transaction
- B. **AUTOMATED TRANSACTION** - a transaction conducted or performed, in whole or in part, by electronic means or electronic records, in which the acts or records of one or both parties are not reviewed by an individual in the ordinary

course in forming a contract, performing under an existing contract, or fulfilling an obligation required by the transaction.

- C. **COMPUTER PROGRAM** - a set of statements or instructions to be used directly or indirectly in an information processing system in order to bring about a certain result.
- D. **DOMAIN** - category of persons based on the nature of the identity of the person.
- E. **ELECTRONIC** - relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.
- F. **ELECTRONIC AGENT** - a computer program or an electronic or other automated means used independently to initiate an action or respond to electronic records or performances in whole or in part, without review or action by an individual.
- G. **ELECTRONIC RECORD** - a record created, generated, sent, communicated, received, or stored by electronic means.
- H. **ELECTRONIC SIGNATURE** - an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.
- I. **ELECTRONIC TRANSACTION** - the exchange of an electronic record and **electronic signature** between the ODJFS office/bureau and a person to:
 - 1. Consent to release information;
 - 2. Purchase, sell or lease goods, services or construction;
 - 3. Transfer funds;
 - 4. Facilitate the submission of an electronic record with an **electronic signature** required or accepted by the ODJFS office/bureau; or
 - 5. Create records formally issued under a signature and upon which the state of Ohio or any other person will reasonably rely including but not limited to formal communication, letters, notices, directives, policies, guidelines, and any other record. This subsection does not include informational publications and informal communications.
- J. **INFORMATION** - data, text, images, sounds, codes, computer programs, software, databases, or the like.
- K. **INFORMATION PROCESSING SYSTEM** means an electronic system for creating, generating, sending, receiving, storing, displaying, or processing information.
- L. "INFORMATION SYSTEMS," "OIS," and "IS" all refer to the ODJFS Office of Information Systems.
- M. **INTEGRITY** - the assurance that the electronic record is not modified from what the signatory adopted.
- M. **NONREPUDIATION** - the proof that the signatory adopted or assented to the electronic record or electronic transaction.
- O. "OFFICE OF INFORMATION TECHNOLOGY" (OIT) is the entity housed within

the department of administrative services under section 125.18 of the Revised Code to provide state governance and direction for information technology.

- P. PERSON - an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, governmental agency, public corporation, or any other legal or commercial entity.
- Q. RECORD - information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.
- R. SECURITY PROCEDURE - a procedure employed for the purpose of verifying that an **electronic signature**, record, or performance is that of a specific person or for detecting changes or errors in the information in an electronic record. "Security procedure" includes a procedure that requires the use of algorithms or other codes, identifying word or numbers, encryption, or callback or other acknowledgment procedures
- S. TRANSACTION - an action or set of actions occurring between two or more persons relating to the conduct of business, commercial, or governmental affairs.

VI. POLICY:

A. GENERAL RULE

1. All security procedures and technologies should provide authentication, nonrepudiation, and integrity to the extent that is reasonable for each electronic transaction.
2. This IPP establishes an overarching security procedure that requires each office/bureau within ODJFS to:
 - a. Document uses of electronic transactions;
 - b. Conduct a transaction risk assessment of each set of similar electronic transactions;
 - c. Use, as a minimum, technology standards and/or security procedures that are appropriate for the level of transaction risk as determined by the security assessment; and
 - d. Establish/adopt and follow documented security policies and procedures.

B. DOCUMENTING USES OF ELECTRONIC TRANSACTIONS

1. For each set of similar electronic transactions, or any sought to be implemented, each office/bureau within ODJFS (or the Office of Information Systems) must complete an electronic transaction report before acquiring or implementing electronic signatures, transactions or related technology. Each office/bureau seeking to implement an electronic transaction must complete an electronic transaction report on the form provided by OIT at <http://www.ohio.gov/itp>. Each office/bureau within ODJFS must maintain electronic transaction reports for as long as the electronic records of the electronic transaction are retained in accordance with any and all applicable ODJFS records retention schedules.
2. Each electronic transaction report must include:

- a. The identification and description of the set of similar electronic transactions;
 - b. The domain under which the electronic transaction set falls;
 - c. A transaction risk assessment that identifies the potential impact of a security breach and the probability of attempts to breach security;
 - d. A determination of the security level required for the electronic transaction set per the transaction risk assessment;
 - e. The security procedure used for the electronic transaction set; and
 - f. A list of documented agency security policies for physical, network and computer security. These documents must be clearly referenced and maintained on file and available for audit.
3. Each office/bureau within ODJFS (or OIS) must update electronic transaction reports to accurately reflect changes in the electronic transaction's associated risk, technology, or security procedures. If either the office/bureau or OIS determines that due to these changes in risk, technology or security procedures, the electronic transaction does not conform to the minimum technology standard for the level of security identified in the transaction risk assessment, the office/bureau, with the assistance of OIS, must modify the risk, technologies or procedures to bring the electronic transaction into compliance with this IPP.

C. ELECTRONIC TRANSACTION DOMAINS

Persons using electronic transactions in the course of official business fall in one of three domains - the citizen domain, the business domain, or the state internal domain.

1. **CITIZEN DOMAIN:** The citizen domain consists of individuals acting on their own behalf or on the behalf of any other individual as his/her guardian, authorized representative, or attorney. The citizen domain includes only those individuals who choose to interact electronically with the state of Ohio. The citizen domain also includes state Web and application servers that interact with citizens.
2. **BUSINESS DOMAIN:** The business domain consists of corporations, business trusts, partnerships, limited liability companies, associations, joint ventures, or any other commercial, charitable, or legal entity that interacts electronically with any office/bureau within ODJFS. This domain also includes Web and application servers that interact with businesses.
3. **STATE INTERNAL DOMAIN:** The state internal domain consists of state employees acting on behalf of the state; and any other agent of the state, network components, and web and application servers that use electronic transaction-enabled applications to conduct internal state business. The state internal domain also applies to local government representatives for electronic transactions with state government

agencies.

D. TRANSACTION RISK ASSESSMENT

1. As part of the agency report, OIS, with the assistance of the appropriate office/bureau, must complete an assessment of the transaction risk for the use of the set of similar electronic transactions. The transaction risk assessment identifies the appropriate security level by analyzing the impact of a security breach and the probability of attempt to breach security.
2. In determining the potential impact of a security breach, the office/bureau seeking to implement an electronic transaction, with the assistance of OIS, shall consider the:
 - a. Intended use of the electronic record or signature;
 - b. Type of information being transmitted, received or stored;
 - c. Network used;
 - d. Degree of risk to the state in general and ODJFS in particular;
 - e. Degree of risk to the users of the system;
 - f. Degree of risk to third parties;
 - g. Projected volume of transactions;
 - h. Estimated cost;
 - i. Potential legal liability, with the assistance of the Office of Legal Services; and
 - j. Appropriate requirements for authentication of identity.

3. IMPACT OF A SECURITY BREACH

The potential impact of a security breach falls into one of four categories - low-impact, medium-impact, high-impact and very high-impact.

- a) **LOW-IMPACT:** A security breach is considered low-impact if there is no impact of a breach of security or the impact is slight or so insignificant that there would be no or only a slight and negligible financial loss, loss of the public's trust or adverse legal consequences.
- b) **MEDIUM-IMPACT:** A security breach is considered medium-impact if the impact is limited in nature. Limited in nature means that:
 - (1) the financial loss when averaged for the electronic transaction set is less than ten thousand dollars to the business, citizen, state or other entity involved,
 - (2) there are no major adverse legal implications, or
 - (3) The breach would cause at least some but not significant public distrust of the state.
- c) **HIGH-IMPACT:** A security breach is considered high-impact if:

- (1) compromised security would have a significant impact so that the financial harm when averaged for the electronic transaction set ranges from ten thousand dollars to five hundred thousand dollars,
 - (2) the breach would result in media scrutiny and significant public distrust, or
 - (3) The breach would have adverse legal consequences.
- d) VERY HIGH-IMPACT: The result of a security breach that has a very high impact would be extremely serious. This type of breach results in:
 - (1) the financial loss, when averaged for the electronic transaction set, exceeding five hundred thousand dollars,
 - (2) considerable legal violations, or
 - (3) Intense media scrutiny and widespread, deep public distrust.

4. PROBABILITY OF AN ATTEMPT TO BREACH SECURITY

The primary consideration is the value of a security breach to a person attempting a breach. Value includes financial gain, unauthorized access to confidential information and the ability to harass, embarrass, or shock. The probability is characterized as low, medium or high.

- a) LOW-PROBABILITY: A low-probability electronic transaction is one that would have little value to someone attempting a breach, and therefore, the likelihood of breach attempts is small with any attempts likely to be none or few and limited in effort
- b) MEDIUM-PROBABILITY: A medium-probability electronic transaction is one which would provide value to someone seeking to breach security.
- c) HIGH-PROBABILITY: A high-probability electronic transaction would provide great value to someone should he or she breach security.

5. TRANSACTION RISK ASSESSMENT

The transaction risk assessment results in a determination that the electronic transaction falls within one of four minimum security levels - low (level A), medium (level B), high (level C) or very high (level D). The minimum-security level is determined by the combination of the level of the impact of a security breach and the level of probability of a security breach as identified in the table in Appendix B.

E. SECURITY PROCEDURES APPROPRIATE FOR SECURITY LEVELS

- 1. Each electronic transaction set must conform to the minimum-security procedures including technology standards for the level of security identified in the transaction risk assessment. Each office/bureau seeking to implement an electronic transaction may choose to meet the requirements of higher security levels with level A being least secure

and level D being the most secure.

2. For any transaction used at levels B, C, or D or any level A transaction involving confidential data or a monetary transfer, the transmission of user-IDs and passwords must be encrypted using secure sockets layer or equivalent encryption when transmitted over the Internet.
 - a) LEVEL A: Under this level of security, the office/bureau seeking to implement an electronic transaction may use any technological means for processing these sets of electronic transactions and providing assurance of authentication, nonrepudiation, and integrity. Each office/bureau seeking to implement an electronic transaction shall document level A electronic transaction sets per paragraph (D) (1) of this IPP.
 - b) LEVEL B: Level B electronic transactions must use at a minimum one of the following two security procedures for authentication: (a) a unique user-ID and an alphanumeric password consisting of at least eight characters, or (b) a smartcard or physical device with a unique proprietary password as an alternative. Each office/bureau within ODJFS documenting level B electronic transaction sets per paragraph (D)(1) of this IPP must describe in the electronic transaction report the authentication process including information of the initial registration process and the means used to prove the identity of persons registering to use electronic transactions.
 - c) LEVEL C: Under level C security, each office/bureau seeking to implement an electronic transaction must submit, after obtaining the advice and consent of OIS, the electronic transaction report to OIT and shall not use the electronic transaction until OIT approves the electronic transaction as being in compliance with this IPP. Each office/bureau seeking to implement an electronic transaction must use digital certificates subject to paragraph (G) (4) (a) of this IPP for these electronic transaction sets or the alternative in paragraph (G) (4) (b) of this IPP.
 - (1) Digital certificates used for electronic signatures require a significant infrastructure known as public key infrastructure (PKI). Therefore, each office/bureau seeking to implement an electronic transaction may use a PKI only with the approval of OIS, which shall in turn seek and obtain any necessary approvals from OIT.
 - (a) OIS may utilize a PKI made available by OIT.
 - (b) If OIS chooses to implement a PKI, OIS shall submit the PKI to OIT for review and approval. Common components of a PKI include the registration process and authorities; certificate policies and certificate practices statements, certificate management including issuance, continued participation, certificate revocation and certificate suspension; and other policies and

which may be found at <http://www.ohio.gov/itp>.

G. INTERFACE REQUIREMENTS

When at any time during an electronic transaction ODJFS requires a signature or is conducting a financial transaction, ODJFS must require a separate and distinct action on the part of the person conducting the transaction for financial transactions and each signature. The separate and distinct action must be clearly marked as indicating an intent to complete a financial transaction or electronically sign a writing. The separate and distinct action may include a series of keystrokes, a click of a mouse or other similar action.

H. RECORDS RETENTION REQUIREMENTS

Both OIS and the office/bureau seeking to implement an electronic transaction must follow records retention practices that ensure nonrepudiation, integrity and continued access to the electronic record.

I. ELECTRONIC TRANSACTIONS WITH AGENCIES OF OTHER STATES AND THE FEDERAL GOVERNMENT

This IPP applies to electronic transactions between ODJFS and federal agencies to the extent that it is consistent with federal law. ODJFS offices/bureaus seeking to use electronic signatures for transactions with the federal government or agencies of another state must coordinate with OIS.

VII. RIGHT TO IMPOSE ADDITIONAL SECURITY PROCEDURES

Article 1 and the other provisions in this IPP notwithstanding:

- A. ODJFS may impose additional restrictions and limitations, and require, implement and enforce higher standards and security measures, on the use of electronic signatures and transactions, as ODJFS deems necessary; and,
- B. ODJFS offices/bureaus must comply with any and all federal and state requirements and restrictions on the use of electronic transactions and signatures, including but not limited to requirements and restrictions imposed by DAS/OIT, and by laws and regulations connected to programs administered by ODJFS.

VIII. APPENDIX:

- A. SUBJECT MATTER EXPERT
- B. TRANSACTION RISK ASSESSMENT TABLE

Appendix A - Subject Matter Expert

OwningEntity	Address	Name (SME)	Phone/Fax/E-mail
OIS	4200 East Fifth, Columbus, OH	Rick Copley ODJFS Chief Security/Privacy Officer	614-387-8126 614-466-2436 rick.copley@jfs.ohio.gov

Appendix B - Transaction Risk Assessment Table

[Click here to view the List Transaction Risk Assessment Table.](#)

Resolution No. 2020-04.14.e

A resolution approving and acknowledging electronic signature procedures

(Fairfield County Commissioners)

This resolution has not yet been voted on.

CERTIFICATE OF CLERK

It is hereby certified that the foregoing is a true and correct transcript of a resolution acted upon by the Board of County Commissioners, Fairfield County, Ohio on the date noted above.

A resolution approving an account to account transfer in major object expense categories for General Fund# 1001 – Fairfield County Commissioners

WHEREAS, appropriations need adjusted for necessary for personal services and fringe benefits in 2020; and

WHEREAS, an account to account transfer will allow proper classification of in the major expenditure object categories; and

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

Section 1. That the Board of Commissioners approve the following transfer of appropriations from major expenditure object categories.

	From:			To:	
Section 1.	\$19,700	12100112	Transfers	12100107	Personal services
Section 2.	\$40,200	12100112	Transfers	12100100	Personal services
Section 3.	\$600	12100112	Transfers	12100100	Fringe Benefits

For Auditor's Office Use Only:

Section 1.

	Amount	From:			To:		
Section 1.	\$19,700	12100112	700000	Unanticipated	12100107	511010	HR Employee Salaries
Section 2.	\$40,200	12100112	700000	Unanticipated	12100100	514010	Vacation Payout
Section 2.	\$600	12100112	700000	Unanticipated	12100100	522000	Medicare

Prepared by: Staci Knisley, Commissioners' Office

Signature Page

Resolution No. 2020-04.14.f

A resolution approving an account to account transfer in major object expense categories for General Fund# 1001 – Fairfield County Commissioners

(Fairfield County Commissioners)

This resolution has not yet been voted on.

CERTIFICATE OF CLERK

It is hereby certified that the foregoing is a true and correct transcript of a resolution acted upon by the Board of County Commissioners, Fairfield County, Ohio on the date noted above.

A resolution to approve the Memo of Understanding setting the parameters for the disbursement of funds from the State of Ohio

WHEREAS, the Fairfield County Board of Commissioners (the Board) owns a building at 4465 Coonpath Rd., Carroll, OH 43112, that will be used as a workforce center;

WHEREAS, the state of Ohio included \$1.25 million in its biennial budget to flow to the Fairfield County Port Authority to use the funds for equipment and programming at the workforce center;

WHEREAS, Hocking College and Ohio University are the end recipients of the funds to be reimbursed for equipment and programming at the workforce center;

WHEREAS, this Memo of Understanding sets the parameters for the disbursement of these funds for the Fairfield County Commissioners, Fairfield County Port Authority, Hocking College, Ohio University, and the Department of Higher Education;

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

Section 1. The Board of County Commissioners approve the Memo of Understanding for disbursement of funds from the State of Ohio and authorize the County Administrator to sign the memo of understanding and other documents that might be needed to disburse the state funding.

Cc: Fairfield County Port Authority

**MEMORANDUM OF UNDERSTANDING
BY AND BETWEEN
FAIRFIELD COUNTY PORT AUTHORITY
AND
HOCKING COLLEGE
AND
OHIO UNIVERSITY-LANCASTER
AND
FAIRFIELD COUNTY COMMISSIONERS
AND
THE OHIO DEPARTMENT OF HIGHER EDUCATION**

This Memorandum of Understanding ("MOU") is entered into by and between the Ohio Department of Higher Education ("ODHE") whose powers and duties are specified in Ohio Revised Code §3333.04 and whose principal place of business is at 25 South Front Street, Columbus, Ohio 43215 and Fairfield County Port Authority ("FCPA") with a principal place of business at 210 East Main Street, Room 407, Lancaster, Ohio 43130 and Hocking College ("HC") with a principal place of business at 3301 Hocking Parkway, Nelsonville, Ohio 45764 and Ohio University – Lancaster ("OUL") with a principal place of business at 1570 Granville Pike, Lancaster, Ohio 43130 and Fairfield County Commissioners ("FCC") with a principal place of business at 210 East Main Street, Room 301, Lancaster, Ohio 43130.

WHEREAS, ODHE consists of the Chancellor of higher education and the Chancellor's employees, agents and representatives and is responsible for overseeing higher education in the State of Ohio; and

WHEREAS, Section 381.60 of Amended Substitute House Bill 166 of the 133rd General Assembly appropriated funds for FCPA to distribute funds to HC and OUL to support the proposal of technical content at a Workforce Training Center located in Fairfield County and to support the development and implementation of instructional programming that supports workforce training in the areas of advanced manufacturing and robotics (hereinafter "Funds"); and

WHEREAS, ODHE, FCPA, HC, OUL, and FCC agree to enter into this MOU to document that the General Assembly allocated funds to FCPA via ODHE; and

WHEREAS, The Fairfield County Workforce Center is owned and managed by FCC. The Workforce Center has warehouse and classroom space that is used for training of individuals to develop skills that can be applicable for jobs in the local community. The space can be used for training in manufacturing, construction trades, healthcare, and any other trainings requested by the Workforce Center Program Committee. Office space may also be used for education providers, community businesses or employees.

NOW THEREFORE, in consideration of the mutual covenants and promises set forth herein and for other good and valuable consideration, receipt and sufficiency of which is hereby acknowledged, ODHE, FCPA, FCC, HC, and OUL (individually, a "party"; collectively the "parties") agree as follows:

ARTICLE I: USE OF FUNDS

A. FCPA agrees to all of the following:

1. To distribute \$750,000.00 to HC.
2. To distribute \$500,000.00 to OUL to support the development and implementation of instructional programming that supports workforce training in the areas of advanced manufacturing and robotics.

B. HC agrees to all of the following:

1. To propose technical content of currently existing Department of higher education approved certificate and stackable certificate programming or technical content of associate degrees at a Workforce Training Center located in Fairfield County. The Workforce Training Center will be located in a building owned and managed by FCC. The instructional programming proposals shall focus efforts on creating and implementing a short-term certificate and apprentice pathway program and providing access to training programs for developmentally disabled clients.
2. Prior to the proposed development of any programming to be offered in Fairfield County at the Workforce Training Center building, HC shall document a need at the request of a corporation located or locating in Fairfield County. The Workforce Program committee shall review these requests first to acknowledge there is a need before development of such programming. Any such program shall be offered to OUL for their first right of refusal to meet that same need.
3. That any programming or technical content being offered that has completed the process set forth in paragraph (B)(2) of this Article, is not exempt from the ODHE's approval process and standards. HC shall seek authorization from ODHE, and the Higher Learning Commission, as necessary, to offer the programming or technical content. In seeking authorization from ODHE, HC agrees to include in its academic program approval submission to ODHE the documentation of completion of the process set forth in paragraph (B)(2) of this Article.
4. HC shall not offer associate or baccalaureate degrees in Fairfield County.
5. HC shall expend these moneys by June 30, 2020.

C. OU agrees to use funds to support the development and implementation of instructional programming that supports workforce training in the areas of advanced manufacturing and robotics.

D. FCC agrees to dedicate and operate its building to be the site for the Workforce Training Center in Fairfield County.

E. HC, OUL, and FCPA agree to all of the following:

1. To establish a Workforce Program committee for advisory purposes in developing workforce training plans and Workforce Training Center operations.
2. To comply with all applicable state and federal laws in the expenditure of the Funds.
3. To each submit a Fiscal Expenditure Report ("FER") to OdheFiscalReports@highered.ohio.gov, as described in Article III: Distribution of Funds.

ARTICLE II: TERM OF THE MOU

The period of performance for the MOU is July 1, 2019 through June 30, 2021 or until the MOU is terminated pursuant to the terms contained herein, whichever event occurs first.

ARTICLE III: DISTRIBUTION OF FUNDS

- 1) For State Fiscal Year 2020, ODHE agrees to distribute to FCPA for distribution to HC, a one-time payment upon execution of this MOU, an amount not to exceed seven hundred fifty thousand and 00/100 dollars (\$750,000.00) for services performed in accordance with Article I, Use of Funds.
- 2) For State Fiscal Year 2020, ODHE agrees to distribute to FCPA for distribution to OUL, a one-time payment upon execution of this MOU, an amount not to exceed five hundred thousand

and 00/100 dollars (\$500,000.00) for services performed in accordance with Article I: Use of Funds.

- 3) FCPA and HC each agree to submit a Fiscal Expenditure Report ("FER"), attached hereto as Exhibit 1, to OdheFiscalReports@highered.ohio.gov by August 1, 2020.
- 4) OUL agrees to submit a Fiscal Expenditure Report ("FER"), attached hereto as Exhibit 1, for each fiscal year to OdheFiscalReports@highered.ohio.gov according to the following deadlines:
 - a) The Fiscal Year 2020 FER is due by August 1, 2020, or thirty days after funds are spent in full, whichever occurs first.
 - b) If the Fiscal Year 2020 funds are not spent in full by June 30, 2020, an FER is still due on August 1, 2020, detailing the funds spent to date. Another FER is due 30 days after the funds are spent in full.
- 5) It is mutually agreed and understood that the total amount to be distributed by ODHE to FCPA under this MOU shall in no event exceed one million two hundred fifty thousand and 00/100 dollars (\$1,250,000.00) unless FCPA receives prior written approval from the Chancellor, and when required, approval of the Controlling Board.

ARTICLE IV: TERMINATION

This MOU may be terminated only as follows:

- 1) By ODHE with cause after FCPA, FCC, HC, or OUL fail to cure within a reasonable time period after receiving written notice from ODHE of the breach.
- 2) By mutual consent of the parties.
- 3) If the General Assembly fails at any time to continue funding for the payments and other obligations set forth herein, ODHE's obligations under this MOU are terminated as of the date the funding expires and ODHE shall have no further obligations hereunder. If ODHE discovers or is notified of the discontinuation of funding for this MOU, then ODHE agrees to notify FCPA, FCC, HC and OUL of said discontinuation as soon as is practicable. Any work performed by FCPA or any other party under the MOU after it receives such notice shall be at the sole expense of FCPA or any other party continuing work.

ARTICLE V: AMENDMENTS OR MODIFICATION

No amendment or modification of this MOU shall be effective against either party unless such amendment or modification is set forth in writing and signed by both parties.

ARTICLE VI: CERTIFICATION AND AVAILABILITY OF FUNDS

The MOU is subject to the provisions of Ohio Revised Code §126.07. It is expressly understood by the parties that none of the rights, duties, and obligations described in this contract shall be binding on either party until all statutory provisions under the Ohio Revised Code have been complied with and until such time as all necessary funds are made available and forthcoming from the appropriate state agencies.

ARTICLE VII: ENTIRE AGREEMENT

This MOU constitutes the entire agreement of the parties hereto and supersedes any prior understandings or written or oral communications between the parties respecting the subject matter hereof.

ARTICLE VIII: WAIVER

The waiver or failures of either party to exercise in any respect any right provided for herein shall not be deemed a waiver of any further right hereunder.

ARTICLE IX: SEVERABILITY

If any provision of this agreement is found invalid, illegal, or unenforceable in any respect by a court of competent jurisdiction, said provision shall be severed. The validity, legality, and enforceability of all other provisions of this MOU shall not in any way be affected or impaired unless such severance would cause this agreement to fail of its essential purpose.

ARTICLE X: NOTICE

Any notice required hereunder shall be made in writing and shall be accomplished by personal delivery, facsimile, or by United States certified mail, return receipt requested, postage prepaid, addressed to the party at the address set forth below or such other address as said party shall hereafter designate in writing to the other party.

- Fairfield County Port Authority
Rick Szabrak
Director
210 East Main Street, Room 407
Lancaster, Ohio 43130
Email: Rick.Szabrak@fairfieldcountyohio.gov
- Hocking College
Sean Terrell, Dean of Workforce Development and Community Engagement
3301 Hocking Parkway
Nelsonville, Ohio 45764
Email: terrells@hocking.edu
- Ohio University – Lancaster
Jim Smith, Dean
1570 Granville Pike
Lancaster, Ohio 43130
Email: smithj27@ohio.edu
- Fairfield County Commissioners
Carri Brown, Administrator
210 East Main Street, Room 301
Lancaster, Ohio 43130
Email: Carri.Brown@fairfieldcountyohio.gov
- Ohio Department of Higher Education
Attn: General Counsel, 2ND Floor
25 South Front Street
Columbus, OH 43215
Facsimile: (614) 466-5866

ARTICLE XI: GOVERNING LAW

This MOU shall be construed under and in accordance with the laws of the State of Ohio.

ARTICLE XII: SUCCESSORS AND ASSIGNS

Neither this MOU, nor any rights, duties, nor obligations hereunder may be assigned, or transferred in whole or in part, by FCPA, or any other party to this MOU, without the prior written consent of ODHE.

ARTICLE XIII: HEADINGS

The headings herein are for reference and convenience only. They are not intended and shall not be construed to be a substantive part of this MOU or in any other way to affect the validity, construction, interpretation, or effect of any of the provisions of this MOU.

ARTICLE XIV: RIGHTS IN DATA, PATENTS AND COPYRIGHT

ODHE shall have unrestricted authority to reproduce, distribute and use (in whole or in part) any reports, data or material prepared by FCPA, FCC, HC, and OUL, pursuant to this MOU. No such documents or other materials produced (in whole or in part) with funds provided to FCPA, FCC, HC, and OUL from ODHE shall be subject to copyright by FCPA or any other party in the United States or other country.

ARTICLE XV: COMPLIANCE WITH LAW

FCPA, FCC, HC, and OUL agree to comply with all applicable federal, state and local laws in the conduct of the work hereunder. FCPA, FCC, HC, and OUL acknowledge that its employees are not employees of ODHE with regard to the application of the Fair Labor Standards Act minimum wages and overtime payments, Federal Insurance Contribution Act, the Social Security Act, the Federal Unemployment Tax Act, the provisions of the Internal Revenue Code and for state revenue and tax laws, state workers' compensation laws and state unemployment insurance laws. FCPA, FCC, HC, and OUL accept full responsibility for payment of all taxes including without limitation, unemployment compensation insurance premiums, all income tax deductions, social security deductions, and any and all other taxes or payroll deductions required for all employees engaged by FCPA, FCC, HC, and OUL in the performance of the work authorized by this MOU.

ARTICLE XVI: DRUG AND ALCOHOL FREE WORKPLACE

FCPA, FCC, HC, and OUL shall comply with all applicable federal, state, and local laws regarding smoke free and drug free work places and shall make a good faith effort to ensure that any of its employees or permitted subcontractors engaged in the work being performed hereunder do not purchase, transfer, use or possess illegal drugs or alcohol or abuse prescription drugs in any way.

IN WITNESS WHEREOF, the parties have executed this MOU on the day and year set aside by their respective signatures.

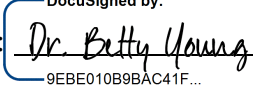
FAIRFIELD COUNTY PORT AUTHORITY

By: _____

Date: _____

Title: _____

HOCKING COLLEGE

By:  _____
9EBE010B9BAC41F...

Date: 4/9/2020

Title: President

OHIO UNIVERSITY - LANCASTER

By: _____

Date: _____

Title: _____

FAIRFIELD COUNTY COMMISSIONERS

By: _____

Date: _____

Title: _____

THE OHIO DEPARTMENT OF HIGHER EDUCATION

By: _____

Date: _____

Randy Gardner
Chancellor

Prosecutor's Approval Page

Resolution No.

A resolution to approve the Memo of Understanding setting the parameters for the disbursement of funds from the State of Ohio

(Fairfield County Economic & Workforce Development)

Approved as to form on 4/10/2020 10:47:11 AM by Thomas Lininger,

Signature Page

Resolution No. 2020-04.14.g

A resolution to approve the Memo of Understanding setting the parameters for the disbursement of funds from the State of Ohio

(Fairfield County Economic & Workforce Development)

This resolution has not yet been voted on.

CERTIFICATE OF CLERK

It is hereby certified that the foregoing is a true and correct transcript of a resolution acted upon by the Board of County Commissioners, Fairfield County, Ohio on the date noted above.

A resolution authorizing an account to account transfer for EMA Fund 2707 (Subfund 8183) Emergency Management Performance Grant [EMA]

WHEREAS, appropriations are needed to cover expenses for 2020; and

WHEREAS, an account to account transfer will allow proper classification of major expenditure object categories.

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

Section 1. That the transfer of appropriations in the amount of \$94,006.00 is hereby authorized as follows:

FROM: 12270719 Transfers
TO: 12270719 Personal Services
12270719 Fringe Benefits
12270719 Capital Outlay

For Auditor's Office Use Only:

\$94,006.00

FROM: 12270719 700000 Transfers \$94,006.00

TO: 12270719 511010 Salary \$70,000.00
12270719 521025 EAP \$30.00
12270719 521100 Life Insurance \$78.00
12270719 522000 Medicare \$1,000.00
12270719 523000 PERS \$9,000.00
12270719 574000 Equipment \$13,898.00

Prepared by: Christy Noland
cc: EMA

Resolution No. 2020-04.14.h

A resolution authorizing an account to account transfer for EMA Fund 2707
(Subfund 8183) Emergency Management Performance Grant

(Fairfield County Emergency Management Agency)

This resolution has not yet been voted on.

CERTIFICATE OF CLERK

It is hereby certified that the foregoing is a true and correct transcript of a resolution acted upon by the Board of County Commissioners, Fairfield County, Ohio on the date noted above.

A Resolution to Approve Advertising for the Purchase of Liquid Asphalt.

WHEREAS, the County Engineer is requesting approval to advertise for bids for the Purchase of Liquid Asphalt.

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

SECTION 1: that this Board of County Commissioners does hereby grant approval for the County Engineer to advertise for the Purchase of Liquid Asphalt.

SECTION 2: that the Clerk of this Board return the signed copy of this Resolution to the County Engineer for further action.

Prepared by: Cheryl Downour
cc: Engineering Office

Resolution No. 2020-04.14.i

A Resolution to Approve Advertising for the Purchase of Liquid Asphalt.

(Fairfield County Engineer)

This resolution has not yet been voted on.

CERTIFICATE OF CLERK

It is hereby certified that the foregoing is a true and correct transcript of a resolution acted upon by the Board of County Commissioners, Fairfield County, Ohio on the date noted above.

A resolution to approve a memo receipt and expenditure for Fairfield County Job & Family Services

WHEREAS, an agency fund was created for the purpose of accounting for Social Security Reimbursements and Benefits, and

WHEREAS, the Child Protective Services Business Administrator has offered a reconciliation that demonstrates payment due to the Children Services fund,

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

Section 1. That the Fairfield County Auditor reflects the following memo receipt:

12207207 – 434027 Reimbursement – SS Benefits \$11,861.00

Section 2. That the Fairfield County Board of Commissioner approve the following expenditure, and request the Fairfield County Auditor accomplish the transaction by making the following memo expenditure as if a regular County Auditor warrant, covered under “movements of cash by operation of law” to the Child Protective Services Fund.

Memo Expenditure:

Vendor #: 06396 – Job and Family Services

Account #: 90779500 – 900003 – Special Reporting – Reimburse CPS

Amount: \$11,861.00

Prepared by: Annette Mash-Smith

October 2019

Child	Received Date	Benef. Month	Benef. Type	SSA Payment	Physical Carryover Balance	CPS Payments*	Payment Details	Reimb. Due to CPS	Physical Account Balance	Balance Details
Scott, Robert	10/3/2019	OCT	SSI	\$771.00		\$2,700.00	Sept B&C	\$771.00		
Bushee, Makayla	10/3/2019	OCT	SSI	\$514.00		\$0.00		\$0.00		Repaid SS \$2,056.00 July-Oct on 12/5/2019
Watkins, Kyle	10/3/2019	OCT	SSI	\$30.00		\$9,000.00	Sep B&C	\$30.00		
Woltz, Elijah	10/3/2019	OCT	SSI	\$514.00		\$8,064.00	Sep B&C	\$514.00		
Woltz, Kurtis	10/3/2019	OCT	SSI	\$771.00		\$3,884.40	Sep B&C	\$771.00		
SUB - TOTAL:				\$2,600.00				\$2,086.00		
Gard, Charles	10/9/2019	SEP	SSA	\$1,122.00		\$10,301.70	Sep B&C	\$1,122.00		
Alfred, Isaiah	10/9/2019	SEP	SSA	\$159.00		\$10,301.70	Sep B&C	\$159.00		
Ruth, Zoey	10/24/2019	SEP	SSA	\$894.00		\$600.00	Sep B&C	\$600.00	\$294.00	AFH
SUB - TOTAL:				\$2,175.00				\$1,881.00		
GRAND TOTAL:				\$4,775.00				\$3,967.00	\$294.00	\$808.00
				Current Month Paid In				October owed to CPS	Total Account Balance	Current month Balance

*CPS Payments only include those payments that are eligible for payment per SSA guidelines

November 2019

Child	Received Date	Benef. Month	Benef. Type	SSA Payment	Physical Carryover Balance	CPS Payments	Payment Details	Reimb. Due to CPS	Physical Acct Balance	Balance Details
Scott, Robert	11/1/2019	Nov	SSI	\$771.00		\$2,610.00	Oct B&C	\$771.00		
Watkins, Kyle	11/1/2019	Nov	SSI	\$30.00		\$9,300.00	Oct B&C	\$30.00		
Woltz, Elijah	11/1/2019	Nov	SSI	\$514.00		\$8,332.80	Oct B&C	\$514.00		
Woltz, Kurtis	11/1/2019	Nov	SSI	\$771.00		\$4,013.88	Oct B&C	\$771.00		
Dickerson, Deakin	11/13/2019	F Nov	For Ins	\$166.00					\$166.00	
SUB - TOTAL:				\$2,252.00				\$2,086.00	\$166.00	
Gard, Charles	11/1/2019	Oct	SSA	\$1,122.00		\$10,645.09	Oct B&C	\$1,122.00		
Alfred, Isaiah	11/1/2019	Oct	SSA	\$159.00		\$10,645.09	Oct B&C	\$159.00		
Ruth, Zoey	11/1/2019	Oct	SSA	\$894.00	\$294.00	\$560.00	Oct B&C	\$560.00	\$628.00	AFH
SUB - TOTAL:				\$2,175.00	\$294.00			\$1,841.00	\$628.00	
GRAND TOTAL:				\$4,427.00				\$3,927.00	\$794.00	\$500.00
				Current Month Paid In				November owed to CPS	Account Balance	Current Month Balance

*CPS Check Totals only include those payments that are eligible for payment per SSA guidelines

December 2019

Child	Received Date	Benef. Month	Benef. Type	SSA Payment	Physical Carryover Balance	CPS Payments	Payment Details	Reimb. Due to CPS	Physical Account Balance	Balance Details
Scott, Robert	12/4/2019	Dec	SSI	\$771.00		\$2,700.00	Nov B&C	\$771.00		
Watkins, Kyle	12/4/2019	Dec	SSI	\$30.00		\$0.00		\$30.00		Nov pd 1-16-20
Woltz, Elijah	12/4/2019	Dec	SSI	\$514.00		\$8,064.00	Nov B&C	\$514.00		
Woltz, Kurtis	12/4/2019	Dec	SSI	\$771.00		\$3,884.40	Nov B&C	\$771.00		
SUB - TOTAL:				\$2,086.00				\$2,086.00		
Gard, Charles	12/10/2019	Nov	SSA	\$1,122.00		\$0.00		\$1,122.00		Nov pd 1-16-20
Alfred, Isaiah	12/10/2019	Nov	SSA	\$159.00		\$0.00		\$159.00		Nov pd 1-16-20
Ruth, Zoey	12/10/2019	Nov	SSA	\$894.00	\$628.00	\$600.00	Nov B&C	\$600.00	\$922.00	AFH
SUB - TOTAL:				\$2,175.00				\$1,881.00		
GRAND TOTAL:				\$4,261.00				\$3,967.00	\$922.00	\$294.00
				Current Month Paid In				Current Month Owed to CPS	Account Balance	Current month Balance
\$1,542.00 Total Account Balance at Close of Previous Quarter				\$13,463.00 Total Paid In for Quarter				\$11,861.00 Total Owed to CPS for Quarter		\$3,144.00 Total Account Balance at Close of Quarter

Signature Page

Resolution No. 2020-04.14.j

A resolution to approve a memo receipt and expenditure for Fairfield County Job & Family Services

(Fairfield County Job and Family Services)

This resolution has not yet been voted on.

CERTIFICATE OF CLERK

It is hereby certified that the foregoing is a true and correct transcript of a resolution acted upon by the Board of County Commissioners, Fairfield County, Ohio on the date noted above.

A resolution to appropriate from unappropriated in a major expenditure object category – Juvenile Court Fund #2036 Department of Youth Services (reclaim)

WHEREAS, additional appropriations are needed in the major expenditure object category for Fund #2036 Department of Youth Services for 2020; and

WHEREAS, appropriate from unappropriated will allow proper accounting in the major expenditure object category.

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

Section 1. The Fairfield County Board of Commissioners appropriate from unappropriated into the following category:

\$50,000.00 17203600 Contractual Services

For Auditor's Office Use Only:

17203600-530000-PTR20 \$50,000.00

Prepared by: Lory Behrens
cc: Juvenile Court

Signature Page

Resolution No. 2020-04.14.k

A resolution to appropriate from unappropriated in a major expenditure object category – Juvenile Court Fund #2036 Department of Youth Services (reclaim)

(Fairfield County Juvenile/Probate Court)

This resolution has not yet been voted on.

CERTIFICATE OF CLERK

It is hereby certified that the foregoing is a true and correct transcript of a resolution acted upon by the Board of County Commissioners, Fairfield County, Ohio on the date noted above.

A resolution to appropriate from unappropriated in a major expenditure object category - Juvenile Court - Fund #2036 Ohio Department of Youth Services Fund (reclaim)

WHEREAS, additional appropriations are needed in the major expenditure object category for Fund #2036 Ohio Department of Youth Services; and

WHEREAS, appropriate from unappropriated will allow proper accounting in the major expenditure object category.

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

Section 1. The Fairfield County Board of Commissioners appropriate from unappropriated into the following category:

\$5,000.00	17203600	Contractual Services
------------	----------	----------------------

For Auditor's Office Use Only:

17203600-530000-PYD20	\$5,000.00
-----------------------	------------

Prepared by: Lory Behrens
cc: Juvenile Court

Signature Page

Resolution No. 2020-04.14.I

A resolution to appropriate from unappropriated in a major expenditure object category - Juvenile Court - Fund #2036 Ohio Department of Youth Services Fund (reclaim)

(Fairfield County Juvenile/Probate Court)

This resolution has not yet been voted on.

CERTIFICATE OF CLERK

It is hereby certified that the foregoing is a true and correct transcript of a resolution acted upon by the Board of County Commissioners, Fairfield County, Ohio on the date noted above.

A resolution to appropriate a perpetual easement for highway purposes from Parcel No. 036-00286-00 (2-SH).

WHEREAS, the Board of Fairfield County Commissioners deems it necessary for the Allen Road Intersection Improvement Project (FAI-TR227-1.929) to acquire a perpetual easement for highway purposes as described in the attached Exhibit A, incorporated herein; and

WHEREAS, the Fairfield County Engineer has provided to the owner of said property a notice of intent to acquire pursuant to Ohio Revised Code Section 163.04, and made a good faith offer to purchase said Easement;

WHEREAS, the owner said property and the Fairfield County Engineer have been unable to agree on a price for the acquisition of said Easement;

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

Section 1. That the property be appropriated according to law for the stated purpose, and that application be made to the Court of Common Pleas of this County to assess the value.

(EXHIBIT A)
LEGAL DESCRIPTION
2- SH
FAI-TR227-1.929

Situate in the State of Ohio, County of Fairfield, the Township of Violet, Section 25, Township 15, Range 20, being part of a 81 acre tract conveyed to Michael T. Hummel and Thomas R. Hummel, Trustee of the Thomas R. Hummel Revocable Living Trust and Sara E. Hummel, Trustee of the Sara E. Hummel Revocable Living Trust, in Official Record 1674, Page 3683, all referenced deeds of record being from the Fairfield County Recorder's Office and being more particularly described as follows:

Commencing at a at a railroad spike found at the Southwest corner of the Northwest quarter of said Section 25; said railroad spike being 0.09 feet left of centerline station 107+02.81 of the Allen Road, FAI-TR227-1.929 Intersection Improvement Right-of-way Plat, said railroad spike being the northwest corner of said Hummel 81 acre tract, and said railroad spike also being **THE TRUE POINT OF BEGINNING** of the tract herein described;

Thence **South 85°51'57" East** a distance of **40.09** feet to a point 40.00 feet right of centerline station 107+03.13 of said Right-of-way Plat, said point being on the north line of said Hummel 81 acre tract;

Thence **South 04°15'30" West** a distance of **752.92** feet, passing an iron pin set at 30.30 feet, to an iron pin set 40.00 feet right of centerline station 99+50.00 of said Right-of-way Plat;

Thence **North 85°41'26" West** a distance of **32.31** feet to a point 7.69 feet right of centerline station 99+50.00 of said Right-of-way Plat, said point being on the west line of said Hummel 81 acre tract;

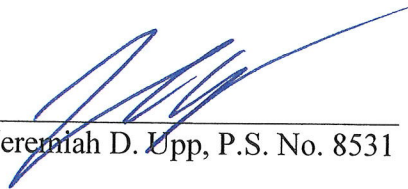
Thence **North 03°40'00" East** a distance of **752.84** feet to **THE TRUE POINT OF BEGINNING**, containing **0.626 acres** more or less and subject to all covenants, easements, and restrictions of record.

Bearings are based on Ohio State Plane South NAD83, and are used to denote angles only.

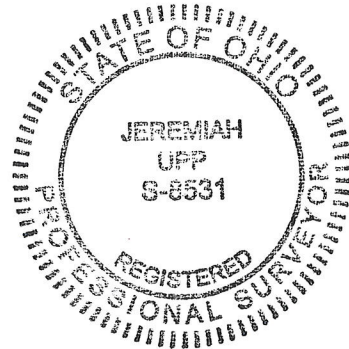
All iron pins set are 5/8" diameter by 30" long rebars with yellow plastic caps marked "FCEO SURVEY BOUNDARY". For additional information see said Right-of-way Plat made in conjunction with and considered an integral part of this description.

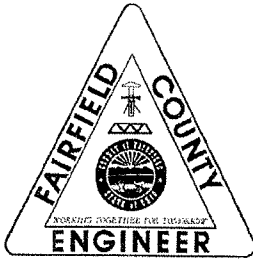
Parent Tract Auditor Parcel Number 036-00286-00.

This description is based on an actual field survey performed by or under the direct supervision of Jeremiah D. Upp, P.E., P.S., County Engineer in May 2019.


Jeremiah D. Upp, P.S. No. 8531

11/13/19
Date





Fairfield County Engineer

3026 W. Fair Ave.
Lancaster, OH 43130
Main: (740) 652-2300
Fax: (740) 687-7055

December 17, 2019

**HAND DELIVERED OR
VIA CERTIFIED MAIL/RETURN
RECEIPT REQUESTED**

Michael T. Hummel, Trustee
Thomas R. Hummel, Trustee
Sara E. Hummel, Trustee
9400 Bowen Road NW
Canal Winchester, Ohio 43110

RE: 2-SH FAI-TR227-1.929 Allen Road Intersection Improvement Project, Violet Township, Fairfield County, Ohio
Owners: Michael T. Hummel & Thomas R. Hummel, Trustees of the Thomas R. Hummel Revocable Living Trust & Sara E. Hummel, Trustee of the Sara E. Hummel Revocable Living Trust

Dear Property Owner(s):


A road improvement project has been planned for Allen Road, TR227. The project is an intersection improvement at Basil-Western Road and Allen Road.

This project will involve the taking of additional right-of-way from property that you own. In the near future, a representative of our office will be contacting you to explain the exact nature of the area required and the amount of compensation involved.

Enclosed, in connection with the above-referenced parcel, please find the Notice of Intent to Acquire ("the Notice") the property described in Exhibit A of the Notice, by the Fairfield County, Ohio County Commissioners and the Fairfield County, Ohio Engineer's Office.

If there are any questions about the project, please contact Jeff Camechis of the Fairfield County Engineer's Office at 740-652-2372.

Sincerely,



Jeremiah D. Upp, P.E., P.S.
Fairfield County Engineer

Enclosures: Notice of Intent to Acquire, Plat, Legal Description
c: Project File, Reading File, Prosecutor

Form RW1 05/13/09

Jeremiah D. Upp, P.E., P.S., County Engineer

**NOTICE OF INTENT TO ACQUIRE
2-SH**

TO: Michael T. Hummel, Trustee; Thomas R. Hummel, Trustee; & Sara E. Hummel, Trustee

DATE: December 17, 2019

The Fairfield County, Ohio County Commissioners and the Fairfield County, Ohio Engineer's Office needs your property for the FAI-TR227-1.929 Allen Road Intersection Improvement Project in Violet Township, Fairfield County, Ohio, and will need to acquire an exclusive perpetual easement in the following real property from you, which is further described in Exhibit A, a copy of which is attached hereto and incorporated herein:

SEE LEGAL DESCRIPTION IN ATTACHED EXHIBIT A

Ohio law authorizes the Fairfield County, Ohio County Commissioners and the Fairfield County, Ohio Engineer's Office to obtain your property or an easement across your property for certain public purposes. The legal description of your property that the Fairfield County, Ohio County Commissioners and the Fairfield County, Ohio Engineer's Office needs is attached hereto as Exhibit A.

We will be presenting you with a written offer based on our determination of the fair market value of your property. You will have ten (10) days from the time you receive that offer to accept or reject the offer. We will be willing to discuss the offer with you during that time. **You are not required to accept that offer.** If you reject the offer or we are unable to come to an agreement, we may have to exercise our eminent domain authority to appropriate your property, which requires a court procedure. In a court proceeding, you may disagree with any of the following: whether the project is necessary (except in quick takes), whether the project is a public use (except in quick takes), whether your property is blighted (if applicable), and whether our offer reflects the fair market value of the property.

HERE IS A BRIEF SUMMARY OF YOUR OPTIONS AND LEGALLY PROTECTED RIGHTS:

1. By law, the Fairfield County, Ohio County Commissioners and the Fairfield County, Ohio Engineer's Office are required to make a good faith effort to purchase your property.
2. **You do not have to accept this offer** and the Fairfield County, Ohio County Commissioners and the Fairfield County, Ohio Engineer's Office are not required to agree to your demands.

3. If you do not accept this offer, and we cannot come to an agreement on the acquisition of your property, the Fairfield County, Ohio County Commissioners and the Fairfield County, Ohio Engineer's Office have the right to file suit to acquire the property by eminent domain in the county in which the property is located.
4. You have the right to seek the advice of an attorney, real estate appraiser, or any other person of your choice in this matter.
5. (this paragraph does not apply to private agencies or to municipally owned public utilities) You have a right to appeal this decision and may object to this project's public purpose, necessity, designation of blight (if applicable), or valuation by writing, within ten (10) business days of receiving this notice, to The Fairfield County Commissioners, 210 East Main Street, Room 301, Lancaster, Ohio 43130 or Jeremiah D. Upp, Fairfield County Engineer, 3026 West Fair Avenue, Lancaster, Ohio 43130-8993 of the taking agency, as well as to the elected official(s) who appointed the taking agency if the taking agency is not elected.

(The elected official)(A majority of the elected officials) that appointed (unelected agency) has/have the discretion to veto this project, and if they do so, it will not proceed. (This applies only if the taking agency is a public agency composed of officials who were not elected.)

6. We are required by law to provide you with a written offer and the appraisal or summary appraisal on which we base that offer (public agencies and public utilities may delete this phrase for properties valued at less than \$10,000 if they have adopted alternate procedures).

After a trial, a jury will decide the amount you are to be awarded for your property that is taken, for the damage that is caused by the taking, if applicable, and for other damages permitted by law, which could either exceed or be less than our offer. During the court proceeding, you have the right to testify as to the value of your property, and you and the agency are entitled to present evidence of the fair market value of the property.

You may employ, at your own expense, appraisers and attorneys to represent you at this time or at any time during the proceedings described in this notice.


If we go to court to determine the amount we pay for your property and the jury awards you an amount that is significantly in excess of a good faith offer, revised offer, or offer made after an exchange of appraisals, as provided by law, you may be entitled to recover attorney's fees, costs, and expenses, subject to certain statutory limits.

If we go to court to determine whether the project is necessary or for a public use, and the court decides that it is not necessary or not for a public use, the judge shall award you your full amount of attorney's fees, costs, and expenses.

You also have the right to request that the issue of the value of your property be submitted to nonbinding mediation. You must submit your written request for mediation within ten business days after you file an answer to the agency's petition for an appropriation proceeding. If a settlement is not reached at mediation, the matter will proceed to a jury valuation trial.

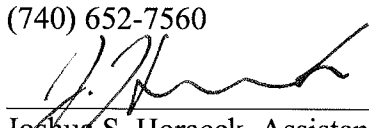
If you have any questions concerning this matter, you may contact us at:

Jeremiah D. Upp, P.E., P.S.
Fairfield County Engineer
3026 West Fair Avenue
Lancaster, Ohio 43130
(740) 687-7050



Jeremiah D. Upp, P.E., P.S.
Fairfield County Engineer
Fairfield County, Ohio

Joshua S. Horacek
Assistant Prosecuting Attorney
I/C/O Fairfield County Commissioners
239 W. Main Street; Suite 101
Lancaster, Ohio 43130
(740) 652-7560



Joshua S. Horacek, Assistant Prosecuting Attorney
Fairfield County, Ohio
Agent for Fairfield County Commissioners

(EXHIBIT A)
LEGAL DESCRIPTION
2- SH
FAI-TR227-1.929

Situate in the State of Ohio, County of Fairfield, the Township of Violet, Section 25, Township 15, Range 20, being part of a 81 acre tract conveyed to Michael T. Hummel and Thomas R. Hummel, Trustee of the Thomas R. Hummel Revocable Living Trust and Sara E. Hummel, Trustee of the Sara E. Hummel Revocable Living Trust, in Official Record 1674, Page 3683, all referenced deeds of record being from the Fairfield County Recorder's Office and being more particularly described as follows:

Commencing at a at a railroad spike found at the Southwest corner of the Northwest quarter of said Section 25; said railroad spike being 0.09 feet left of centerline station 107+02.81 of the Allen Road, FAI-TR227-1.929 Intersection Improvement Right-of-way Plat, said railroad spike being the northwest corner of said Hummel 81 acre tract, and said railroad spike also being **THE TRUE POINT OF BEGINNING** of the tract herein described;

Thence **South 85°51'57" East** a distance of **40.09** feet to a point 40.00 feet right of centerline station 107+03.13 of said Right-of-way Plat, said point being on the north line of said Hummel 81 acre tract;

Thence **South 04°15'30" West** a distance of **752.92** feet, passing an iron pin set at 30.30 feet, to an iron pin set 40.00 feet right of centerline station 99+50.00 of said Right-of-way Plat;

Thence **North 85°41'26" West** a distance of **32.31** feet to a point 7.69 feet right of centerline station 99+50.00 of said Right-of-way Plat, said point being on the west line of said Hummel 81 acre tract;

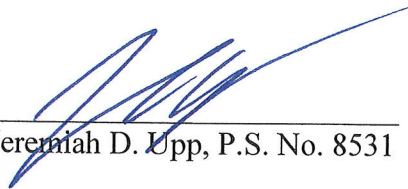
Thence **North 03°40'00" East** a distance of **752.84** feet to **THE TRUE POINT OF BEGINNING**, containing **0.626 acres** more or less and subject to all covenants, easements, and restrictions of record.

Bearings are based on Ohio State Plane South NAD83, and are used to denote angles only.

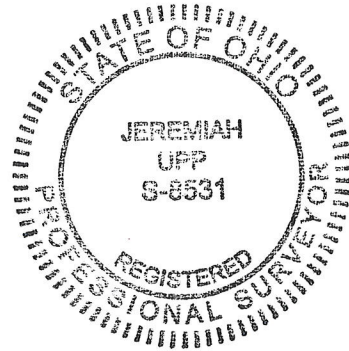
All iron pins set are 5/8" diameter by 30" long rebars with yellow plastic caps marked "FCEO SURVEY BOUNDARY". For additional information see said Right-of-way Plat made in conjunction with and considered an integral part of this description.

Parent Tract Auditor Parcel Number 036-00286-00.

This description is based on an actual field survey performed by or under the direct supervision of Jeremiah D. Upp, P.E., P.S., County Engineer in May 2019.


Jeremiah D. Upp, P.S. No. 8531

11/13/19
Date



PERPETUAL EASEMENT FOR ROAD PURPOSES

2- SH

FAI-TR227-1.929

KNOW ALL MEN BY THESE PRESENTS THAT: Michael T. Hummel & Thomas R. Hummel, Trustees of the Thomas R. Hummel Revocable Living Trust and Sara E. Hummel, Trustee of the Sara E. Hummel Revocable Living Trust, the Grantors, for and in consideration of the sum of two thousand, eight hundred ninety-one dollars & 84/100 (\$2,891.84) and for other good and valuable consideration paid to the Grantors by Fairfield County, Ohio, the Grantee, the receipt whereof is hereby acknowledged, do hereby grant, bargain, sell, convey and release to said Grantee, its successors and assigns forever, an exclusive perpetual easement for public highway and road purposes, including, but not limited to any public construction, relocation and/or utility work deemed appropriate by said Grantee, which is more particularly described in Exhibit A attached hereto.

Grantors for themselves and their, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area.

See "Exhibit A", Legal Description attached.

Prior Instrument Reference: Official Record 1674, Page 3683, Fairfield County Recorder's Office.

And the said Grantors, for themselves and their executors, administrators, successors and assigns, hereby covenants with the said Grantee, their successors and assigns, that they are the true and lawful owners of said premises, and are lawfully seized of the same in fee simple, and have good right and full power to grant, bargain, sell, convey and release the same in the manner aforesaid, and that the same is free and clear from all liens and encumbrances whatsoever, and that Grantors will warrant and defend the same against all claims of all persons whomsoever.

The Grantors specifically agree that in the event that Grantors wish to perform any construction or maintenance within the easement herein granted that the Grantors shall apply for a permit and receive approval from the Grantee in order to perform such construction or maintenance.

IN WITNESS WHEREOF, the said Grantors, have hereunto set their hands this _____ day of _____, _____.

Michael T. Hummel, Trustee of the
Thomas R. Hummel Revocable Living
Trust

Thomas R. Hummel, Trustee of the
Thomas R. Hummel Revocable Living
Trust

Sara E. Hummel, Trustee of the Sara E.
Hummel Revocable Living Trust

STATE OF OHIO, COUNTY OF FAIRFIELD, ss.

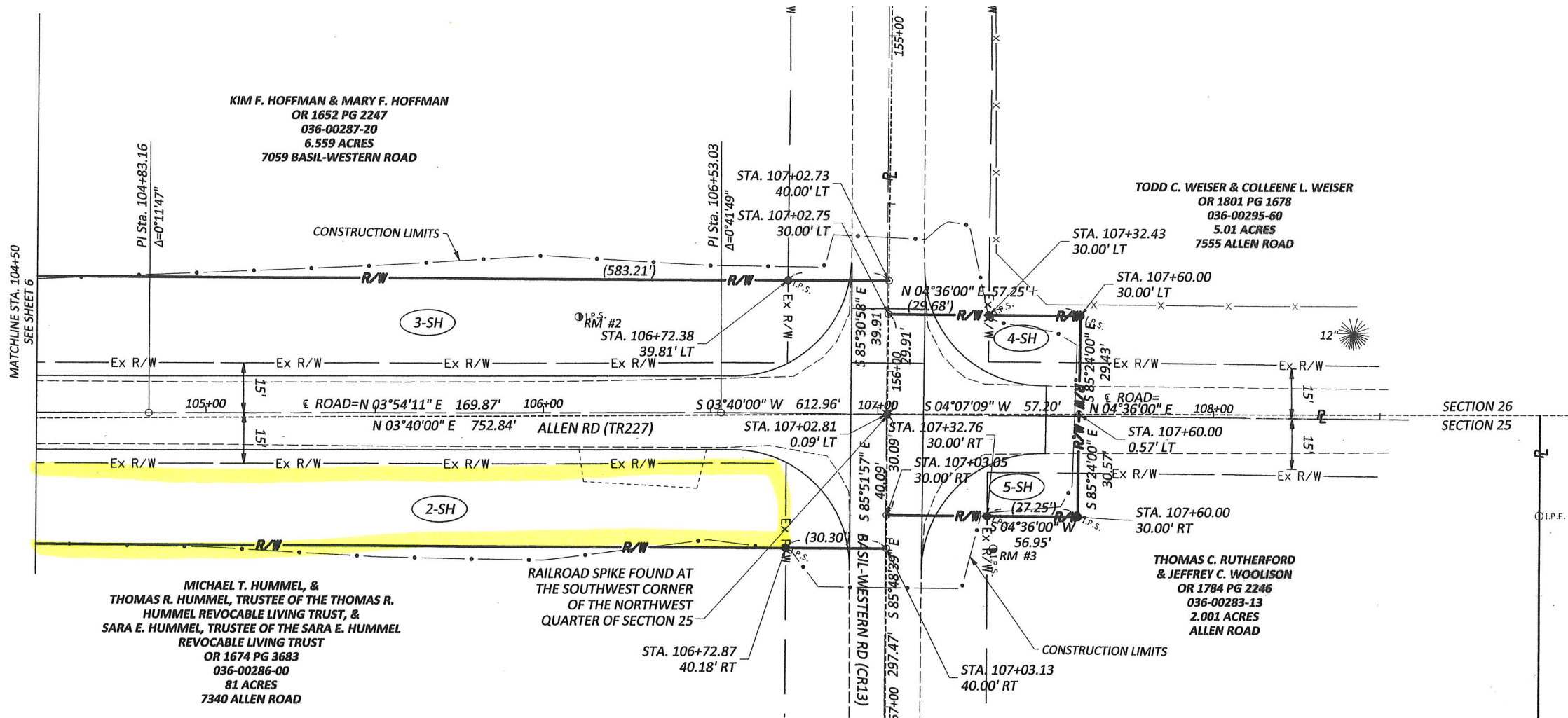
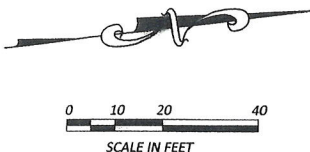
Before me, a Notary Public for The State of Ohio, appeared the above Michael T. Hummel & Thomas R. Hummel, Trustee of the Thomas R. Hummel Revocable Living Trust and Sara E. Hummel, Trustee of the Sara E. Hummel Revocable Living Trust, who acknowledged they signed the foregoing instrument and the execution of the foregoing instrument was their free act and deed individually and as said Trustees.

IN TESTIMONY WHEREOF, I have hereto subscribed my name and affixed my seal this _____ day of _____, _____.

Notary Public – State of Ohio

This instrument was prepared by Joshua S. Horacek, Assistant Prosecuting Attorney, Fairfield County, Ohio

FAI-TR227-1.929
ALLEN ROAD
STATE OF OHIO
FAIRFIELD COUNTY/VIOLET TOWNSHIP
SECTIONS 25 & 26, TOWNSHIP 15, RANGE 20



TOTAL NUMBER OF OWNERSHIPS: 5
EASEMENT TAKES: 5

SUMMARY OF ADDITIONAL RIGHT OF WAY EASEMENTS
ALL AREAS IN ACRES

REFERENCE MONUMENTS				
RM #	STATION	OFFSET	ELEVATION	TYPE
2	106+10.53	28.73' LT.	813.18	5/8" REBAR WITH RED PLASTIC CAP MARKED "FCEO SURVEY CONTROL"
3	107+34.69	39.84' RT.	821.35	5/8" REBAR WITH RED PLASTIC CAP MARKED "FCEO SURVEY CONTROL"

PARCEL	OWNER	OWNERS RECORD		AUDITOR'S PARCEL	RECORD AREA	TOTAL P.R.O.	GROSS TAKE	P.R.O. IN TAKE	NET TAKE	STRUC-TURE	NET RESIDUE		TYPE FUND	REMARKS AND PERSONALTY	AS ACQUIRED	
		DV/OR	PAGE								LEFT	RIGHT			OR BOOK	PAGE
1-SH	DA COAKLEY FARMS LLC	1657	1968	036-00287-00	44.755		0.150	0.072	0.078	NO						
2-SH	MICHAEL T. HUMMEL, & THOMAS R. HUMMEL, TRUSTEES OF THE THOMAS R. HUMMEL REVOCABLE LIVING TRUST, & SARA E. HUMMEL, TRUSTEE OF THE SARA E. HUMMEL REVOCABLE LIVING TRUST	1674	3683	036-00286-00	81		0.626	0.222	0.404	NO						
3-SH	KIM F. HOFFMAN & MARY F. HOFFMAN	1652	2247	036-00287-20	6.559		0.606	0.260	0.346	NO						
4-SH	TODD C. WEISER & COLLEENE L. WEISER	1801	1678	036-00295-60	5.01		0.039	0.030	0.009	NO						
5-SH	THOMAS C. RUTHERFORD & JEFFREY C. WOOLISON	1784	2246	036-00283-13	2.001		0.040	0.032	0.008	NO						

REV DATE DESCRIPTION

OFFICE OF THE
FAIRFIELD COUNTY ENGINEER

DATE 11/8/19
APPROVED JDU
DRAWN JLD
DESIGNED ETM
CHECKED WGM

RIGHT-OF-WAY PLAT
ALLEN ROAD
INTERSECTION IMPROVEMENT

FAI-TR227-1.929



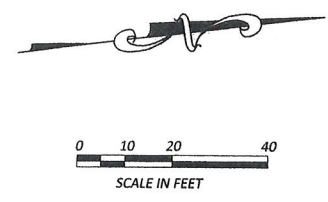
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15
15

LEGEND

- P — PROPERTY LINE
- Ex R/W — EXISTING RIGHT-OF-WAY
- R/W — PROPOSED RIGHT-OF-WAY
- SECTION LINE
- I.P.S. 5/8" REBAR SET W/YELLOW PLASTIC CAP MARKED "FCEO SURVEY BOUNDARY"
- I.P.S. 5/8" REBAR SET W/RED PLASTIC CAP MARKED "FCEO SURVEY CONTROL"
- I.P.F. 5/8" IRON PIN FOUND
- ⊙ P.F. 1/2" IRON PIPE FOUND
- ⊙ RAILROAD SPIKE FOUND

FAI-TR227-1.929
ALLEN ROAD
STATE OF OHIO
FAIRFIELD COUNTY/VIOLET TOWNSHIP
SECTIONS 25 & 26, TOWNSHIP 15, RANGE 20

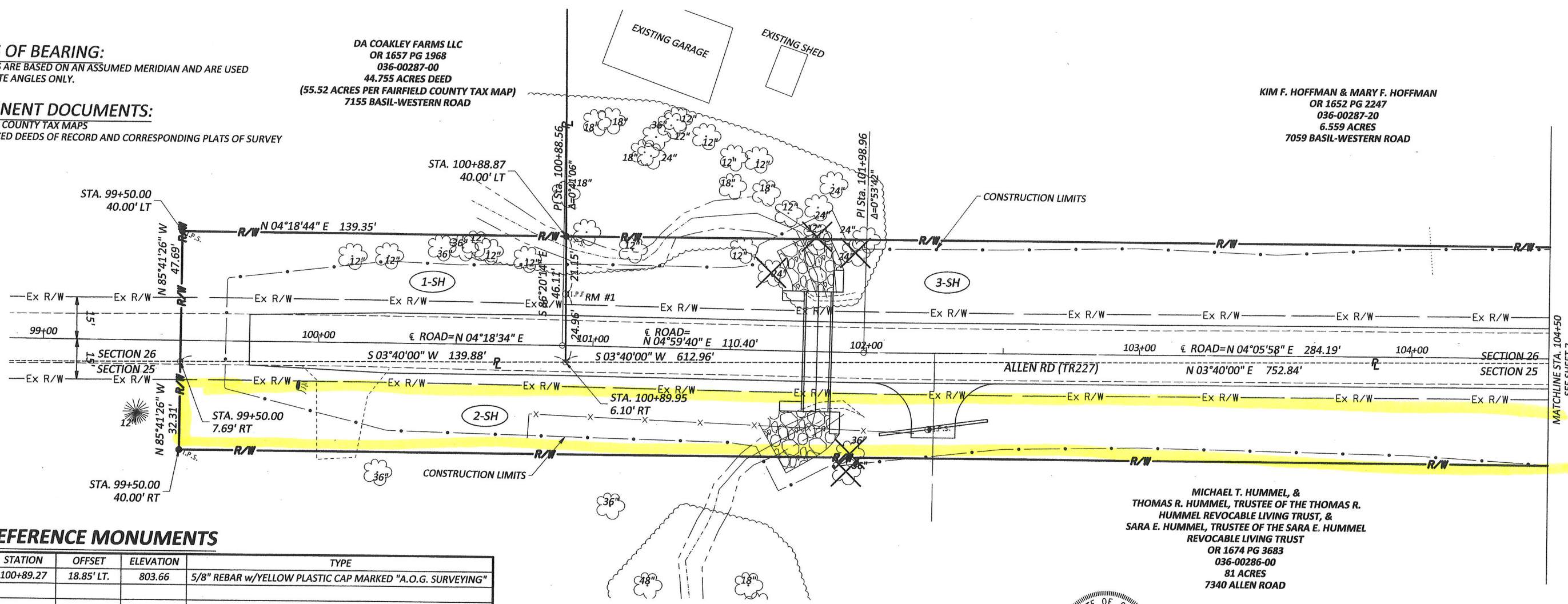


BASIS OF BEARING:
BEARINGS ARE BASED ON AN ASSUMED MERIDIAN AND ARE USED TO DENOTE ANGLES ONLY.

PERTINENT DOCUMENTS:
FAIRFIELD COUNTY TAX MAPS
REFERENCED DEEDS OF RECORD AND CORRESPONDING PLATS OF SURVEY

DA COAKLEY FARMS LLC
OR 1657 PG 1968
036-00287-00
44.755 ACRES DEED
(55.52 ACRES PER FAIRFIELD COUNTY TAX MAP)
7155 BASIL-WESTERN ROAD

KIM F. HOFFMAN & MARY F. HOFFMAN
OR 1652 PG 2247
036-00287-20
6.559 ACRES
7059 BASIL-WESTERN ROAD



MATCHLINE STA. 104+50
SEE SHEET 7

MICHAEL T. HUMMEL, &
THOMAS R. HUMMEL, TRUSTEE OF THE THOMAS R.
HUMMEL REVOCABLE LIVING TRUST, &
SARA E. HUMMEL, TRUSTEE OF THE SARA E. HUMMEL
REVOCABLE LIVING TRUST
OR 1674 PG 3683
036-00286-00
81 ACRES
7340 ALLEN ROAD

REFERENCE MONUMENTS

RM #	STATION	OFFSET	ELEVATION	TYPE
1	100+89.27	18.85' LT.	803.66	5/8" REBAR w/YELLOW PLASTIC CAP MARKED "A.O.G. SURVEYING"

TOTAL NUMBER OF OWNERSHIPS: 5
EASEMENT TAKES: 5

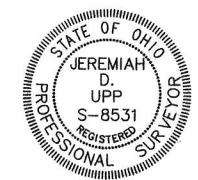
SUMMARY OF ADDITIONAL RIGHT OF WAY EASEMENTS
ALL AREAS IN ACRES

PARCEL	OWNER	OWNERS RECORD		AUDITOR'S PARCEL	RECORD AREA	TOTAL P.R.O.	GROSS TAKE	P.R.O. IN TAKE	NET TAKE	STRUC-TURE	NET RESIDUE		TYPE FUND	REMARKS AND PERSONALITY	AS ACQUIRED	
		DV/OR	PAGE								LEFT	RIGHT			OR BOOK	PAGE
1-SH	DA COAKLEY FARMS LLC	1657	1968	036-00287-00	44.755		0.150	0.072	0.078	NO						
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3-SH	KIM F. HOFFMAN & MARY F. HOFFMAN	1652	2247	036-00287-20	6.559		0.606	0.260	0.346	NO						
4-SH	TODD C. WEISER & COLLEENE L. WEISER	1801	1678	036-00295-60	5.01		0.039	0.030	0.009	NO						
5-SH	THOMAS C. RUTHERFORD & JEFFREY C. WOOLISON	1784	2246	036-00283-13	2.001		0.040	0.032	0.008	NO						

I HEREBY CERTIFY THAT THIS PLAT DEPICTS AN ACTUAL FIELD SURVEY PREPARED UNDER THE SUPERVISION OF JEREMIAH D. UPP, P.S. - 8531 IN 2019.

[Signature]
JEREMIAH D. UPP, P.S. - 8531

11-13-19
DATE



OFFICE OF THE
FAIRFIELD COUNTY ENGINEER

DATE 11/8/19
APPROVED JDU
DRAWN JLD
DESIGNED ETM
CHECKED WGM

RIGHT-OF-WAY PLAT
ALLEN ROAD
INTERSECTION IMPROVEMENT

FAI-TR227-1.929

14
15

PERPETUAL EASEMENT FOR ROAD PURPOSES

2- SH

FAI-TR227-1.929

KNOW ALL MEN BY THESE PRESENTS THAT: Michael T. Hummel & Thomas R. Hummel, Trustees of the Thomas R. Hummel Revocable Living Trust and Sara E. Hummel, Trustee of the Sara E. Hummel Revocable Living Trust, the Grantors, for and in consideration of the sum of two thousand, eight hundred ninety-one dollars & 84/100 (\$2,891.84) and for other good and valuable consideration paid to the Grantors by Fairfield County, Ohio, the Grantee, the receipt whereof is hereby acknowledged, do hereby grant, bargain, sell, convey and release to said Grantee, its successors and assigns forever, an exclusive perpetual easement for public highway and road purposes, including, but not limited to any public construction, relocation and/or utility work deemed appropriate by said Grantee, which is more particularly described in Exhibit A attached hereto.

Grantors for themselves and their, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area.

See "Exhibit A", Legal Description attached.

Prior Instrument Reference: Official Record 1674, Page 3683, Fairfield County Recorder's Office.

And the said Grantors, for themselves and their executors, administrators, successors and assigns, hereby covenants with the said Grantee, their successors and assigns, that they are the true and lawful owners of said premises, and are lawfully seized of the same in fee simple, and have good right and full power to grant, bargain, sell, convey and release the same in the manner aforesaid, and that the same is free and clear from all liens and encumbrances whatsoever, and that Grantors will warrant and defend the same against all claims of all persons whomsoever.

The Grantors specifically agree that in the event that Grantors wish to perform any construction or maintenance within the easement herein granted that the Grantors shall apply for a permit and receive approval from the Grantee in order to perform such construction or maintenance.

IN WITNESS WHEREOF, the said Grantors, have hereunto set their hands this _____ day of _____, _____.

Michael T. Hummel, Trustee of the
Thomas R. Hummel Revocable Living
Trust

Thomas R. Hummel, Trustee of the
Thomas R. Hummel Revocable Living
Trust

Sara E. Hummel, Trustee of the Sara E.
Hummel Revocable Living Trust

STATE OF OHIO, COUNTY OF FAIRFIELD, ss.

Before me, a Notary Public for The State of Ohio, appeared the above Michael T. Hummel & Thomas R. Hummel, Trustee of the Thomas R. Hummel Revocable Living Trust and Sara E. Hummel, Trustee of the Sara E. Hummel Revocable Living Trust, who acknowledged they signed the foregoing instrument and the execution of the foregoing instrument was their free act and deed individually and as said Trustees.

IN TESTIMONY WHEREOF, I have hereto subscribed my name and affixed my seal this _____ day of _____, _____.

Notary Public – State of Ohio

This instrument was prepared by Joshua S. Horacek, Assistant Prosecuting Attorney, Fairfield County, Ohio

(EXHIBIT A)
LEGAL DESCRIPTION
2- SH
FAI-TR227-1.929

Situate in the State of Ohio, County of Fairfield, the Township of Violet, Section 25, Township 15, Range 20, being part of a 81 acre tract conveyed to Michael T. Hummel and Thomas R. Hummel, Trustee of the Thomas R. Hummel Revocable Living Trust and Sara E. Hummel, Trustee of the Sara E. Hummel Revocable Living Trust, in Official Record 1674, Page 3683, all referenced deeds of record being from the Fairfield County Recorder's Office and being more particularly described as follows:

Commencing at a at a railroad spike found at the Southwest corner of the Northwest quarter of said Section 25; said railroad spike being 0.09 feet left of centerline station 107+02.81 of the Allen Road, FAI-TR227-1.929 Intersection Improvement Right-of-way Plat, said railroad spike being the northwest corner of said Hummel 81 acre tract, and said railroad spike also being **THE TRUE POINT OF BEGINNING** of the tract herein described;

Thence **South 85°51'57" East** a distance of **40.09** feet to a point 40.00 feet right of centerline station 107+03.13 of said Right-of-way Plat, said point being on the north line of said Hummel 81 acre tract;

Thence **South 04°15'30" West** a distance of **752.92** feet, passing an iron pin set at 30.30 feet, to an iron pin set 40.00 feet right of centerline station 99+50.00 of said Right-of-way Plat;

Thence **North 85°41'26" West** a distance of **32.31** feet to a point 7.69 feet right of centerline station 99+50.00 of said Right-of-way Plat, said point being on the west line of said Hummel 81 acre tract;

Thence **North 03°40'00" East** a distance of **752.84** feet to **THE TRUE POINT OF BEGINNING**, containing **0.626 acres** more or less and subject to all covenants, easements, and restrictions of record.

Bearings are based on Ohio State Plane South NAD83, and are used to denote angles only.

All iron pins set are 5/8" diameter by 30" long rebars with yellow plastic caps marked "FCEO SURVEY BOUNDARY". For additional information see said Right-of-way Plat made in conjunction with and considered an integral part of this description.

Parent Tract Auditor Parcel Number 036-00286-00.

This description is based on an actual field survey performed by or under the direct supervision of Jeremiah D. Upp, P.E., P.S., County Engineer in May 2019.

Jeremiah D. Upp, P.S. No. 8531

Date



Fairfield County Engineer

3026 W. Fair Ave.
Lancaster, OH 43130
Main: (740) 652-2300
Fax: (740) 687-7055

Conversation with Michael Hummel Related to Easement Purchase

On March 5, 2020, I met with Michael Hummel and his father to negotiate an easement purchase for the Allen and Basil-Western Road, County and Township joint project. After explaining the project and additional easement needs, Michael stated that he felt that if 2 acre lots to the north of his farmland were selling for \$66,000, then his land should be worth that much. I explained that the value was based on the current acre value being accessed by the Auditor's Office according to last year's appraisal. His next question was whether this was an ODOT project, to which I informed him it was a joint Township, County project. The conversation then digressed to all the times he had been wronged by various government agencies.

The last straw that prompted him to not negotiate the easement we needed, happened when an ODOT project for Pickerington either damaged crops and/or built a detention basin in a field that he claimed was leased from the Nicodemus family along Refugee Road. He claimed there was at least \$2,500 in damages and until someone paid this amount to him, he was not going to negotiate with us. He wanted me to try to coerce Pickerington or ODOT to pay him before he would discuss our project. I told him that he would need to take his issue up with them, and when questioned, he stated that he didn't have issues with either the township or the county. He stated that cooperation stops with this project. I asked him if he was serious about not negotiating further, that he was tying my hands and that I would have no option but to turn the matter over to the Prosecutor's Office. He told me to do what I needed, that he liked me, but his mind was made up. He asked his father who stated that he agreed with whatever his son decides.

Both individuals were very nice and our meeting pleasant, but Michael was obstinate on his decision.

It was decided that Jonathon Ferbrache or Nikki Drake would try to speak with Michael. Nikki told me that they both called him on speaker phone together and he related to them the same story knowing that his issue was with different entities. They even stated that the process would proceed to the court, but he was still standing his ground with this knowledge.

Jeff Camechis

Signature Page

Resolution No. 2020-04.14.m

A resolution to appropriate a perpetual easement for highway purposes from Parcel No. 036-00286-00 (2-SH).

(Fairfield County Prosecutor)

This resolution has not yet been voted on.

CERTIFICATE OF CLERK

It is hereby certified that the foregoing is a true and correct transcript of a resolution acted upon by the Board of County Commissioners, Fairfield County, Ohio on the date noted above.

A resolution to approve a Development Agreement for the Views at Pine Hills Phase 2 [Regional Planning]

WHEREAS, the developer of the Views at Pine Hills Phase 2 subdivision has submitted the required inspection fee deposit and has executed the required development agreement for said subdivision;

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

Section 1. That this Board hereby approves and authorizes itself to execute said development agreement attached as Exhibit A for the Views at Pine Hills Phase 2 subdivision.

Prepared by: Loudan Klein
cc: Regional Planning

DEVELOPMENT AGREEMENT

This Agreement entered into this 25th day of March, by and between Price Brothers LLC; (hereinafter called the "Owner") and the Board of Commissioners of Fairfield County, Ohio (hereinafter called the "County").

WITNESS WHEREAS, the Owner wishes to develop approximately 30 acres in Bloom & Greenfield Township (hereinafter called the "Project"), and

WHEREAS, "The Fairfield County Water, Drainage and Sewage Regulations," "The Fairfield County Construction and Material Specifications," and "The Fairfield County Subdivision Regulations" in force on the date of this agreement (hereinafter called the "County Regulations") state the requirements for developing within the County.

NOW THEREFORE, the Owner and the County, in consideration of the mutual covenants set forth herein, agree that:

I. **OWNER RESPONSIBILITIES:** The Owner will:

- 1.1 Develop or cause the development of the Project in accordance with the County Regulations and the construction drawings approved by the County.
- 1.2 Unless specifically stated otherwise, be responsible for the entire cost associated with developing the Project, including providing the real estate, engineering, construction, fees and deposits.
- 1.3 Provide the County with construction drawings, specifications and supporting data describing the improvements contained in the Project. The improvements to be provided will include:
 - a. Roads and parking areas, graded full width and paved including drainage structures and other improvements all as shown on the County Standard Drawings and required for this project;
 - b. Monuments, stakes and all survey control required;
 - c. All other improvements shown on the construction drawings as approved by the County. (Such as grading and seeding).
- 1.4 Await the County's approval of the construction drawings and specifications before beginning any construction work.
- 1.5 Guarantee that the labor, material and equipment used to develop the Project meets the County requirements by providing either;

- a. The conditional acceptance by the County of all improvements to be turned over to the County prior to the filing of any plats, easements or deeds; or
- b. A performance bond equal to the estimated construction cost of the public improvements; or
- c. An irrevocable bank letter of credit payable to the County equal to one hundred percent (100%) of the estimated construction cost of the public improvements; or
- d. Subject to the approval of the County of Fairfield a certification to the County by the institution, person or corporation financing the construction of the public improvements stipulating that the funds in the amount of the estimated construction cost are available and set aside from all other funds solely for the purpose of financing the construction of the public improvements.

That these funds will not be released to the Owner or used for any purpose unless a release is signed by the County.

That such release by the County only certifies that as best the County can determine, the construction was satisfactorily completed and such release does not relieve the Owner of the responsibility to meet the requirements of the County Regulations or the County maintenance guarantee requirements;

- 1.6 Give the County at least three days notice prior to beginning any construction work and will keep the County advised of the work schedule throughout the development of the Project.
- 1.7 Prior to conditional acceptance of the Project by the County, guarantee all labor, material and equipment incorporated in the improvements that will become public against defects and deficiencies, for at least five years, by providing either:
 - a. A maintenance bond equal to ten percent (10%) of the construction cost of the public improvements; or
 - b. A certification to the County by a financial institution or corporation acceptable to the County Prosecutor;

That funds equal to ten percent (10%) of the estimated construction cost for public improvements have been set aside in an escrow account;

That these funds cannot be released without a release by the County;

That the institution or corporation holding the funds shall release to the County and or all of the funds so escrowed for the purpose enumerated herein; and

That the escrow account will not be closed out without the approval of the County with the final acceptance of the public improvements by the County constituting release of the escrow account lacking any formal release by the County; or

- c. A bank irrevocable letter of credit payable to the County equal to ten percent (10%) of the construction cost for the public improvements.
- 1.8 Provide any additional maintenance guarantees necessary to protect existing roads in the subdivision being used as access for the proposed phase(s). The County Inspector shall determine the adequacy of this additional guarantee.
- 1.9 Provide a written request for the maintenance guarantee release upon completion of at least five years maintenance period during which the public improvements are maintained in a satisfactory condition and all expenses incurred by the County pursuant to this Project have been paid in full.
- 1.10 Cause the work described in the approved construction drawings, specifications and supporting data, as required herein, to be completed within a year of the approval of the construction plans unless approved otherwise by the County.
- 1.11 Remove or cause to be removed such dirt, debris, and foreign matter from all public rights-of-way, improvements and/or easements as were deposited, left or resulted from the construction of improvements or any nature within the development, within twenty-four (24) hours after being notified by the County that such work is required. Such removal shall be done to the satisfaction of the County Engineer.
- 1.12 Prior to acceptance or conditional acceptance of the Project by the County, provide the County the original signed construction drawings, with four sets of prints annotated to reflect the "as-constructed" conditions, and the original recorded plat.

II GENERAL TERMS:

- 2.1 When there appears to be, or there is in fact, a conflict between this Agreement and the County Regulations the County Regulations shall govern.
- 2.2 No conveyance shall be made of any lot or parcel smaller in frontage or area than indicated on the plat except for the purpose of increasing the area of another lot.

2.3 The Owner shall hold the County free and harmless from any and all claims for damage of every nature arising or growing out of the construction of improvements or resulting from improvements and shall defend, at her own cost and expense, any suit or action brought against the County resulting from its sole negligence.

2.4 By signing this Agreement the Owner acknowledges possession of copies of the:

- a. Fairfield County Water, Drainage and Sewage Regulations.
- b. Fairfield County Construction and Material Specifications.

and that the procedures described in these County Regulations will be followed during the development, acceptance and maintenance period for this project.

2.5 Upon violation of, or failure to comply with, any of the terms of this Agreement by the Owner, the County may take any of the following actions:

- a. Stop all work on the Project forthwith;
- b. Continue any unfinished work or replace any unaccepted work to a point that any public improvements do not appear to create a health or safety hazard or create maintenance or repair expense to the County because of their state of completion by:
 - 1. Holding the bonding company responsible,
 - 2. Using the certified check or proceeds thereof,
 - 3. Using the funds in the escrow account, or
 - 4. Draw on the letters of credit.
- c. Take necessary action to eliminate apparent or actual safety or health hazards of an emergency nature when notification of the Owner does not cause a timely and satisfactory response or an immediate response is required. The cost of using county labor material or equipment shall be a cost to the owner to be paid thirty (30) days after being billed. Failure to pay may result in the County taking actions provided in 2.5(a) or 2.5(b) herein.

2.6 This Agreement represents the entire and integrated agreement between the Owner and the County for the Project and supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement may be amended only by written instruction signed by both Owner and County.

- 2.7 The Owner and County each binds himself and his partners, successors, executors, administrators and assigns to the other party of this Agreement and to the partners, successors, executors, administrators and assigns of such other party, in respect to all covenants of this Agreement; except as above, neither the Owner nor the County shall assign, sublet, or transfer his interest in this Agreement without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer or agent of any public body which may be a party hereto, nor shall it be construed as giving any rights or benefits hereunder to anyone other than the Owner and the County.
- 2.8 Notices: Any notice required by the Agreement shall be conclusively presumed to have been received if in writing and if delivered personally or sent by registered or certified mail, postage prepaid, to the party to be notified at the party's last address on file with the party sending the notice.
- 2.9 Legal Interpretation: This Agreement shall be construed and interpreted in accordance with the laws of the State of Ohio.

IN CONSIDERATION WHEREOF, the County hereby grants the Owner the right and privilege to make the improvements stipulated herein.

IN WITNESS WHEREOF, the parties hereto have set their hand and seals, and have executed this agreement on the day and year first above written.



Owner, Price Brothers LLC

APPROVED:

FAIRFIELD COUNTY BOARD
OF COMMISSIONERS

Date: _____

DEVELOPMENT AGREEMENT

Signature Page

Resolution No. 2020-04.14.n

A resolution to approve a Development Agreement for the Views at Pine Hills Phase 2 [Regional Planning]

(Fairfield County Regional Planning Commission)

This resolution has not yet been voted on.

CERTIFICATE OF CLERK

It is hereby certified that the foregoing is a true and correct transcript of a resolution acted upon by the Board of County Commissioners, Fairfield County, Ohio on the date noted above.

**A resolution to approve The Views at Pine Hill Estates Final Plat
[Regional Planning]**

WHEREAS, the Views at Pine Hill Estates Phase 2 subdivision located in Bloom Township, Township 14, Range 20, Section 13, and Greenfield Township, Township 15, Range 19, Section 18 was approved by the Regional Planning Commission on December 3, 2019; and

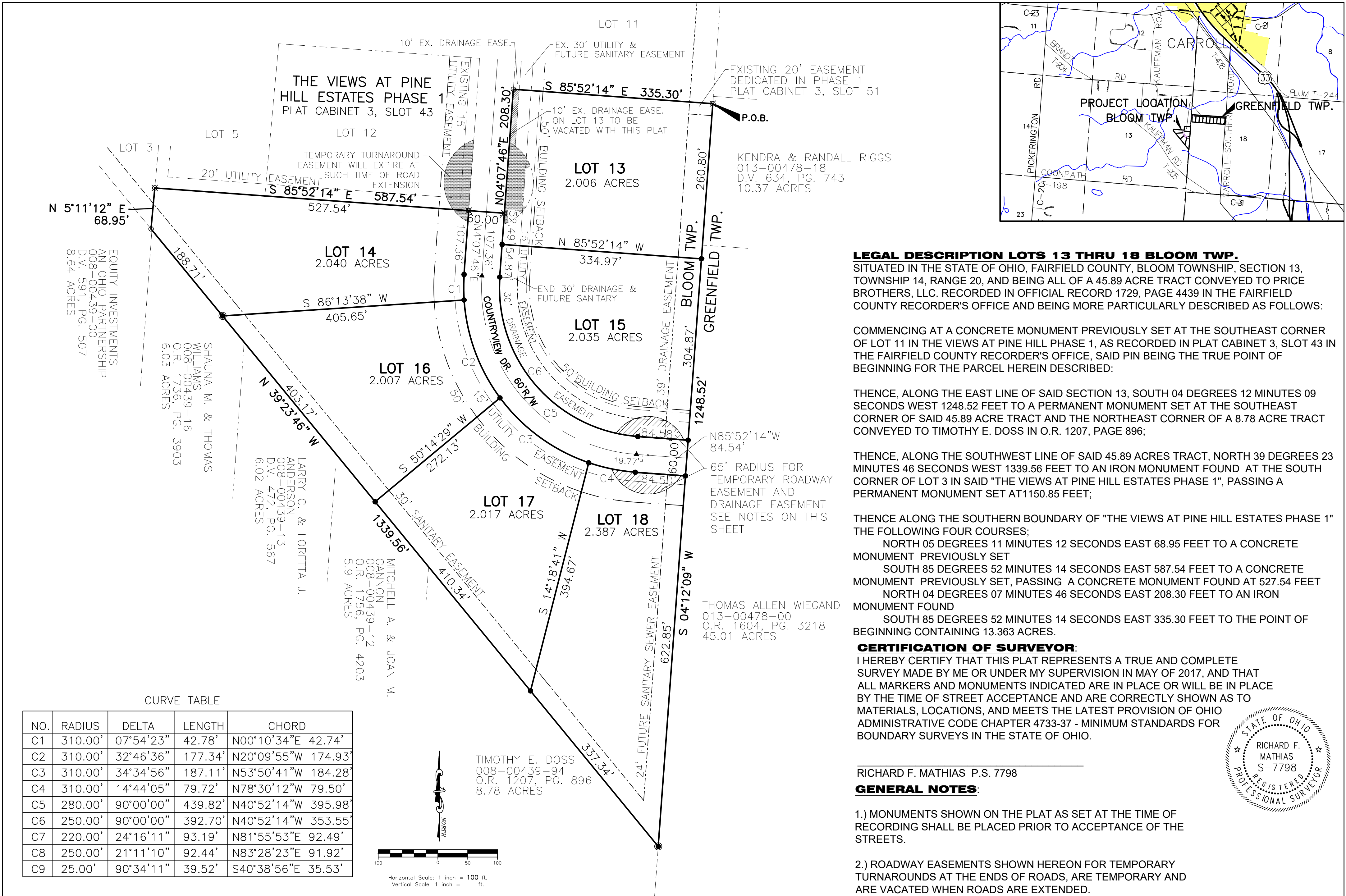
WHEREAS, the developer has submitted a development agreement as required by the Fairfield County Subdivision Regulations; and

WHEREAS, the developer has furnished acceptable construction assurances;

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

Section 1. That this Board hereby approves and authorizes itself to execute the final plat for The Views at Pine Hill Estates Phase 2.

Prepared by: Loudan Klein
cc: Regional Planning



LEGAL DESCRIPTION LOTS 13 THRU 18 BLOOM TWP.
SITUATED IN THE STATE OF OHIO, FAIRFIELD COUNTY, BLOOM TOWNSHIP, SECTION 13, TOWNSHIP 14, RANGE 20, AND BEING ALL OF A 45.89 ACRE TRACT CONVEYED TO PRICE BROTHERS, LLC. RECORDED IN OFFICIAL RECORD 1729, PAGE 4439 IN THE FAIRFIELD COUNTY RECORDER'S OFFICE AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A CONCRETE MONUMENT PREVIOUSLY SET AT THE SOUTHEAST CORNER OF LOT 11 IN THE VIEWS AT PINE HILL PHASE 1, AS RECORDED IN PLAT CABINET 3, SLOT 43 IN THE FAIRFIELD COUNTY RECORDER'S OFFICE, SAID PIN BEING THE TRUE POINT OF BEGINNING FOR THE PARCEL HEREIN DESCRIBED:

THENCE, ALONG THE EAST LINE OF SAID SECTION 13, SOUTH 04 DEGREES 12 MINUTES 09 SECONDS WEST 1248.52 FEET TO A PERMANENT MONUMENT SET AT THE SOUTHEAST CORNER OF SAID 45.89 ACRE TRACT AND THE NORTHEAST CORNER OF A 8.78 ACRE TRACT CONVEYED TO TIMOTHY E. DOSS IN O.R. 1207, PAGE 896;

THENCE, ALONG THE SOUTHWEST LINE OF SAID 45.89 ACRES TRACT, NORTH 39 DEGREES 23 MINUTES 46 SECONDS WEST 1339.56 FEET TO AN IRON MONUMENT FOUND AT THE SOUTH CORNER OF LOT 3 IN SAID "THE VIEWS AT PINE HILL ESTATES PHASE 1", PASSING A PERMANENT MONUMENT SET AT 1150.85 FEET;

THENCE ALONG THE SOUTHERN BOUNDARY OF "THE VIEWS AT PINE HILL ESTATES PHASE 1" THE FOLLOWING FOUR COURSES;
NORTH 05 DEGREES 11 MINUTES 12 SECONDS EAST 68.95 FEET TO A CONCRETE MONUMENT PREVIOUSLY SET
SOUTH 85 DEGREES 52 MINUTES 14 SECONDS EAST 587.54 FEET TO A CONCRETE MONUMENT PREVIOUSLY SET, PASSING A CONCRETE MONUMENT FOUND AT 527.54 FEET
NORTH 04 DEGREES 07 MINUTES 46 SECONDS EAST 208.30 FEET TO AN IRON MONUMENT FOUND
SOUTH 85 DEGREES 52 MINUTES 14 SECONDS EAST 335.30 FEET TO THE POINT OF BEGINNING CONTAINING 13.363 ACRES.

CERTIFICATION OF SURVEYOR:
I HEREBY CERTIFY THAT THIS PLAT REPRESENTS A TRUE AND COMPLETE SURVEY MADE BY ME OR UNDER MY SUPERVISION IN MAY OF 2017, AND THAT ALL MARKERS AND MONUMENTS INDICATED ARE IN PLACE OR WILL BE IN PLACE BY THE TIME OF STREET ACCEPTANCE AND ARE CORRECTLY SHOWN AS TO MATERIALS, LOCATIONS, AND MEETS THE LATEST PROVISION OF OHIO ADMINISTRATIVE CODE CHAPTER 4733-37 - MINIMUM STANDARDS FOR BOUNDARY SURVEYS IN THE STATE OF OHIO.

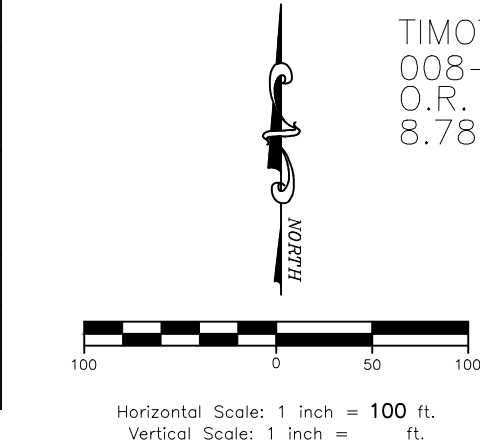
RICHARD F. MATHIAS P.S. 7798

GENERAL NOTES:

1.) MONUMENTS SHOWN ON THE PLAT AS SET AT THE TIME OF RECORDING SHALL BE PLACED PRIOR TO ACCEPTANCE OF THE STREETS.

2.) ROADWAY EASEMENTS SHOWN HEREON FOR TEMPORARY TURNAROUNDS AT THE ENDS OF ROADS, ARE TEMPORARY AND ARE VACATED WHEN ROADS ARE EXTENDED.

CURVE TABLE				
NO.	RADIUS	DELTA	LENGTH	CHORD
C1	310.00'	07°54'23"	42.78'	N00°10'34"E 42.74'
C2	310.00'	32°46'36"	177.34'	N20°09'55"W 174.93'
C3	310.00'	34°34'56"	187.11'	N53°50'41"W 184.28'
C4	310.00'	14°44'05"	79.72'	N78°30'12"W 79.50'
C5	280.00'	90°00'00"	439.82'	N40°52'14"W 395.98'
C6	250.00'	90°00'00"	392.70'	N40°52'14"W 353.55'
C7	220.00'	24°16'11"	93.19'	N81°55'53"E 92.49'
C8	250.00'	21°11'10"	92.44'	N83°28'23"E 91.92'
C9	25.00'	90°34'11"	39.52'	S40°38'56"E 35.53'



FINAL PLAT
THE VIEWS AT PINE HILL
ESTATES PHASE 2
BLOOM TWP., SECTION 13, TWP. 14, RANGE 20
GREENFIELD TWP., SECTION 18, TWP. 15, RANGE 19
FAIRFIELD COUNTY, OHIO
OCTOBER, 2019

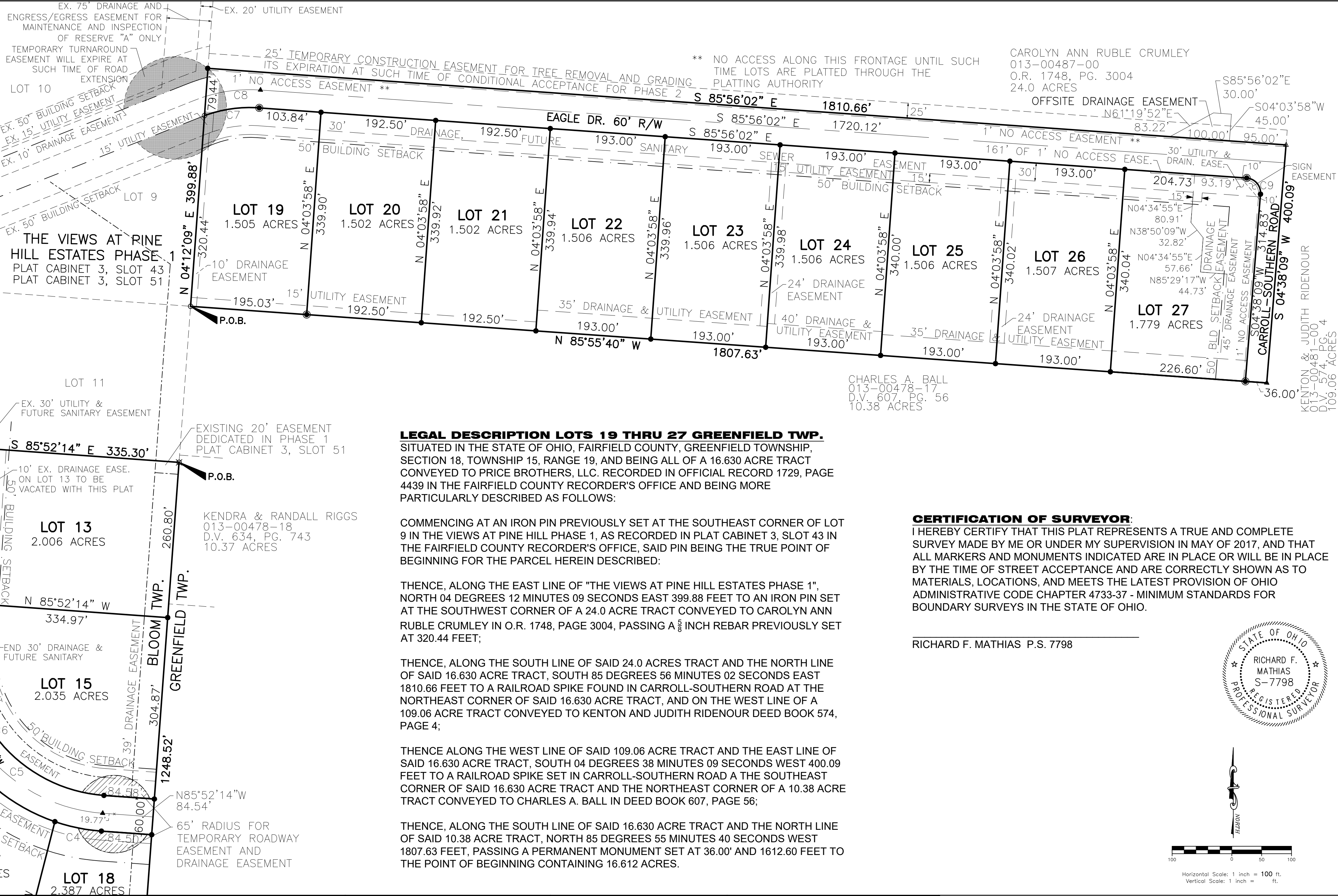
PLANS PREPARED FOR:
PRICE BROTHERS, LLC.
GREG AND MITCH PRICE
3805 COLUMBUS-LANCASTER RD.
CARROLL, OHIO 43112
740 756-7400

SURVEY LEGEND
● 5/8" REBAR (SET)
○ IRON MONUMENT (FOUND)
▲ RAILROAD SPIKE (SET)
△ RAILROAD SPIKE (FOUND)
■ CONCRETE MONUMENT (SET)
⊠ CONCRETE MONUMENT (PREVIOUSLY SET)
⊕ STONE (FOUND)
● 1" REBAR SET

2LMN, Inc.
Civil Engineers & Land Surveyors
2475 Sugar Grove Road, SE ~ Lancaster, Ohio 43130
(740) 687-5542 Phone ~ (740) 687-0086 Fax ~ www.2LMN.com

DATE: OCTOBER, 2019

No. 1 OF 3



LEGAL DESCRIPTION LOTS 19 THRU 27 GREENFIELD TWP.
SITUATED IN THE STATE OF OHIO, FAIRFIELD COUNTY, GREENFIELD TOWNSHIP, SECTION 18, TOWNSHIP 15, RANGE 19, AND BEING ALL OF A 16.630 ACRE TRACT CONVEYED TO PRICE BROTHERS, LLC. RECORDED IN OFFICIAL RECORD 1729, PAGE 4439 IN THE FAIRFIELD COUNTY RECORDER'S OFFICE AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIN PREVIOUSLY SET AT THE SOUTHEAST CORNER OF LOT 9 IN THE VIEWS AT PINE HILL PHASE 1, AS RECORDED IN PLAT CABINET 3, SLOT 43 IN THE FAIRFIELD COUNTY RECORDER'S OFFICE, SAID PIN BEING THE TRUE POINT OF BEGINNING FOR THE PARCEL HEREIN DESCRIBED:

THENCE, ALONG THE EAST LINE OF "THE VIEWS AT PINE HILL ESTATES PHASE 1", NORTH 04 DEGREES 12 MINUTES 09 SECONDS EAST 399.88 FEET TO AN IRON PIN SET AT THE SOUTHWEST CORNER OF A 24.0 ACRE TRACT CONVEYED TO CAROLYN ANN RUBLE CRUMLEY IN O.R. 1748, PAGE 3004, PASSING A 5/8" INCH REBAR PREVIOUSLY SET AT 320.44 FEET;

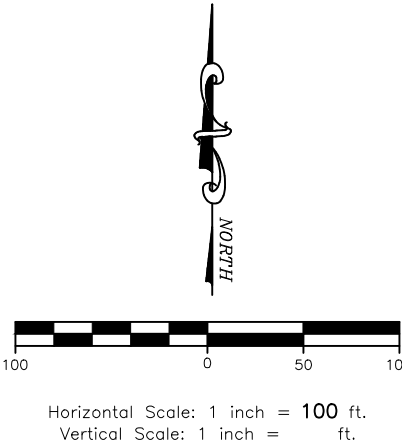
THENCE, ALONG THE SOUTH LINE OF SAID 24.0 ACRES TRACT AND THE NORTH LINE OF SAID 16.630 ACRE TRACT, SOUTH 85 DEGREES 56 MINUTES 02 SECONDS EAST 1810.66 FEET TO A RAILROAD SPIKE FOUND IN CARROLL-SOUTHERN ROAD AT THE NORTHEAST CORNER OF SAID 16.630 ACRE TRACT, AND ON THE WEST LINE OF A 109.06 ACRE TRACT CONVEYED TO KENTON AND JUDITH RIDENOUR DEED BOOK 574, PAGE 4;

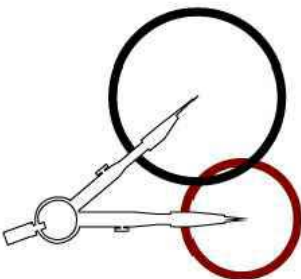
THENCE ALONG THE WEST LINE OF SAID 109.06 ACRE TRACT AND THE EAST LINE OF SAID 16.630 ACRE TRACT, SOUTH 04 DEGREES 38 MINUTES 09 SECONDS WEST 400.09 FEET TO A RAILROAD SPIKE SET IN CARROLL-SOUTHERN ROAD A THE SOUTHEAST CORNER OF SAID 16.630 ACRE TRACT AND THE NORTHEAST CORNER OF A 10.38 ACRE TRACT CONVEYED TO CHARLES A. BALL IN DEED BOOK 607, PAGE 56;

THENCE, ALONG THE SOUTH LINE OF SAID 16.630 ACRE TRACT AND THE NORTH LINE OF SAID 10.38 ACRE TRACT, NORTH 85 DEGREES 55 MINUTES 40 SECONDS WEST 1807.63 FEET, PASSING A PERMANENT MONUMENT SET AT 36.00' AND 1612.60 FEET TO THE POINT OF BEGINNING CONTAINING 16.612 ACRES.

CERTIFICATION OF SURVEYOR:
I HEREBY CERTIFY THAT THIS PLAT REPRESENTS A TRUE AND COMPLETE SURVEY MADE BY ME OR UNDER MY SUPERVISION IN MAY OF 2017, AND THAT ALL MARKERS AND MONUMENTS INDICATED ARE IN PLACE OR WILL BE IN PLACE BY THE TIME OF STREET ACCEPTANCE AND ARE CORRECTLY SHOWN AS TO MATERIALS, LOCATIONS, AND MEETS THE LATEST PROVISION OF OHIO ADMINISTRATIVE CODE CHAPTER 4733-37 - MINIMUM STANDARDS FOR BOUNDARY SURVEYS IN THE STATE OF OHIO.

RICHARD F. MATHIAS P.S. 7798



<p>FINAL PLAT THE VIEWS AT PINE HILL ESTATES PHASE 2 BLOOM TWP., SECTION 13, TWP. 14, RANGE 20 GREENFIELD TWP., SECTION 18, TWP. 15, RANGE 19 FAIRFIELD COUNTY, OHIO OCTOBER, 2019</p>	<p>PLANS PREPARED FOR: PRICE BROTHERS, LLC. GREG AND MITCH PRICE 3805 COLUMBUS-LANCASTER RD. CARROLL, OHIO 43112 740 756-7400</p>		<p>SURVEY LEGEND</p> <ul style="list-style-type: none">● 5/8" REBAR (SET)○ IRON MONUMENT (FOUND)▲ RAILROAD SPIKE (SET)△ RAILROAD SPIKE (FOUND)■ CONCRETE MONUMENT (SET)⊠ CONCRETE MONUMENT (FOUND)◆ STONE (FOUND)● 1" REBAR SET	<div><p>2LMN, Inc. Civil Engineers & Land Surveyors 2475 Sugar Grove Road, SE ~ Lancaster, Ohio 43130 (740) 687-5542 Phone ~ (740) 687-0086 Fax ~ www.2LMN.com</p></div> <div><p>DATE: OCTOBER, 2019</p><p>No. 2 OF 3</p></div>
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Resolution No. 2020-04.14.o

A resolution to approve The Views at Pine Hill Estates Final Plat [Regional Planning]
(Fairfield County Regional Planning Commission)

This resolution has not yet been voted on.

CERTIFICATE OF CLERK

It is hereby certified that the foregoing is a true and correct transcript of a resolution acted upon by the Board of County Commissioners, Fairfield County, Ohio on the date noted above.