

MID-OHIO DEVELOPMENT EXCHANGE - TRAVEL, EDUCATION & TRAINING REIMBURSEMENT GRANT PROGRAM

Thank you for your interest in MODE's Travel and Education Reimbursement Grant Program!

The purpose of this program is to ensure that our Central Ohio Full public sector MODE professionals can continue to grow and best serve their individual communities and the Region. Professional development is important to ensuring that we remain current with the best practices, laws, and policies of our profession.

We have combined the previous travel and education applications into one. The travel and education chair will review your submission and determine if it meets our program policies and guidelines. Please read through the following policies and guidelines before completing your application.

After completing the application, please email the application along with estimates and/or receipts to the current Travel, Education and Training Chair. The Chair will review with a committee to make a determination.

Thanks again for your interest in the program!

MID-OHIO DEVELOPMENT EXCHANGE - TRAVEL, EDUCATION & TRAINING REIMBURSEMENT GRANT PROGRAM

EDUCATION & TRAINING

Education & Training Grant Eligibility

- a. Full public sector MODE members in good standing (current on its dues payment schedule).

Education & Training Grant Amounts and Budget

- a. All requests must be made within the budget as annually set by the MODE Board of Directors.
- b. The Board has the discretion to establish education & training grant priority based upon budgetary constraints.
- c. The maximum dollar amount received by a community and the employees of that community annually cannot exceed 75% of the member community's annual dues for both travel and education/training.

Education & Training Grant Application and Reimbursement Request Process

- a. Applications must be submitted to the current Travel and Education Chair a minimum of 45 days before a course or professional development program/event with all supporting estimates and/or invoices.
- b. Each application will be reviewed by the Chair who will provide final approval of the request.
- c. Post-training, approved members must submit proof of incurred expenses and proof of payment up to the approved education & training grant reimbursement amount to the MODE Travel and Education Chair who will provide the documents and a request for reimbursement from the MODE Treasurer to the member community.
- d. If reimbursement is to be paid directly to an individual rather than the member's employer, the member must submit a letter from the employer confirming that the employer will not be reimbursing the eligible expenses submitted in the MODE reimbursement application.
- e. No reimbursement shall be offered to members who do not complete the approved education & training program.

Education & Training Grant Eligible Expenses

- a. Priority is given to programs that award credit towards professional certification in economic development-related professions.
- b. Approved education & training provider organizations are:
 - IEDC
 - OEDA/OEDI
 - MAEDC
 - CDFA
 - NREDA

MID-OHIO DEVELOPMENT EXCHANGE - TRAVEL, EDUCATION & TRAINING REIMBURSEMENT GRANT PROGRAM

- OUED
 - Any university/college economic development educational programming/courses.
- c. Webinars, conferences, and training courses are all acceptable training and professional development delivery models.
- d. ELIGIBLE REIMBURSEMENTS: The cost of the conference/course/class (early-bird registration costs are preferred).
- Additional costs for out-of-town courses including air fare and overnight accommodations also will be eligible for reimbursement depending on how remote the location. Air and hotel costs incurred no more than one day prior to and one day after the conference/course are eligible to allow travel time to and from the destination of the conference/course.
- e. NOT ELIGIBLE FOR REIMBURSEMENT: food, beverages, or other travel incidentals (airport parking, checked baggage fees, gas, mileage, taxis, tips, shuttle service, etc.).
- f. The member attending the course/conference shall make every attempt to make travel arrangements well in advance in order to minimize travel expenses. The Board reserves the right to make partial reimbursement if the aforementioned item is not satisfied.

TRAVEL

Travel Grant Eligibility

- a. Funds can only be used by Economic Development professionals who belong to full, public sector MODE organizations. Other representatives from a community including, but not limited to city council people, commissioners, etc. are NOT eligible to apply.
- b. Recipients of travel grants must be Full, public sector MODE members in good standing with MODE.
- c. Travel grant requests MUST be for business missions initiated by One Columbus.
- d. The grant program can only be used by a MODE organization member community for a maximum of two domestic trips and one international trip per year until (c.) is met in Travel Grant Amounts and Budget.

Travel Grant Amounts and Budget

- a. All requests must be made within the budget as annually set by the MODE Board of Directors.
- b. The Board has the discretion to establish Mission priority based upon budgetary constraints.
- c. The maximum dollar amount received by a community and the employees of that community annually cannot exceed 75% of the member community's annual dues for both travel and education/training with a maximum of \$5,000 per Mission until the annual program budget has been spent.
- d. The approved eligible traveler is required to contribute at least 25% of the total costs

MID-OHIO DEVELOPMENT EXCHANGE - TRAVEL, EDUCATION & TRAINING REIMBURSEMENT GRANT PROGRAM

plus incidental expenses as defined below in Travel Grant Eligible Expenses.

Travel Grant Application and Reimbursement Request Process

- a. Applications must be submitted to the Travel and Education Chair a minimum of 45 days before a trip with all supporting estimates and/or invoices.
- b. Each application will be reviewed by the Chair who will make a recommendation to the MODE President who will provide final approval of the request.
- c. Post-travel, approved mission members must submit proof of incurred expenses and proof of payment up to the approved travel reimbursement amount to the MODE Travel and Education Chair. The Chair will submit documentation and request the MODE Treasurer to reimburse the member community.
- d. If reimbursement is to be paid directly to an individual rather than the mission member's employer, the member must submit a letter from the employer confirming that the employer will not be reimbursing the eligible expenses submitted in the MODE reimbursement application.
- e. No reimbursement shall be offered to members who do not complete a scheduled Mission.

Travel Grant Eligible Expenses

- a. Mission expenses eligible for MODE mission travel reimbursement shall include:
 - Reasonable hotel expenses
 - Reasonable travel expenses as determined by the MODE President
 - Miscellaneous expenses associated with travel to the destination (i.e. airline fees)
- b. If individual travel arrangements substantially deviate from those of One Columbus (i.e. longer stays, etc.), the Board shall reimburse only the lesser costing option.
- c. Mission members shall be responsible for incidental expenses (i.e. food and entertainment).
- d. Mission members shall make every effort to make travel arrangements well in advance in order to minimize travel expenses. The Board reserves the right to make partial reimbursement if the aforementioned item is not satisfied.

Special Circumstances

- a. There may be special circumstances where the timeframe or the dollar amounts need to be adjusted due to market needs. The grantee may request this and this can be approved by a majority vote of the MODE Board or a majority vote of the MODE Executive Committee upon a special meeting.

MID-OHIO DEVELOPMENT EXCHANGE - TRAVEL, EDUCATION & TRAINING REIMBURSEMENT GRANT PROGRAM

EXHIBIT B

MEMORANDUM

TO: GENE HOLLINS

FROM: DALE COOK

DATE: MAY 3, 2012

RE: PAYMENT OF TRAVEL EXPENSES OF MODE MEMBERS BY COLUMBUS 2002 UNDER OHIO ETHICS LAW

This is a preliminary opinion. The only way to get a definitive opinion is to request an advisory opinion from the Ohio Ethics Commission. A drawback of such an advisory opinion is that it is publically available on line.

I. FACTS

MODE is an organization made up primarily of local development directors, who are employees of various municipalities or local governments. It pays fees to Columbus 2020 which is a nonprofit organization organized as a business league for the purpose of promoting economic development in Columbus, Ohio. I do not know the specific nature of the travel at issue, which would be helpful.

II. ISSUE

Whether the Ohio ethics statutes prohibit the paying of travel expenses of MODE members by Columbus 2020.

III. CONCLUSION

The payment of the travel expenses of MODE members by Columbus 2020 is permissible as long as the travel expenses are for official business or collaborative efforts to foster economic development in Ohio and any reimbursement does not exceed the actual and necessary costs of the expenses incurred by the MODE member.

MID-OHIO DEVELOPMENT EXCHANGE - TRAVEL, EDUCATION & TRAINING REIMBURSEMENT GRANT PROGRAM

IV. LAW AND DISCUSSION

In 1995, the Ohio Ethics Commission issued an advisory opinion November 95 – 005 which addressed the issue of whether a government official’s travel expenses could be paid by a nonprofit corporation to which the Department of Education paid dues. The Commission said the reimbursement for travel expenses was permissible under certain circumstance

The payment or reimbursement of expenses related to travel, meals, and lodging by Columbus 2020 to the MODE members implicates R.C. 102.03(E), which states:

No public official or employee shall solicit or accept anything of value that is of such a character as to manifest a substantial and improper influence upon him with respect to his duties.

It appears that the development directors are public employees pursuant to Ohio Revised Code § 102.03 and that the reimbursements are “anything of value”. Revised Code § 102.03(E) has been consistently held to prohibit a public official from receiving anything of value from a party that is doing business or seeking to do business with a public official.

The issue then becomes whether MODE members are doing business with Columbus 2020. The members do not appear to be doing business with Columbus 2020. Columbus 2020 is not a traditional vendor seeking approval of a product or contract; rather, they are working with MODE in a collaborative effort to foster economic development. There is no indication in the facts that I have been presented that the payment of these expenses would constitute an improper influence on MODE members in their positions as development directors.

The payment of a public official’s expenses by a source other than the official’s or public agency also involves the prohibitions of R.C. 2921.43(A), which state:

- (A) No public servant shall knowingly solicit and no person shall knowingly promise or give to a public servant either of the following:
 - (1) Any compensation, other than allowed by divisions (G), (H), and (I) of section 102.03 of the Revised Code or other provisions of law, to perform his official duties, to perform any other act or service in the public servants; public capacity, for the general performance of the duties of the public servant’s public office or public employment, or as a supplement to the public servant’s public compensation;
 - (2) Additional or greater fees or costs than are allowed by law to perform his official duties.

The payment of expenses has been held to be compensation under this status. There

MID-OHIO DEVELOPMENT EXCHANGE - TRAVEL, EDUCATION & TRAINING REIMBURSEMENT GRANT PROGRAM

are exceptions one of which is in R.C. 102(1) which states:

A public official or employee may accept travel, meals, and lodging or expenses or reimbursement of expenses for travel, meals, and lodging in connection with conferences, seminars, and similar events related to this official duties if the travel, meals, and lodging, expenses, or reimbursement is not of such character

MID-OHIO DEVELOPMENT EXCHANGE - TRAVEL, EDUCATION & TRAINING REIMBURSEMENT GRANT PROGRAM

as to manifest a substantial and improper influence upon him with respect to his duties.

The exception of R.C. 102.03(A) must be applied in conjunction with the more general prohibitions in R.C. 102.03(E).

As MODE pays dues or some type of payments to Columbus 2020, the payment of expenses will not be such a character as to manifest substantial and improper influence on the member. See, Advisory Opinion Number 95 – 005. Consequently, R.C. 2921.43(A) does not prohibit receipt of expenses by MODE members as long as the amount is not in excess of what is necessary for conducting essential official business.