

## Data Board Minutes

May 10, 2017

Those present:

Office	Name	Present (P) Voting (V)	Representative	Present (P) Voting (V)
Voting Members (12 total)				
Auditor	Jon Slater		Randy Carter	PV
Board of Elections (Opposing Parties)	Mary Jane Hanley	PV	Beth Lane	
Board of Elections (Opposing Parties)				
Clerk of Courts	Branden Meyer	PV	Kelly Turben	
Coroner	Thomas Vajen		Luann Davidson	
County Commissioner	Mike Kiger	PV		
Engineer	Jeremiah Upp		Cheryl Downour Eric McCrady	PV
Judge	Richard Berens		Jillian Boone	PV
Prosecutor	Kyle Witt		Joshua Horacek Amy Brown-Thompson	PV P
Recorder	Gene Wood		Lisa McKenzie	PV
Sheriff	Dave Phalen		Jerry Perrigo Jeneanne Smyers	
Treasurer	Jim Bahnsen	PV	Michael Kaper Jennifer Effinger	P P
Total Voting Members Present (marked PV)		9		
Total Representatives Present But Not Voting (Marked P)		3		
Secretary				
Auditor	Mark Conrad	P		

Observers:

Carri Brown	Carl Headley	David Miller	Joe Nixon
Cassie Strickler			

Total observers present: 4

Total Present: 17

## 1. Discussion of voting members

See the attached Appendix A for the discussion summary.

## 2. Approve RC-2 and RC-3 forms, Present Agreements

Form Type	Dept.	1 <sup>st</sup>	2 <sup>nd</sup>	In favor	Opposed	Abstain
RC-2	Clerk of Courts	Jillian Boone	Joshua Horacek	8	0	1
RC-3	Engineer	Mike Kiger	Branden Meyer	8	0	1
RC-3	Treasurer	Joshua Horacek	Branden Meyer	8	0	1
RC-2	Fairfield County DD	Jim Bahnsen	Jillian Boone	9	0	0
RC-2	County Wide General	Branden Meyer	Jane Hanley	9	0	0
RC-3	Commissioners	Joshua Horacek	Jim Bahnsen	9	0	0
Agreement	Transportation Improvement District	Branden Meyer	Jillian Boone	8	0	1
RC-3	Clerk of Courts Legal	Jane Hanley	Lisa McKenzie	8	0	1

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Form Type	Dept.	1 <sup>st</sup>	2 <sup>nd</sup>	In favor	Opposed	Abstain
RC-3	Common Pleas General	Joshua Horacek	Branden Meyer	8	0	1

3. New business: see 4-11 below

4. Comprehensive Building Update, including Records Center, Baldwin, Government Services building, Civil

Carri Brown: The Baldwin facility is currently being designed for EMA, Major Crimes, and Maintenance. Alternative plans are being made for the Records Center.

A purchase agreement for the building owned by the parent company of the Lancaster Eagle-Gazette is in progress. The initial survey has been done and the Environmental Phase One survey is nearly done. Everything is on schedule for this project. Current discussion is to include the large conference room and the County Artifact Historical Displays in this new project with the Records Center. Policies for the Records Center will need to be developed, which will be reviewed by the Data Board.

Main Street Jail and Sheriff Civil and Detective Bureau building will be closing once the new Jail and Public Safety Facility is open. The Main Street Jail building is not salvageable and will most likely need to be razed. The Sheriff Civil and Detective Bureau building is salvageable. Once the appropriate new occupants are determined, the building will need to be remodeled.

Once EMA moves out of the FCGSB, their former space in that building will be available for other county uses.

5. Cyber security training update

Carl Headley: 59% of the county have already completed the training. August is the deadline. Carl has a record of who has taken the training (as well as who has not) for a supervisor who wants to know what staff still needs to take the training. Human Resources has implemented a different 30 minute cyber security training for new hires. Training can be done as a group.

A Phish Alert button will eventually be implemented in the county email system. Pushing this button will automatically notify IT of suspicious emails.

These are being implemented partially in response to the incident that occurred in Licking County.

6. Two factor authentication for webmail

Carl Headley: With the updated email system, the county can move to two factor authentication for webmail access to county email. This means that in addition to entering your email address and password, you will be required to enter a second factor, such as a time-limited code sent to your cell phone via text message.

The order of implementation would be Office 365, Phish Alert button, 2-Factor Authentication.

7. Drew Shoe records storage

Mark Conrad can get a chart of the assignment of spaces in Drew Shoe from Dennis Keller and then can go through Drew Shoe, working with the various departments as needed, to see if clean up and preparation for moving to the Records Center is occurring.

Mark Conrad: Drew Shoe also has assets in addition to records that will need to be cleaned up. Not everything at Drew Shoe will be able to move to the records center, especially the assets. Records will need to be gone through to see what can be destroyed based on our retention schedules.

8. Office 365, plan and financial structure

Carri Brown: Office 365 provides security and encryption benefits. The county often deals with confidential information; Office 365 can encrypt that data. This is a monthly subscription service which will include all the Microsoft Office apps. We are planning to implement in June.

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The memo from HR recommending the purchase of Office 365 and the email conversation regarding this are attached as Appendix B.

Mark Conrad: As part of security and protection from cyber security attacks, users will need to get used to a little inconvenience. This will include no longer writing down passwords and posting them in insecure places, such as on monitors.

## 9. Executime, planning

Randy Carter: Executime is the Tyler Technology MUNIS time keeping system that will replace TimeClock Plus. Tyler purchased Executime; it will come with the next version of MUNIS. We are looking at implementing in June. It will be part of employee self-service.

Carri Brown: We are planning for employee training in using this system. It will be implemented by planned deployment to departments and not everywhere at once.

Carri Brown: The county will need to develop and implement two policies in 2018, partly related to the changes in Office and cyber security.

Policy 1: In order for supervisors to have access to an employee's email, there needs to be a business reason. The decision for this access would have to go first, through the Appointing Authority; second, through HR; then third, through IT.

Policy 2: Currently, employees that have a county business need for a cell phone can either have that phone supplied or be reimbursed for its use. For those who use their personal phone and are reimbursed, this might change to a stipend for the cell phone.

## 10. Onboarding concepts

As new employees are hired (come on board), we are working to get the new hire paperwork done before the first day of work, so that the new hire will have their badge, phone, username, email, etc, all in place when they arrive for their first day of work.

## 11. Carri Brown: Motion to proceed with the plan by Fairfield County IT to implement Carbon Black, Office 365, and Cyber Security.

1 <sup>st</sup> Carri Brown	2 <sup>nd</sup> Branden Meyer	In favor 9	Opposed 0	Abstain 0
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## 12. Next Meeting: September 20, 2017, 2:00 PM, Commissioner Kiger's office

13. Adjourn	1 <sup>st</sup> Branden Meyer	2 <sup>nd</sup> Jillian Boone	In favor 9	Opposed 0	Abstain 0
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## Appendix A Data Board Voting Members

Fairfield County Resolution 95-11.16.d, which is based on ORC 307.84, and Resolution 11-12.06.b, establishes the Fairfield County Data Board and the voting members of that board.

ORC 307.84 specifically designates the following members, and Resolution 95.11.16.d restates the same members:

Fairfield County Treasurer or representative  
 Fairfield County Recorder or representative  
 Fairfield County Clerk of Courts of Common Pleas or representative  
 Fairfield County Commissioner or representative (chosen by the Board of Commissioners)  
 Fairfield County Board of Elections, two members or representatives of the board of elections (chosen by the board of elections one of whom shall be a member of the political party receiving the greatest number of votes at the most recent general election for the office of governor and one of whom shall be a member of the political party receiving the second greatest number of votes at such an election, if the board of elections desires to participate)  
 Fairfield County Auditor or representative (also designated as the secretary of the Data Board)

Resolution 11-12.06.b adds the following members:

Prosecuting Attorney or representative  
 County Engineer or representative  
 County Coroner or representative  
 Sheriff or representative  
 Judge of the Court of Common Pleas (selected by a majority vote of all Judges of the Court or representative)

The current composition of the voting members of the Data Board, and the Representatives that are often or usually in attendance, is as follows, as of 5/11/2017:

Office	Name	Present (P) Voting (V)	Representative	Present (P) Voting (V)
Voting Members (12 total)				
Auditor	Jon Slater		Randy Carter	
Board of Elections (Opposing Parties)	Jane Hanley		Beth Lane	
Board of Elections (Opposing Parties)				
Clerk of Courts	Branden Meyer		Kelly Turben	
Coroner	Thomas Vajen		Luann Davidson	
County Commissioner	Mike Kiger			
Engineer	Jeremiah Upp		Cheryl Downour Eric McCrady	
Judge	Richard Berens		Jillian Boone	
Prosecutor	Kyle Witt		Joshua Horacek Amy Brown-Thompson	
Recorder	Gene Wood		Lisa McKenzie	
Sheriff	Dave Phalen		Jerry Perrigo Jeneanne Smyers	
Treasurer	Jim Bahnsen		Michael Kaper Jennifer Effinger	
Total Voting Members Present (marked PV)				
Total Representatives Present But Not Voting (Marked P)				
Secretary				
Auditor	Mark Conrad			



**Commissioners:**  
Steven A. Davis  
David L. Levacy  
Mike Kiger

**County Administrator**  
Carri L. Brown

**Clerk**  
Rachel A. Elsea

**MEMORANDUM**

**TO:** Carri Brown, County Administrator; Fairfield County Data Board

**FROM:** Jeffrey D. Porter, Human Resources and Risk Management Director

**DATE:** April 6, 2017

**RE:** Fairfield County Human Resources and Fairfield County Health Benefit Plan; Protection of Protected Health Information

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In late 2016, Fairfield County opted to move to a self-funded program to offer health and wellness benefits to employees. The Fairfield County Health Benefit Plan (“Plan”) currently offers health, vision, dental, life, and short term/long term disability insurance to employees of Fairfield County. The Plan is managed by the Commissioners through the Human Resources Department. The Plan may receive and transmit medical and health plan records as part of the operations of the Plan. As such, the Privacy Rule of the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”) likely applies to the Plan as a covered entity or as a business associate of our contractors.

A copy of the Privacy Rule Summary is attached hereto as Exhibit “A”. The Privacy Rule protects all “individual identifiable health information” held or transmitted by a covered entity or business associate, in any form. This information is general referred to as protected health information. (“PHI”) Examples of PHI include past, present of future information related to a patient’s physical or mental condition. PHI also includes information on provision of health care services to an individual or past, present or future payment for such services.

Among other protections afforded and required by the HIPAA Privacy Rule, a covered entity must maintain reasonable administrative, technical and physical safeguards to prevent disclosure or use of PHI in violation of the rules. One avenue to protect PHI is to take reasonable steps to encrypt electronic data. Covered entities should continually assess the security of their electronic PHI and make necessary updates to security of such data.

Fairfield County IT and the Human Resources Department have reviewed the needs of the Plan related to the protection of PHI. The purchase of Office 365 is recommended in order to further protect PHI that may be associated with the operation of the Plan and the operation of certain HR functions such as workers compensation, life insurance, EAP, and other functions that could impact and require use of PHI. These functions impact all county employees. Office 365 offers encryption for data stored within the system and provides constant security updates to users of the system. The need to constantly update system security would be furthered with the use of Office 365.

Fairfield County IT and Human Resources proposes the implementation of Office 365 for county IT users as a contractual expense through the internal service fund which would constitute an administrative cost associated with the Plan. Additional articles regarding the protection and vulnerability of PHI are attached collectively as Exhibit (“B”).

**Conrad, Mark E**

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**From:** Porter, Jeffrey David  
**Sent:** Friday, May 12, 2017 11:31 AM  
**To:** Carter, Carl Randall (Randy); Conrad, Mark E  
**Cc:** Brown, Carri; Horacek, Joshua  
**Subject:** FW: PHI/ Office 365 Memorandum-Attorney Client Privileged Communication  
**Attachments:** MEMO Protected Health Information.docx

Gentlemen:

Carri asked I forward the memorandum I prepared related to protected health information and the purchase of Office 365. I have also included below the e-mails whereby I submitted the memorandum to the Prosecutor's office and the response.

Thanks much,

Jeff

Jeffrey D. Porter  
Director Fairfield County Human Resources and Risk Management  
210 E. Main Street Room 106  
Lancaster, OH 43130  
740-652-7895  
[jeffrey.porter@fairfieldcountyohio.gov](mailto:jeffrey.porter@fairfieldcountyohio.gov)

-----Original Message-----

From: Porter, Jeffrey David  
Sent: Tuesday, April 18, 2017 8:07 AM  
To: Horacek, Joshua S; Brown-Thompson, Amy L  
Subject: RE: PHI/ Office 365 Memorandum-Attorney Client Privileged Communication

Thanks much! I agree on the Data Board, I will talk to Carri about it.

Jeff

-----Original Message-----

From: Horacek, Joshua S  
Sent: Monday, April 17, 2017 12:26 PM  
To: Porter, Jeffrey David; Brown-Thompson, Amy L  
Subject: RE: PHI/ Office 365 Memorandum-Attorney Client Privileged Communication

Jeff,

I think this looks good, and I agree with the analysis. Technically, the Data Board needs to approve the purchase, so maybe you would want to consider a copy to the Data Board as well.

JH

-----Original Message-----

From: Porter, Jeffrey David

Sent: Friday, April 7, 2017 11:39 AM

To: Horacek, Joshua S; Brown-Thompson, Amy L

Subject: PHI/ Office 365 Memorandum-Attorney Client Privileged Communication

Josh and Amy:

I wanted to get your opinion on the attached memo to see if you had any thoughts. Per the discussion, we are hoping to move or migrate all users on to Office 365 to promote better protection of PHI which we receive as a result of HR functions.

Thanks much,

Jeff

Jeffrey D. Porter

Director Fairfield County Human Resources and Risk Management

210 E. Main Street Room 106

Lancaster, OH 43130

740-652-7895

[jeffrey.porter@fairfieldcountyohio.gov](mailto:jeffrey.porter@fairfieldcountyohio.gov)