

**A resolution to approve the agreement between the Fairfield County Board of Commissioners and the Fairfield County Transportation Improvement District to set the Fairfield County Data Board as the records commission for the Fairfield County Transportation Improvement District subject to the responsibilities outlined in this resolution.**

**WHEREAS**, pursuant to Sections 149.412(B) and 307.847(E) of the Ohio Revised Code, the Fairfield County Transportation Improvement District, hereinafter referred to as the "TID," upon mutual assent by the TID and the Fairfield County Board of Commissioners, may designate the Fairfield County Data Board, hereinafter referred to as the "Data Board", as the TID's records commission; and

**WHEREAS**, the TID desires to authorize the Data Board to exercise the duties and responsibilities of the TID's records commission as outlined in the Sections set forth below; and

**WHEREAS**, the Data Board is capable and willing to perform the duties and responsibilities of the TID's records commission as outlined in the Sections set forth below; and

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

**Section 1. TERM OF AGREEMENT.** This agreement shall be effective upon the signature of both parties and shall remain in effect until terminated by either party upon thirty days written notice being provided or until the statutory authority to enter into this agreement is abrogated or limited by statute.

**Section 2. THE TID'S RESPONSIBILITIES.** The TID agrees to:

- 1) Authorize the Data Board to exercise all of the duties and responsibilities of the TID's records commission;
- 2) Serve as the expert for the Data Board and provide guidance and advice to the Data Board concerning relevant laws, rules, codes, guidelines, and best practices regarding retention of records in its field of expertise, transportation improvement districts;

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- 3) Maintain ownership of the TID's records, even if they are housed in county assets, including but not limited to electronic equipment and physical storage facilities;
- 4) Follow the rules established in the approved TIDs RC-2 and the submitted RC-3 for retention and disposal of records; and
- 5) Submit to the Data Board applications for disposal and schedules of retention and destruction of records.

**Section 3. THE DATA BOARD'S RESPONSIBILITIES.** The Data Board agrees to:

- 1) Exercise all of the duties and responsibilities of the TID's records commission, subject to the expert advice of the TID;
- 2) Provide the TID with advice concerning relevant laws, rules, codes, guidelines, and best practices regarding basic record retention practice;
- 3) Perform public records functions that relate to establishing, reviewing, and revising records retention and destruction schedules, on behalf of the TID; and
- 4) Review all of the TID's applications for records disposal or transfer and all schedules of record retention, including one time disposal requests, and approve, reject, or modify the applications and schedules based on the administrative, legal, fiscal, and historical values of the records, and based on the expert advice regarding these records as provided by the TID.

**Section 4. COUNTY LIABILITY.**

- 1) The County and its employees and agents shall not be liable for any loss or damage of any kind and nature whatsoever to the records or documented information of the TID, notwithstanding that any such loss or damage may be caused in whole or in part by negligence or gross negligence of the County, its employees and agents.
- 2) The County and its employees and agents shall not be liable to the TID for any loss or damage of any kind that results from the County acting as

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records commission for the TID and that results from the Data Board carrying out its responsibilities as records commission for the TID.

Prepared by: Holly Mattei

cc: Data Board  
TID Board Members  
Commissioners

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**Fairfield County Commissioners**

**Fairfield County Transportation  
Improvement District**

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Steve Davis

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Holly Mattei, Chair

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Mike Kiger

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Jeremiah Upp, Treasurer/Secretary

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Dave Levacy