

JAMES N. TURNER
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PROFILE: Professional individual with diverse substantive and managerial experience and an outstanding record of enthusiasm, creativity, achievement, flexibility, and responsiveness to a rapidly changing environment. Recognized for leadership based on teamwork and consensus, integrity, reliability, effective verbal and written communication skills, productive professional relationships, diplomatic inter-personal and problem solving skills, strategic planning, risk recognition and management, analytical capacity, and positive energy.

EXPERIENCE:

Ohio Department of Commerce: 1994 to 2007:

- Deputy Director and Chief Legal Counsel: Served since 1998 as Chief Counsel and Ethics Compliance Officer to a state cabinet agency with nine divisions and annual revenues over \$642 million. Responsible for agency relationships with the offices of the Ohio Attorney General, Inspector General, State Highway Patrol and Ethics Commission, in-house oversight of all litigation and administrative investigations, member of department internal audit committee, and approval review of all departmental contracts, public records responses, legislation and administrative rules.
- Positions variously held in addition to serving as Chief Legal Counsel:
 - a. Acting Commissioner of Securities, June 2006 to February 2007 – Managed division regulating state securities broker-dealer, salesperson and investment advisor licensing, public offering registrations and enforcement.
 - b. Acting Superintendent of Real Estate and Licensing, March 2005 – Managed division regulating real estate brokers, salespersons, and appraisers.
- Acting Chief Legal Counsel, 1998-1999.
- Deputy Chief Legal Counsel, 1994-1998.
- Positions variously held in addition to serving as Deputy Chief Legal Counsel:
 - a. Division Counsel: Consumer Finance & Licensing, State Fire Marshal, and Industrial Compliance;
 - b. Acting Superintendent, Division of Consumer Finance & Licensing: Managed division regulating 11 financial services industries.
- Registered Executive Agency Legislative Agent

City of Toledo, Department of Law: 1982 to 1994:

- Assistant Director, General Counsel Section – 1991 to 1994.
- Senior Attorney, General Counsel Section – 1985 to 1991.
- Assistant Prosecuting Attorney, Criminal Division – 1982 to 1985.

General Counsel Responsibilities: administrative and litigation representation for real estate operations and transactions, economic development initiatives and transactions, federal HUD grant enforcement, eminent domain acquisitions, zoning, land use planning representation and legislation, annexations, building and fire code enforcement; historic district regulation and representation; counsel to Board of Zoning Appeals, Board of Building Appeals, Toledo-Lucas County Plan Commission and City Council Committee of the Whole for Zoning and Planning; administrative appeals litigation; and general litigation from Common Pleas to the Ohio Supreme Court.

Private Civil Practice, Toledo, Ohio: 1980 to 1993: Part-time civil practice prior to and concurrent with service to Toledo in commercial and residential real estate; environmental due diligence; zoning, land use planning; and annexations for governments other than Toledo.

Title Examiner, Louisville Title Agency for Northwest Ohio, 1976 - 1980.

PROFESSIONAL QUALIFICATIONS:

Bar Admissions and Memberships: Ohio, 1978; Michigan, 1979; Federal Courts, 1979; Ohio State Bar Association; State Bar of Michigan; and Columbus Bar Association

EDUCATION:

Denison University, Granville, Ohio; B.A., Economics, 1974
University of Toledo, College of Law, Toledo, Ohio; J.D., 1978

ACTIVITIES:

- Columbus Landmarks Foundation Board of Trustees, 1997-2000 and 2007-2010: Board President, 1999-2000.
- Member: Columbus Board of Historic District Commission Appeals, 2004 - 2007
- Member: Columbus Museum of Art, Columbus Metropolitan Club, Culver Club of Central Ohio, Crichton Club, Hoover Sailing Club and Denison University Alumni Club.

Second Language: Spanish

Technical Proficiencies: Microsoft Office Suite (Outlook, Word and Excel); legal research in both Lexis Nexis and Westlaw; trained in PowerPoint and PhotoShop.

REPRESENTATIVE ACHIEVEMENTS

A. City of Toledo:

- Negotiated and closed the assembly and acquisition of 1400 acres for economic development within a purchase budget of \$14.3 million; negotiated and authored the Joint Economic Development Zone Agreement between Toledo, another city and the affected township to resolve the annexation dispute concerning the land acquired.
- Designed and implemented communication and action processes between city and county agencies for a municipal land re-utilization program.
- Negotiated the development agreement with four governments and three private entities, assembled and acquired 50 acres within a \$9.0 million project budget to retain a major corporate world headquarters on the downtown riverfront.
- Managed legal program to enforce deed covenants in HUD grant programs and conducted all city eminent domain, zoning and land use planning litigation.
- Lead counsel in negotiation and litigation for multiple governments in locating the Burlington Air Cargo Hub facility and turnpike interchange at Toledo Express Airport and in planning, negotiation and litigation for multiple governments and the University of Toledo in developing a regional "Rails to Trails" metro park.

B. State of Ohio:

- Counsel to administration management team charged with oversight of physical plant rehabilitation and renovation at Central State University resulting from agency enforcement of state building and fire codes.

C. Activities:

- Represented Columbus Landmarks Foundation on the City Council Working Group that wrote the first design-based zoning code for downtown Columbus, and as President of Foundation Trustees led the organization and implementation of the first "City Hop", now a major Columbus event that showcases downtown living.

SELECTED PUBLICATIONS AND PRESENTATIONS

A. City of Toledo:

- Presentations to National Association of Independent Fee Appraisers:
 - a. "Condemnation Appraising and Testimony", February 1988.
 - b. "Testimony in Court and the Real Estate Appraiser", February 1989.

- "The Interplay Between Environmental and Eminent Domain Laws in Real Estate Acquisitions for Infrastructure Development":
 - a. National Institute of Municipal Law Officers, Washington, D.C., April 1989.
 - b. 13th Annual Inland Spills Conference sponsored by Ohio EPA and the Spill Control Association of America; Toledo, Ohio, September 1989.
 - c. Published: Gotherman's Ohio Municipal Service, Vol. 1, Issue 4, 1989, Banks-Baldwin Law Publishing Co.
- "Environmental Aspects of Municipal Real Estate Development Transactions": Ohio Municipal Attorney's Association, December 1990.
- "Avoiding Municipal Liability for Negligence: The Public Duty Rule and its Special Duty Exception":
 - a. Ohio Municipal Attorney's Association, December 1989.
 - b. Published in two-part series: "Strategies for Avoiding Municipal Liability in Negligence, Part I - Discretionary Function Immunity, Part II - The Public Duty Rule"; Gotherman's Ohio Municipal Service, Vol. 4, Issues 5-6, 1992, Banks-Baldwin Law Publishing Co.
- "Administrative Appellate Practice Under R.C. Ch. 2506: A Zoning Application": Ohio Municipal Attorney's Association, December 1993.

B. State of Ohio:

- "Administrative Appellate Procedure in Ohio": administrative law symposium at the University of Findlay, 1996.
- The Ohio Administrative Procedures Acts, R.C. Chapters 119 and 2506: presentation to the Supreme Court of Ohio Judicial College, December 2000.
- Presenter for commercial seminars on the Ohio Administrative Procedures Acts and Ethics Regulation of Real Estate Professionals in Ohio, April, 2005 and on the Ohio Administrative Procedures Acts, Ethics Regulation of Public Officials and Government Contractors, and Panelist on the Effect of *Kelo v. City of New London* on Ohio Eminent Domain Practice, August 2005.
- Speaker at The Ohio State University Fisher School of Business on "Leadership, Values & Decision Making in the Public Sector", March 2006.
- Speaker to The Central Ohio Association of Corporate Counsel on "Ethics Issues in the Public Sector", November 2006.

References are available on request