

STATE OF OHIO
OFFICE OF THE INSPECTOR GENERAL

RANDALL J. MEYER, INSPECTOR GENERAL

REPORT OF
INVESTIGATION



AGENCY: OHIO DEPARTMENT OF NATURAL RESOURCES
FILE ID NO.: 2019-CA00022
DATE OF REPORT: SEPTEMBER 12, 2019

The Office of the Ohio Inspector General ... The State Watchdog

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Randall J. Meyer
Ohio Inspector General



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REPORT OF INVESTIGATION

FILE ID NUMBER: 2019-CA00022

SUBJECT NAME: Jason Love

POSITION: Dredge Operator 1

AGENCY: Ohio Department of Natural Resources

BASIS FOR INVESTIGATION: Complaint

ALLEGATIONS: Criminal Conduct;
Violating State Policies

INITIATED: June 6, 2019

DATE OF REPORT: September 12, 2019

INITIAL ALLEGATION AND COMPLAINT SUMMARY

The Office of the Ohio Inspector General received a notification of suspected illegal activity from the Ohio Department of Natural Resources (ODNR) involving one of its employees. ODNR alleged that Dredge Operator 1 Jason Love submitted a falsified sealed bid using his father's name in order to purchase a 250-horsepower boat motor being auctioned by ODNR. Love also was alleged to have forged his father's name on a hand receipt when picking up the motor from ODNR.

BACKGROUND

The Ohio Department of Natural Resources (ODNR) is charged with overseeing the use, preservation, and conservation of the state's natural resources through a wide variety of recreational and regulatory programs. The department's areas of responsibility include Ohio's wildlife, forests and other natural areas, state parks, inland lakes and waterways, geological and mineral resources, and the Lake Erie coastline. The department also regulates the issuance of hunting and fishing licenses and watercraft registrations and enforces provisions of state law related to natural resources and conservation. Overall, the department is responsible for more than 640,000 acres of land and over 120,000 acres of inland waters.¹

Applicable ODNR policy

The Ohio Department of Natural Resources' Division of Parks and Watercraft, Inventory Retirement Procedure, provides the process for disposal of excess supplies and equipment and states, in part;

The disposal of items with remaining useful life or surplus items with a value of \$100 or more is done by a sealed bid process. Park staff will maintain an email list of interested bidders. When an item or items are available, the park will send an email to all email addresses on the list. The email will include a description of the items, photos of the items, the date and time by which any sealed bids must be received, and the address to which the bids should be sent or delivered by hand. At the deadline, the park manager or designee along with at least one other individual will open the bids. A spreadsheet

¹ Source: Biennial budget documents and ODNR website.

containing all bids will be prepared by the park staff and signed by the manager or designee and any other staff present at the opening. The bidder who offers the highest amount will receive the item(s). Items not picked up and/or paid within five days shall be offered to the next highest bidder.

Employees of the division shall not bid on or receive items auctioned or disposed of in any manner by the Division of Parks and Watercraft including scrap or other unusable items, regardless of which park or facility is conducting the auction. This includes immediate family members of employees that live in the same household. An employee may not use any type of proxy to bid on behalf of the employee.

INVESTIGATIVE SUMMARY

The ODNR Division of Parks and Watercraft's statewide dredging center, located at the south construction site in Bainbridge, Ohio, held a sealed bid auction of surplus items. The auctioned items included diesel motors, boat motors, trailers, snow blades, and various other surplus items belonging to the Division of Parks and Watercraft. An advertisement was placed in local newspapers and at the south construction site office on March 14, 2019, announcing the items being auctioned. The notice advised potential bidders that April 11, 2019, would be the deadline for submitting sealed bids; that the bids would be opened on April 15, 2019; and that the winning bidders would be notified no later than April 17, 2019. Those submitting bids were also notified that all items purchased were to be paid for and removed from the site by April 25, 2019.

(Exhibit 1)

On May 31, 2019, the Ohio Department of Natural Resources notified the Office of the Ohio Inspector General of the alleged wrongdoing on the part of employee Jason Love. On June 11, 2019, investigators contacted ODNR Program Administrator Brandon Jacobson of the Division of Parks and Watercraft warehouse, whose duties include the oversight of the division's equipment disposal. Jacobson said that on April 30, 2019, he called Joe May, the listed buyer for a boat motor that was sold at a local auction, to ask if he needed information on how to obtain a

title² for the boat motor he purchased. May told Jacobson that he did not purchase a boat motor and did not even own a boat. Jacobson asked May if he knew how his name and telephone number were placed on the Division of Parks and Watercraft's sealed bid form. May replied, "No," but then added that his son, Jay, worked for ODNR as a dredge operator.

Jacobson said that a couple hours later, while on his way to the south construction site, he received a telephone call from Jason Love stating that he and his brother had purchased the boat motor and were going to give it to their father, Joe May, as a gift and that is why his father was not aware of the purchase. Jacobson added that after he had arrived at the south construction site, he spoke with ODNR Professional 2 Carolee Evans about the boat motors that needed title letters. Evans reported that all the auction items had been paid for and picked up. Jacobson said that he questioned Evans specifically about the boat motor sold to Joe May. Evans told Jacobson that when Joe May picked up the boat motor, he had Natural Resource Officer Adam Somerville with him. Evans said Somerville performed an inspection on the motor, so that May could receive a title for the motor. Evans told Jacobson she did not check the identification of the individuals picking up the auctioned items. Evans provided Jacobson with a copy of the receipt for the motor issued to Joe May. Jacobson said he then reviewed all the payments made for the items that were sold and determined that the boat motor in question was paid for in cash in the amount of \$168.16 (\$157.16 + \$11.00 tax).

On June 18, 2019, the Office of the Ohio Inspector General interviewed ODNR Professional 2 Carolee Evans at the south construction site. Evans explained that she and Dredge Operator 2 Michael Snider oversaw the April 2019 Division of Parks and Watercraft's sealed bid auction of 45 items. Evans was provided a copy of the receipt for the boat motor that showed Joe May's signature as the recipient. Evans admitted that she completed, in advance, all of the receipts for the items sold, and when the purchasers came and paid for the items, the receipts were issued. However, Evans told investigators that she did not meet Joe May, did not call to notify him that he was the winning bidder for the boat motor, and did not collect the money from him or provide

² Boat motors purchased by the State of Ohio are not titled while owned by the state. When the boat motor becomes the property of an individual, the boat motor's serial number is inspected, and documentation is given to the new owner to obtain an Ohio title.

him with the receipt. Evans also denied writing Joe May's signature on the receipt. When asked who collected the money and issued the receipt to Joe May, Evans said, "I don't know." When asked who else could have collected the money and issued the receipt, Evans said Snider could have, because Snider handled the Watercraft items at the auction and she handled the Parks items.

Evans told investigators that Snider was not present at the south construction site during the time of her interview. Investigators showed Evans a picture of the subject of the investigation, and she identified the person as Jason Love. Evans was then shown a picture of another subject. Evans told investigators that she believed the photo was that of Joe May and added that she did not personally know him. However, Evans noted she knew the second picture was of Joe May because she was friends with Love on Facebook. Evans said that when she was first questioned by Jacobson about the boat motor, she went to Love's Facebook page and discovered the connection to Joe May. Evans added that Natural Resource Officer Adam Somerville conducted the inspection of the boat motor in order to obtain a title.

On June 18, 2019, investigators interviewed Natural Resource Officer Adam Somerville at the Rocky Fork State Park office. Somerville said that on April 25, 2019, at the Rocky Fork State Park office, he met Evans and an unknown male who said he was from the Buckeye Lake branch of the south construction unit. Investigators showed Somerville a photo of Jason Love and he identified him as the unknown male he had met. Somerville said Evans and Love told him that they had sold a boat motor in a scrap sale, and when the buyer attempted to obtain a title, the title office told the buyer that they were unable to provide one because state motors are not titled, they just come with a sheet of origin. Somerville told investigators, "So, they needed me to go inspect the motor so ODNR could issue a letter to the buyer of the motor, and he could then get a title." Somerville said he then told Evans and Love that he would meet them at the south construction lot some time later. Somerville said that he went to the south construction lot at 1:54 p.m. and was there until 4:06 p.m. Somerville said the motor was laying on a skid and he was not able to view the motor's serial number because it was located on the underside. Love used a front-end loader and chains and lifted the motor, making the serial number visible. Somerville completed the inspection form and emailed it to Michelle Delong at the ODNR

central office, and copied Evans on the email in case there were any issues. Somerville listed the owner of the motor as “ODNR South Construction” on the inspection form. Somerville said he did not witness any money exchanged, or a receipt issued for the motor, and did not request any identification from Love because it was an ODNR motor. Somerville told investigators Love represented himself as an ODNR employee and he was operating an ODNR front-end loader.

Investigators returned to the south construction site to question Evans further regarding inconsistencies in her previous statement to investigators and statements she made to Jacobson. Evans did not inform investigators that she and Love had gone to Rocky Fork State Park to ask Somerville to conduct the Vehicle Identification Number (VIN) inspection of the boat motor. In the statement Evans made to Jacobson on April 30, 2019, Evans said that when Joe May picked up his boat motor, he had Somerville with him. Evans said, “... this is to the point where this is effecting me, I would like it all to come out because I don’t want my job to be in jeopardy because of somebody else thinking they needed to do this.” Evans said, “I went over this in my head, Mr. Love asked me if he could have something typed up for the guy who was picking up the boat motor.” Evans said she typed up a blank sheet of paper with the name of the purchaser (Joe May) and the item number, which she completed for all of the purchasers. Evans admitted that she gave Love the typed sheet with Joe May’s name on it.

Evans provided investigators with a copy of her calendar displaying the dates associated with the auction, a copy of the notice placed in the newspaper, and a copy of her handwritten log of items sold, particularly showing bidder #13 as Joe May and item #20 as the boat motor, and the purchase marked PAID. Evans admitted that she marked bidder #13’s purchase as PAID on her handwritten log, but could not explain how she would have known to make that notation if she did not collect the payment and issue a receipt. Evans then said she was not in the office when some of the items were picked up.

On June 21, 2019, investigators contacted Evans by telephone to ask which newspapers carried the notice of the auction. Evans said the notice was placed in the Highland County Press, The Times-Gazette, and in the south construction office, but did not know the dates the notices were either printed or posted. Later, Evans called investigators back to report that the notices of the

auction were placed in The Times-Gazette, the County Shopper, and the south construction office on March 14, 2019. Evans told investigators that she felt the blame for this matter was being placed all on her. Investigators reminded Evans that she had previously reported that she completed all of the receipts in advance for the items sold, but then said she did not sign Joe May's name on the receipt, did not provide him with the receipt, and did not collect the money from him. Investigators told Evans that if she knew who did these actions, that she needed to report it to them. Evans stated, "Mike Snider said he took care of Joe May."

After the second phone conversation had ended, Evans again called investigators to add that in the past week Jason Love came into her office and asked, "did I get you in trouble?"

On June 25, 2019, investigators interviewed Joe May in Akron, Ohio. May stated he did not complete the sealed bid sheet to purchase the boat motor but said, "I didn't my son did ... they got it for me for Father's Day." When asked how he became aware of the boat motor, he said his sons Scott and Jay told him and that they had coordinated the purchase. May told investigators ODNR had called him about the motor and he told them he was not aware of the purchase. May said no one called to notify him that he had won the bid to purchase the boat motor, and added that someone may have contacted his sons Jay or Scott. May verified that the phone numbers listed on the bid sheet were his home and cell phone numbers and confirmed that the signature on the receipt for the boat motor was not his.

On July 8, 2019, investigators interviewed Dredge Operator 1 Jason Love at Buckeye Lake State Park. Love was asked to explain his role in the ODNR Division of Parks and Watercraft auction of surplus state equipment that had occurred in April 2019. Love said he worked at the south construction site, moving the various items to be auctioned into lots prior to the auction, and then after the auction helped to load the items that were sold.

Love admitted to investigators that he submitted the bid for the boat motor and entered his stepfather Joe May's name on the bid sheet. Love confirmed that he went with Carolee Evans to the Rocky Fork State Park office to get the VIN inspection of the boat motor completed so they could then obtain a title. Love stated he asked Somerville to conduct the inspection and

Somerville came to the south construction site. Love said Somerville conducted the VIN inspection with the help of Love who used a front-end loader to lift the motor to make the VIN visible.

Love asked investigators, “you want to know the general story?” and continued by stating that he was talking to his father several months before the auction and told him about some of the items that were available. Love said his father indicated he would like to have a newer motor for his boat. A couple days after that conversation, Love said his brother Scott called him and asked what it would take to buy the boat motor and what it was worth, because their dad really wanted it. Love said he told Scott, “whatever you could scrap it for, maybe \$150.” Love stated that Scott told him to submit a bid for the boat motor and then sent Love the money for the purchase. When investigators asked Love if his earlier estimate for scrapping the boat motor was how he came up with the \$157.16 bid, he replied, “yes but I have learned you never bid an even amount.” Love admitted he wrote Joe May’s name on the bid sheet. After the bid period was closed, Love said he asked Evans who won the boat motor, and she told him Joe May. Love said he then used his brother’s money to pay Evans for the motor and didn’t think any more about it. Love said he signed Joe May’s name on the receipt.

Love said that when the sold items became available for pick-up from the south construction site, he went to Evans to inquire about how to obtain a permit. She told him to speak to a woman at Rocky Fork State Park. Love said he and Evans drove to Rocky Fork State Park where he contacted Somerville and asked him if he could meet them and complete the VIN inspection needed to obtain the title. Love told investigators he knew the inspection occurred on Thursday, April 25, 2019, because his work week ends on Thursday. Love said his brother came to the construction site later that day to pick up the motor. Love said the motor was supposed to be a Father’s Day gift to his dad, but he did not have the money at the time, so his brother gave him the money for the purchase while he facilitated obtaining the motor.

Love questioned the meaning of the ODNR policy that prohibits ODNR employees from bidding on items to be auctioned or the use of any type of proxy to bid on behalf of the employee. Love

said, "... these people are 200 miles away from me and I understand that they said no immediate family. I don't consider 200 miles away immediate family."

CONCLUSION

In April 2019, ODNR's Division of Parks and Watercraft conducted a sale of 45 surplus property items through a sealed bid auction after placing a notice of the auction in local newspapers. The sealed bids were opened on April 15, 2019, and the successful bidders were notified by April 17, 2019. ODNR Dredge Operator Jason Love was involved in the preparation of the auction, placing various items into lots at ODNR's south construction site. Love, when speaking with his stepfather Joe May, informed him about a boat motor that was available for sale at the auction. May expressed interest in the boat motor to Love's brother, who then asked Love to submit a bid for the motor. Love admitted that he submitted a bid for the boat motor in Joe May's name. After the bid process was completed, Love learned that his bid using the name of Joe May had been accepted for the purchase of the boat motor. Love paid the \$168.16 (\$157.16 + \$11.00 tax) in cash for the boat motor and signed the receipt as Joe May, in violation of ODNR's Inventory Retirement Procedure.

Accordingly, the Office of the Inspector General finds reasonable cause to believe a wrongful act or omission occurred in this instance.

RECOMMENDATION(S)

The Office of the Ohio Inspector General makes the following recommendations and asks the director of the Ohio Department of Natural Resources to respond within 60 days with a plan detailing how the recommendations will be implemented. The Ohio Department of Natural Resources should:

1. Review the actions of the employees involved and determine whether administrative action is warranted.

REFERRALS

The Office of the Inspector General is forwarding this report of investigation to the Highland County Prosecuting Attorney for consideration.



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RANDALL J. MEYER, INSPECTOR GENERAL

NAME OF REPORT: Ohio Department of Natural Resources

FILE ID #: 2019-CA00022

KEEPER OF RECORDS CERTIFICATION

This is a true and correct copy of the report which is required to be prepared by the Office of the Ohio Inspector General pursuant to Section 121.42 of the Ohio Revised Code.

Jill Jones
KEEPER OF RECORDS

CERTIFIED
September 12, 2019

MAILING ADDRESS

OFFICE OF THE INSPECTOR GENERAL
JAMES A. RHODES STATE OFFICE TOWER
30 EAST BROAD STREET – SUITE 2940
COLUMBUS, OH 43215-3414

TELEPHONE

(614) 644-9110

IN STATE TOLL- FREE

(800) 686-1525

FAX

(614) 644-9504

EMAIL

OIG_WATCHDOG@OIG.OHIO.GOV

INTERNET

WATCHDOG.OHIO.GOV