

Harrison Hills City Board of Education

Emergency Board Meeting April 30, 2018

The Harrison Hills City Board of Education met in emergency session on April 30, 2018 at 5:00 pm at the administrative office in Cadiz, OH. The purpose of the meeting was to discuss economic development and to take possible action (required to meet a deadline). The following board members were in attendance: Mrs. Kenny, Mr. Allen, Mr. Madzia, Mrs. Mattern and Mr. Watson. An audio tape of the meeting is on file.

President Presides: Mrs. Kenny called the meeting to order and led the board in the Pledge of Allegiance.

Visitors

The following is a list of those visitors that signed in: Paul Coffland, Mike Chadsay and Chris Schmenk.

Executive Session

Mr. Allen made the motion, seconded by Mr. Madzia, that the board adjourn at 5:08 pm into executive session per ORC 121.22 (g)(8) concerning economic development. On roll call vote: Mr. Allen, yes; Mr. Madzia, yes; Mrs. Mattern, yes; Mr. Watson, yes; Mrs. Kenny, yes. The president reconvened the meeting at 7:47 pm.

Board Action

Mr. Allen made the motion, seconded by Mr. Madzia, that the board approve a resolution approving tax exemptions for private improvements to real property to be authorized as part of an enterprise zone within the Village of Cadiz in Harrison County and waiving certain notices in connection therewith.

WHEREAS, the Ohio Enterprise Zone Act ("The Act"), under Ohio Revised Code Section 5709.61 through 5709.66, has authorized counties, with the consent and agreement of affected municipalities therein, to designate areas as Enterprise Zones and to execute agreements with certain enterprises for the purpose of establishing, expanding, renovating, or occupying facilities and hiring new employees and preserving jobs within said zones in exchange for specified local tax incentives granted by the County; and

WHEREAS, the Board of County Commissioners for Harrison County, Ohio (the "County"), by Resolutions No. 88-06 and 95-4 passed May 23, 1988 and March 14, 1995 respectively designated the entire

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geographical area of the County as an enterprise zone (the "Enterprise Zone") pursuant to Ohio Revised Code ("R.C.") Sections 5709.61 - 5709.69 (the "Enterprise Zone Act") and declared that incentives for business will enhance efforts to promote the viable and diverse economic activity necessary for rejuvenation of the Enterprise Zone; and

WHEREAS, the Village Council of the Village of Cadiz, Ohio (the "Village"), by Resolution No. 94-92 passed December 15, 1994 consented to the establishment of the Enterprise Zone; and

WHEREAS, effective in May 1995, the Director of Development of the State of Ohio certified the Enterprise Zone as an "enterprise zone" under R.C. Chapter 5709; and

WHEREAS, Harrison Power LLC (the "Company") desires to construct a new energy generation facility (the "Project") on an approximately 90 acre tract which is part of a larger tract with parcel number 05-0002039.000 as the same is known and designated on the Harrison County Auditor's revised list of lots in Cadiz, Ohio, with said tract being located within the Enterprise Zone (the "Project Site"); and

WHEREAS, pursuant to Ohio Revised Code (O.R.C.) Sections 5709.62, 5709.63 and 5709.83, the County has delivered to this Board a proposed enterprise zone agreement (the "Enterprise Zone Agreement"), between the County and the Company, and the Board has been notified of the intent of the County, with the approval of the Board and the Village, to grant a tax exemption for improvements to real property and for certain personal property (the "Improvements") of the Company, pursuant to an application for Enterprise Zone tax exemption, which exemption is proposed for one hundred percent (100%) of the taxable value of the Improvements for a period of fifteen (15) years; and

WHEREAS, O.R.C. §§ 5709.62 and 5709.63 permit the County to grant Enterprise Zone exemptions in excess of 75% of the value of the improvements and/or for terms longer than ten (10) years if approved by the affected local school district, which approval may contain conditions under which the board of education of such school district would approve the abatement; and

WHEREAS, O.R.C. § § 5709.63 and 5709.83 require that the County give notice of the proposed Enterprise Zone tax exemption to each school district affected by the proposed exemptions not less than 45 business days and not less than 14 days respectively prior to approving the exemptions,

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unless the board of education has adopted a resolution waiving its rights to receive notice; and

WHEREAS, this Board has reviewed the proposed exemptions and the Enterprise Zone Agreement; and

WHEREAS, this Board has determined to approve the Enterprise Zone Agreement and the exemptions provided for therein and to waive any notices required by the Ohio Revised Code in connection with the provision of such exemptions;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE HARRISON HILLS CITY SCHOOL DISTRICT, HARRISON COUNTY, OHIO:

Section 1. The Board hereby approves a tax exemption for one hundred percent (100%) of the increase in assessed value of the real and tangible personal property at the Project Site for a period of fifteen (15) years, as may be set forth in the Enterprise Zone Agreement among the County, the Company and the Village, substantially in the form previously submitted to the Board.

Section 2. The Board hereby authorizes the Superintendent of the School District and/or the Board President to sign the Enterprise Zone Agreement, the Tax Incentive Donation Agreement and related documents among the County, the Company, the Village and the Community Improvement Corporation of Harrison County substantially in the form previously submitted to the Board.

Section 3. Solely with respect to the enterprise zone exemptions proposed for the Improvements, the School District hereby waives its right to receive notice of the proposed exemptions pursuant to O.R.C. §§5709.63 and 5709.83.

Section 4. The Board waives any rights to any sharing of municipal income tax associated with the Project pursuant to ORC §5709.82.

Section 5. If in the future the County is considering offering a tax incentive to an entity, the County will use good faith efforts to include a representative of the School District as early as possible in the process to determine how payments in lieu of taxes will be distributed. Weight will be given to the statutory percentages of real property taxes traditionally received by the School District. Communication with the School District will be dependent upon the conditions and restrictions incident to each project.

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The County will endeavor to communicate with the School District in a timely manner and as permitted by the conditions and restrictions of each project.

On roll call vote: Mrs. Mattern, yes; Mr. Watson, yes; Mrs. Kenny, yes; Mr. Allen, yes; Mr. Madzia, yes. The president declared the motion approved.

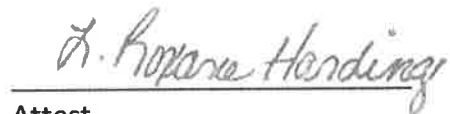
Mrs. Kenny then stated that the school district has passed a resolution to enter into an agreement with Harrison County and the Village of Cadiz to enter into an enterprise tax zone agreement, pending investor's review and approval. There will be a press conference to announce details in the near future.

Adjourn

Mr. Madzia made the motion, seconded by Mrs. Mattern, that the emergency meeting of the board of education be adjourned. On roll call vote: Mr. Madzia, yes; Mrs. Mattern, yes; Mr. Watson, yes; Mrs. Kenny, yes; Mr. Allen, yes. The president declared the meeting adjourned.



Approve



Attest