

A resolution to approve certain expenditures in connection with business meetings, training, and community engagement

WHEREAS, government entities may not make expenditures of *public monies* unless they are for a valid public purpose, and two main criteria demonstrate whether an expenditure is for a public purpose: First, the expenditure is required for the general good of all inhabitants; second, the primary objective of the expenditure is to further a public purpose, even if an incidental private end is advanced; and

WHEREAS, Fairfield County has historically provided for general fund or local dollar expenditures (and other sourced expenditures, such as grant expenditures, if in compliance with rules, regulations, terms and conditions) of simple food or refreshments in connection with business meetings (such as the Leadership Conferences or training sessions); and

WHEREAS, the general good obtained from the expenditure is efficient operations and attendance of employees at the business meetings or trainings, and while an incidental private end is advanced with simple food purchases, the primary objective is to further a public purpose; and

WHEREAS, certain community engagement activities, documented at the departmental level, would also require a purchase of simple food or refreshments in connection with how a promotion would be for the physical health, safety, morals, general welfare, security, prosperity, and contentment of all residents;

WHEREAS, the Ohio Attorney General indicated in Opinion 82-006 that because the determination of what constitutes a proper public purpose is primarily a legislative function, such decisions "...must be made in accordance with the procedural formalities governing the exercise of legislative power. Specifically, the decision must be memorialized by a duly enacted ordinance or resolution and may have prospective effect only,"

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

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Section 1. That the Fairfield County Board of Commissioners approves *general fund or local expenditures (or other sourced expenditures if in compliance with rules, regulations, terms and conditions)* of simple (*de minimis*) food or refreshments in connection with business meetings or trainings, including but not limited to the County Commission hosted leadership conference, JFS all staff meetings, and Human Resources sponsored trainings.

Section 2. The payment for such expenditures noted in Section 1 shall be supported by an agenda, attendance records, and/or summary of the business meeting or training –and- shall be processed within the normal, customary process.

Section 3. That the Fairfield County Board of Commissioners similarly approves expenditures from public funds for simple, *de minimus* food or refreshments, including candy, for community engagement activity, as long as the community engagement is summarized with expected costs and intended results (a one-page evaluation of the community engagement, those expected to attend, the expected costs, and the envisioned results of the engagement) prior to the purchase of the food or refreshments -and- as long as an appointing authority approves the expenditure prior to its purchase and notes that approval of the community engagement summary. (This documentation serves in the place of an agenda and summary of a meeting or training, as an agenda or summary of that nature would not be available.)

Section 4. This resolution is effective *June 22, 2021*, and replaces resolution 2015-05.07.j.

Cc: County Auditor Jon Slater

Resolution No. 2021-07.06.b

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(Fairfield County Commissioners)

Upon the motion of Commissioner Jeffrey M. Fix, seconded by Commissioner Steven A. Davis, this resolution has been Adopted:

Voting:

David L. Levacy, President	Aye
Jeffrey M. Fix, Vice President	Aye
Steven A. Davis	Aye

Board of County Commissioners
Fairfield County, Ohio

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.



Rachel Elsea
Board of County Commissioners
Fairfield County, Ohio