

**TUESDAY, JUNE 28, 2016**  
**OFFICE OF THE BOARD OF COMMISSIONERS**  
**PICKAWAY COUNTY, OHIO**

The Pickaway County Board of Commissioners met in Regular Session in their office located at 139 West Franklin Street, Circleville, Ohio 43113, on Tuesday, June 28, 2016, with the following members present: Mr. Harold R. Henson, Mr. Brian S. Stewart, and Mr. Jay H. Wippel. Brad Lutz, County Administrator, was also in attendance. Mike Struckman, Scioto Township Trustee, was in attendance for a portion of the morning session.

**In the Matter of  
Minutes Approved:**

Commissioner Stewart offered the motion, seconded by Commissioner Henson, to approve the minutes from June 21, 2016, with corrections.

Voting on the motion was as follows: Commissioner Henson, yes; Commissioner Stewart, yes; Commissioner Wippel, yes. Voting No: None. Motion carried.

Attest: Patricia Webb, Clerk

**In the Matter of  
Payment of Bills:**

Commissioner Wippel offered the motion, seconded by Commissioner Stewart, to adopt the following Resolution:

BE IT RESOLVED, that the bills have been found to be properly filed and their respective vouchers shall be cross-referenced to the approving pages dated June 29, 2016, in the Commissioners' Voucher Journal, the date in which checks will be cut; then,

BE IT FURTHER RESOLVED, that the Board of Pickaway County Commissioners orders the Auditor of Pickaway County, Ohio, to draw her warrant on this entry in the amount of \$180,248.06 on the County Treasurer to satisfy the same.

Voting on the motion was as follows: Commissioner Henson, yes; Commissioner Stewart, yes; Commissioner Wippel, yes. Voting No: None. Motion carried.

Attest: Patricia Webb, Clerk

**In the Matter of  
Report Provided by Dustin Hube:**

Dustin Hube, Fiscal Specialist/Part-time EMA Planner, reported that he worked various hours at first-aid station at fair last week.

**In the Matter of  
Report Provided by Dave Conrad:**

- Mr. Conrad reported that the EMA laptop was stolen from the EMA vehicle over the weekend when it was parked at his home. He stated that all of his EMA files are on the county's back-up server. A report was filed with the sheriff's office.
- Mr. Conrad worked 55 hrs. at the first-aid station during the county fair. A total of 16 people were assisted, mostly due to heat exhaustion, minor scraps, and a few animal bites.
- A pipeline valve release by Tallgrass Pipeline will take place within the next 30 days. Tall Grass is an affiliate of the Rockies Express Pipeline.
- After some previous discussion between Mr. Conrad and Mr. Lutz, it was recommended that Dustin Hube to be sworn in as back-up Pickaway County Deputy EMA Director. Any amount of time over that Mr. Hube might accrue during a disaster he would respond to that is over the 32 hours he is designated to provide in his capacity of Fiscal Specialist for the commissioners' office would be paid through EMA funds. After discussing the recommendation Commissioner Wippel offered the motion,

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seconded by Commissioner Stewart, to appoint Dustin Hube as a Pickaway County Deputy EMA Director. It was determined that Mr. Hube will be sworn-in after Mrs. Tucker and Ms. Dengler provide their reports.

Voting on the motion was as follows: Commissioner Henson, yes; Commissioner Stewart, yes; Commissioner Wippel, yes. Voting No: None. Motion carried.

Attest: Patricia Webb, Clerk

**In the Matter of**  
**Report Provided by Erica Tucker:**

The following is a summary of the report provided by Erica Tucker, RPHF Solid Waste District Assistant/Special Projects Assistant:

- Mrs. Tucker provided a spreadsheet that the commissioners reviewed that summarized all of comments received in the comment box at booth that was set up in the coliseum during the county fair. Two conceptual drawings of the Pickaway County Fairgrounds Revitalization Master Plan were provided for viewing and many positive comments and some suggestions were received. Approximately 140 people stopped at the booth during the time the booth was manned throughout the week. The commissioners thanked the staff that participated in manning the booth for their good team effort.
- Most RPHF Policy committee meetings have been conducted. A meeting of the Board of Directors will be held on Thursday, June 30<sup>th</sup>, at 10:00 a.m. in the Fayette County Commissioners' office, as a "re-do" in order to meet a quorum to vote on contracts.
- Mrs. Tucker, with the assistance of Ms. Dengler, RPHF Recycling Outreach Specialist, provided the activity for Friday in the Park on June 24<sup>th</sup>. Approximately 30 kids attended the event where they made bottle cap flowers.

**In the Matter of**  
**Report Provided by April Dengler:**

- The 2013 GMC Sierra that was posted on govdeals.com brought \$38,310, and the 2006 Jeep Grand Cherokee brought \$7,051. Both vehicles were seized through an illegal gambling operation and the proceeds will be divided evenly between the Pickaway County Sheriff Office Law Enforcement Fund, the Pickaway County Prosecutor's Law Enforcement Fund, and the Ohio Casino Control Commission Law Enforcement Trust Fund. A welder placed on the website on behalf of the county engineering department brought \$430, and several lots of battery operated towel dispensers brought in a total of \$85. It was recommended by the commissioners to attach a small administrative fee on items sold on the online government auction website when the proceeds are not paid into the General Fund in order to cover some of costs associated with the staff time the govdeals.com process requires from commencement to completion.
- A Workers Compensation case was filed last week by a county engineering department highway employee when he cut his forearm while cutting a guardrail. It was a medical case only, meaning the employee did not require time off.
- Ms. Dengler and Mr. Lutz provided a summary of a conference call they participated in last week with representatives of the Franklin County Healthcare Consortium. Open enrollment for 2017 healthcare insurance will occur in mid-October/early November this year. The Franklin County Prosecutor is reviewing the lawsuit recently filed by Fairfield County Commissioners who voted to leave the consortium and is suing for its portion of the balance in the pool. It was also mentioned that the consortium is looking into bringing another entity into the group.

**In the Matter of**  
**Dustin Hube Sworn-in as**  
**Pickaway County Deputy EMA Director:**

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Dustin Hube was sworn in as a Pickaway County Deputy EMA Director after reciting the Loyalty Oath (Public Law 920 and Ohio Revised Code Section 5502.21) administered by Commissioner Henson. Following the reciting of the oath, the commissioners and staff congratulated Mr. Hube on his appointment.

**In the Matter of  
Bid Opening Conducted for  
2016 Pavement Marking of Various County Roads:**

The commissioners conducted a bid opening for pavement marking of various county roads and a few township roads that included centerline and edge line traffic striping, stop bars, traffic symbols, and "T" markings. Chris Mullins, County Engineer, was in attendance.

Project estimate: \$160,000

The following bids were received and read aloud:

<b>Dura Mark, Inc.</b> P.O. Box 868 Aurora, Ohio 44202	<b>\$139,806.00</b>
<b>Oglesby Construction, Inc.</b> 1600 Toledo Road, Rt. 20 West Norwalk, Ohio 44857	<b>\$159,557.46</b>
<b>A &amp; A Safety, Inc.</b> 1126 Ferris Road Amelia, Ohio 45102-1020	<b>\$150,468.00</b>

The bids were turned over to Mr. Mullins for review and contract award recommendation.

**In the Matter of  
Resolution Adopted Approving  
2016 County Ditch Maintenance Assessments:**

Chris Mullins, County Engineer, presented the breakdown of the 2016 ditch maintenance assessments to benefitting landowners for the various county-maintained ditches for the commissioners' approval.

Following the commissioners' review of the documentation, Mr. Wippel offered the motion, seconded by Mrs. Metzler, to adopt the following Resolution:

**Resolution No.: PC-062816-1**

BE IT RESOLVED that the Pickaway County Board of Commissioners hereby authorizes the Pickaway County Auditor to place the necessary assessments upon benefited landowner's tax duplicates for year 2016, payable in 2017, for the following county-maintained ditches:

**Blue Anderson Ditch  
Braskett Ditch  
Brill Ditch  
Bulen Main/Bulen Lateral Ditch  
Buskirk Upper Terminus Open Ditch  
Clark's Run Upper Terminus Ditch  
Congo Lateral #1 Ditch  
Cooks Group Open Ditch  
Dry Run Lateral #1 Ditch  
DS Drainage Improvement  
Fulks, Moore, Wolford Ditch  
George's Run Upper Terminus Ditch  
Greenbriar Ditch**

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**Greenbriar Extension #1 Ditch  
Grove Run Ditch  
Hughes County Ditch Lateral #1  
Hughes Lateral #3 Ditch  
Hughes Main Ditch  
Hughes Upper Terminus & Lateral #4 Ditch  
Metzger-Ewing-Johnson Group Ditch  
Mud Run Lateral #1 Ditch  
PC Acres Storm Water Ditch  
Wampler Hills Storm Water Ditch  
Wilson Ditch  
Writsel Group Ditch**

Voting on the motion was as follows: Commissioner Henson, yes; Commissioner Stewart, yes; Commissioner Wippel, yes. Voting No: None. Motion carried.

Attest: Patricia Webb, Clerk

Mr. Mullins reported that the cleaning of the Greenbriar Ditch Extension is complete. He also reported that he and Aaron Mosely, SWCD Technician, continue to work on the design plans for the Howard Ditch project as the plans needed to be changed to include tile work because the soils will not support an open ditch in portions of the project. The plans for the North Court drainage project are complete and it is expected to be bid out in late summer or early fall.

**In the Matter of  
Workforce Area 20/21 Intergovernmental Agreement Signed:**

Joy Ewing, Director of the Pickaway County Department of Jobs & Family Services, met with the commissioners to obtain their signatures on the Area 20/21 Intergovernmental Agreement that is signed each year. The Area 20/21 includes Fairfield, Hocking, Pickaway, Ross, and Vinton Counties. The agreement sets forth the terms and conditions by which the parties will jointly operate a Workforce Development Area known as Area 20. The agreement is effective July 1, 2016, and replaces and supersedes all previous agreements between the counties governing implementation of the Workforce Innovation and Opportunity Act (WIOA).

Following a brief question and answer session, Commissioner Wippel offered the motion, seconded by Commissioner Stewart, to sign the Area 20/21 Intergovernmental Agreement.

Voting on the motion was as follows: Commissioner Henson, yes; Commissioner Stewart, yes; Commissioner Wippel, yes. Voting No: None. Motion carried.

Attest: Patricia Webb, Clerk

**In the Matter of  
Resolution Adopted Appointing Members  
To the Workforce Investment Board:**

After Mrs. Ewing spoke about conversations she held with a few members of the Area-20 Workforce Investment Board about the importance attending the meetings, Commissioner Stewart offered the motion, seconded by Commissioner Wippel, to adopt the following Resolution:

**Resolution No.: PC-062816-2**

WHEREAS, the Board of Commissioners adopted a resolution on April 7, 2015, approving the Request for Automatic Designation under the Workforce Innovation and Opportunity Act governing the operation of the Ross, Pickaway, Fairfield, Hocking, and Vinton Workforce Development Area-20; and

WHEREAS, the Intergovernmental Agreement requires the Boards of Commissioners of the five counties to appoint a Workforce Development Board (WDB) to establish by-laws and develop a system of

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rules for conducting WDB affairs that is efficient and promotes the principals of the Workforce Innovation and Opportunity Act within Area-20; then,

THEREFORE BE IT RESOLVED that the following individuals are appointed on behalf of Pickaway County to the Area-20 Workforce Investment Board for the following terms, commencing, July 1, 2016:

Andrew Binegar – Pickaway County Community Action, term to expire June 30, 2019

Scott Hammond – Sheet Metal Worker Intl Assoc, Local Union #24, term to expire June 30, 2019

Michael Linton – ACCURATE, term to expire June 30, 2019

Wendy Elliott - Berger Health System, term to expire June 30, 2019

Voting on the motion was as follows: Commissioner Henson, yes; Commissioner Stewart, yes; Commissioner Wippel, yes. Voting No: None. Motion carried.

Attest: Patricia Webb, Clerk

**In the Matter of**  
**Report Provided by Brad Lutz:**

The following is a summary of the report provided by Brad Lutz, County Administrator:

- Mr. Lutz began his Master of Public Administration (MPA) post-graduate degree course over the weekend.
- A meeting is scheduled to be held in the commissioners' office on Tuesday, July 5<sup>th</sup>, at 10:00 a.m. to discuss the conditional zoning certificates for surfacing mining activities that is planned by The Shelly Company on Weigand Road. The meeting will provide the opportunity to explain the proposed project, namely discussing the ingress/egress to the site, which route(s) are proposed for use by the quarry and any improvements made to roadways and intersections in addition to the anticipated amount of aggregate material to be shipped by truck from the activity and the anticipated primary market areas for the finished aggregate leaving the quarry.
- Painting of the interior stairway at Memorial Hall that J&J Painting is providing is going well.
- The LED dayroom lighting project at the jail is complete and meets the state's jail standards.

**In the Matter of**  
**Contract Award for 2016**  
**Pavement Marking of Various Roads:**

In reference to the bid opening conducted earlier in the day referred to 2016 Pavement Marking of Various Roads, and upon the written recommendation of Chris Mullins, County Engineer, Commissioner Wippel offered the motion, seconded by Commissioner Stewart, to award the contract to the lowest bidder, Dura Mark, Inc., P.O. Box 868, 11384 Chamberlain Rd., Aurora, Ohio 44202 in the amount of \$139,806.

Voting on the motion was as follows: Commissioner Henson, yes; Commissioner Stewart, yes; Commissioner Wippel, yes. Voting No: None. Motion carried.

Attest: Patricia Webb, Clerk

**In the Matter of**  
**Action on Wage Increases:**

The commissioners discussed the approval of a 3% increase to salary line items for all General fund offices/departments.

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**In the Matter of  
Resolution Adopted Approving the  
Creation of the City of Circleville – Circleville Township  
Joint Economic Development District (JEDD) Related to the  
Development of the Sofidel America Corp. Manufacturing Facility:**

Ryan Scribner, P<sup>3</sup> Economic Development Director, met with the commissioners regarding their adoption of a resolution approving the creation of the City of Circleville-Pickaway Township Joint Economic Development District (JEDD). The City of Circleville and Pickaway Township Trustees previously created the JEDD, which requires the county commissioners' approval. Terry Frazier, Director of Development & Planning, and Tom Spring, member of City of Circleville Council, were also in attendance.

The purpose of the JEDD is to facilitate economic development to create or preserve jobs and employment opportunities and to improve the economic welfare of the people in the State of Ohio, the County, the Township, and the City, through efforts centered on the acquisition, construction, equipping and improvement of an approximately 1.4 million square foot manufacturing facility by Sofidel America Corporation within the territorial boundaries of the Township. Before discussing the resolution, Mr. Scribner informed the commissioners that the Ohio Development Services Agency has approved the Environmental Conditions and provided the release of funds for the \$400,000 grant that was awarded for roadwork through competitive set-aside Community Development Block Grant (CDBG) Economic Development Program. The county will serve as the funding pass-through. Another grant has been secured through the Ohio Department of Transportation, Division of Jobs & Commerce in the amount of \$300,000; and \$500,000 in 629 Roadwork Grant funds from the Ohio Development Services Agency. He also mentioned the Developer's Agreement, which was signed by the commissioners on June 21<sup>st</sup>, where Love's Travel Stops developer will be constructing the roadwork and Love's has committed to pay for costs above the grant monies and will provide the county with a bond in the amount of the county engineer's estimate for the project.

In discussing the newly formed City of Circleville-Pickaway Township JEDD, Mr. Scribner provided a packet documents that contained a copy of the resolution for the commissioners' adoption approving the creation of the JEDD; a copy of the side JEDD agreement between Circleville and Pickaway Township; a survey map and legal description of the parcel; a copy of the Circleville and Pickaway Township Economic Development Plan; certified copies of the ordinance/resolution from Circleville and Pickaway Township approving the JEDD agreement; certification from Circleville and Pickaway Township that they properly advertised and held their respective required public meetings prior to forming the JEDD; and, the petition for landowners who volunteer to be included in the JEDD. The closing for Sofidel's purchase of the approximate 280 acre parcel, the project site in Pickaway Township, was held last week and Sofidel has submitted its landowner petition.

Mr. Scribner commented on the good collaboration between the City of Circleville and Pickaway Township Trustees for the formation of the JEDD, which will have a five-member board: an appointee from the city; and appointee from the township; an appointee representing an employer within the JEDD; an appointee representing employees within the JEDD; and a P<sup>3</sup> appointee, which Mr. Scribner stated will be a member of the Logan Elm Local School Board. He said that all documents have been reviewed and approved by all parties' legal counsel and the commissioners' resolution now needs the county commissioners' approval prior to filing all of the documentation with the state.

After reviewing the resolution, Commissioner Stewart offered the motion, seconded by Commissioner Wippel, to adopt the following Resolution:

**RESOLUTION NO. PC-062816-3**

**A RESOLUTION APPROVING THE CREATION OF THE CITY OF CIRCLEVILLE -  
PICKAWAY TOWNSHIP JOINT ECONOMIC DEVELOPMENT DISTRICT**

WHEREAS, Ohio Revised Code Chapter 715 empowers certain political subdivisions to form joint economic development districts to share in the costs of improvements for economic development purposes; and

WHEREAS, in accordance with Ohio Revised Code Sections 715.72 through 715.81, the City of Circleville, Ohio (the "City") and Pickaway Township (the "Township") and have entered into the City of Circleville – Pickaway Township Joint Economic Development District Agreement (the "Agreement") to

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create and provide for the operation of a joint economic development district known as the City of Circleville – Pickaway Township Joint Economic Development District (the “JEDD”); and

WHEREAS, the JEDD territory lies entirely within Pickaway County (the “County”), and the territory of the Township and the City each lies entirely within the County; and

WHEREAS, the stated purpose of the JEDD is to facilitate economic development to create or preserve jobs and employment opportunities and to improve the economic welfare of the people in the State of Ohio, the County, the Township, and the City, through efforts centered on the acquisition, construction, equipping and improvement of an approximately 1.4 million square foot manufacturing facility by Sofidel America Corp. (“Sofidel”) within the territorial boundaries of the Township; and

WHEREAS, the development of commercial properties in the JEDD will benefit the County and its residents by creating economic opportunities, enlarging the property tax base, enhancing County sales tax revenues, and stimulating collateral development in the County; and

WHEREAS, the County has received all documents required under Ohio Revised Code Sections 715.75 and 715.76, including: (i) a signed copy of the agreement between the Township and the City to form the JEDD; (ii) a description of the area or areas to be included in the JEDD, including a map that denotes the specific boundaries of the area or areas and that indicates any pertinent zoning restrictions; (iii) the economic development plan proposed for the JEDD; (iv) certified copies of the ordinances and resolutions of the Township and the City relating to the contract and district; (v) a certificate from each the Township and the City that the public hearings required by Ohio Revised Code Section 715.75 have been held, which includes

the dates of the hearings together with evidence of publication of notice for the hearings; (vi) a petition signed by a majority of the owners of property located within the area or areas to be included in the district; and (vii) a petition signed by a majority of the owners of businesses located within the area or areas to be included in the district, if applicable; and

WHEREAS, it is apparent that the Township and the City have each entered the Agreement freely and without duress or coercion; and

WHEREAS, Ohio Revised Code Sections 715.76 and 715.77 require this Board of Commissioners to evaluate the merits of a proposed joint economic development district within its jurisdiction and to approve or disapprove its creation.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the County of Pickaway, Ohio that:

SECTION 1. Acknowledgment of Receipt of Required Documents. This Board of Commissioners hereby finds and determines that all documents required to be submitted to the County under Ohio Revised Code Sections 715.75 and 715.76 in connection with the JEDD were submitted and have been received by the County in accordance with the timeframes set forth in Ohio Revised Code Sections 715.75 and 715.76.

SECTION 2. Approval of the JEDD. This Board of Commissioners hereby finds and determines that the creation of the JEDD to promote economic development is in the best interests of the County. This Board of Commissioners hereby approves the creation of the JEDD.

SECTION 3. Findings Regarding Township Authority to Avoid Election on Township Resolution Approving JEDD. This Board of Commissioners hereby finds and determines that the Township has the proper authority under Ohio Revised Code Section 715.77(A)(1) to choose not to submit Township Resolution No. 16-5-9 approving the JEDD, adopted on May 9, 2016, to the electors of the Township for approval, including by (a) the unanimous adoption by the Board of Trustees of the Township of, (b) the fact that the creation of the JEDD was proposed at the request of a majority of the owners of real property within the JEDD, and (c) the fact that the territory within the JEDD is currently zoned appropriately for the intended use by Sofidel; therefore, no such election is required by law or shall be held.

SECTION 4. Notice. The Clerk of Board of Commissioners is hereby directed to deliver a copy of this Resolution to the President of the Township Board of Trustees and the City Manager of the City within fifteen (15) days after its adoption.

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SECTION 5. Open Meetings. This Board hereby finds and determines that all formal actions of this Board concerning and relating to the adoption of this Resolution were taken in an open meeting of this Board and that all deliberations of this Board and of any of its committees that resulted in those formal actions occurred in meetings open to the public, in compliance with law, including Ohio Revised Code Section 121.22.

SECTION 6. Effective Date. This Resolution shall be effective from and after the earliest period provided by law.

Voting on the motion was as follows: Commissioner Henson, yes; Commissioner Stewart, yes; Commissioner Wippel, yes. Voting No: None. Motion carried.

Attest: Patricia Webb, Clerk

**In the Matter of**  
**Resolution Adopted Approving the**  
**Execution of an Enterprise Zone Agreement for Sofidel America:**

Mr. Scribner then spoke to the commissioners regarding the Enterprise Zone Agreement that they discussed on June 14<sup>th</sup>, and approved to sign following the prosecutor's review and approval as to form for the 100% real property tax abatement for a period of 15 years. Mr. Scribner stated that since that approval, Sofidel asked for consideration of a few minor revisions to the agreement, largely related to dates. The revisions were reviewed and ratified by Gene Hollins, the county's legal counsel related to economic development matters, and Mr. Scribner reviewed each revision with the commissioners.

Following the commissioners review, Commissioner Stewart offered the motion, seconded by Commissioner Wippel, to adopt the following Resolution causing the execution of the revised Enterprise Zone Agreement:

**Resolution No.: PC-062816-4**

WHEREAS, the Board of Commissioners of Pickaway County, Ohio, by Resolution adopted November 9, 1989, designated areas within Pickaway Township and part of Circleville Township and the City of Circleville as an Enterprise Zone; and,

WHEREAS, Sofidel America is desirous of a significant capital investment in the construction of a new 1,700,000 sq. ft. tissue paper products manufacturing facility (the "PROJECT") within the boundaries of the "Enterprise Zone" designated area; and,

WHEREAS, the Pickaway County Board of Commissioners having the appropriate authority for the stated type of project is desirous of providing Sofidel America with incentives available for the development of the PROJECT in said Enterprise Zone under Chapter 5709 of the Ohio Revised Code; then,

THEREFORE BE IT RESOLVED, that the Pickaway County Board of Commissioners hereby grants Sofidel America a tax exemption for real property improvements made to the PROJECT in the amount of one-hundred percent (100%) of the assessed value for real property for a period of fifteen (15) years and approves the execution of the Enterprise Zone Agreement.

Voting on the motion was as follows: Commissioner Henson, yes; Commissioner Stewart, yes; Commissioner Wippel, yes. Voting No: None. Motion carried.

Attest: Patricia Webb, Clerk

**In the Matter of**  
**Enterprise Zone Agreement as Revised Approved Between**  
**Pickaway County Board of Commissioners and Sofidel America Corporation:**

Commissioner Stewart offered the motion, seconded by Commissioner Wippel to approve the following Enterprise Zone Agreement as revised:

**PICKAWAY COUNTY OHIO, ENTERPRISE ZONE AGREEMENT**

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**This Agreement made and entered into by and between the Board of Commissioners, Pickaway County Ohio, with its main offices located at 139 West Franklin Street, Circleville, Ohio 43113, hereinafter referred to as PICKAWAY COUNTY; and, Sofidel America a Corporation with its main offices located at 1006 Marley Drive, Haines City, Florida, hereinafter also referred to as ENTERPRISE,**

**WITNESSETH;**

WHEREAS, Pickaway County has encouraged the development of real property and the acquisition of personal property located in the area designated as an Enterprise Zone; and,

WHEREAS, Sofidel American is desirous of a significant capital investment in the construction of a new (1,700,000 SF) one million, seven hundred thousand square foot tissue paper products manufacturing facility (hereinafter referred to as the "PROJECT") within the boundaries of the aforementioned Enterprise Zone, provided that the appropriate development incentives are available to support the economic viability of said PROJECT; and,

WHEREAS, the Board of Commissioners of Pickaway County, Ohio by Resolution adopted November 9, 1989, designated the area as an "Enterprise Zone" pursuant to Chapter 5709 of the Ohio Revised Code; and,

WHEREAS, effective November 13, 1989, the Director of Development of the State of Ohio determined that the aforementioned area designed in said Commissioners Resolution contains the characteristics set forth in Section 5709.61(A) of the Ohio Revised Code and certified said area as an Enterprise Zone under said Chapter 5709; and,

WHEREAS, the Pickaway County Board of Commissioners having the appropriate authority for the stated type of project is desirous of providing Sofidel America with incentives available for the development of the PROJECT in said Enterprise Zone under Chapter 5709 of the Ohio Revised Code; and,

WHEREAS, Sofidel America has submitted a proposed agreement application (herein attached as Exhibit A) to Pickaway County said application (hereinafter referred to as "APPLICATION"); and,

WHEREAS, Sofidel America has remitted the required state application fee of \$750.00 made payable to the Ohio Development Services Agency with the application to be forwarded with the final agreement; and,

WHEREAS, the Director of the Pickaway County Office of Development and Planning, Terry L. Frazier, and Pickaway Progress Partnership Economic Development Director, Ryan Scribner, have investigated the application of Sofidel America and have recommended the same to the Board of Commissioners of Pickaway County on the basis that Sofidel America is qualified by financial responsibility and business experience to create and preserve employment opportunities in said Enterprise Zone and improve the economic climate of Pickaway County; and,

WHEREAS, the project site as proposed by Sofidel America is located in the Logan Elm Local School District and the Pickaway-Ross CTC, and the Board of Educations of the Logan Elm Local School District and the Pickaway-Ross CTC have been notified in accordance with Section 5709.93 and been given a copy of the APPLICATION; and,

WHEREAS, pursuant to Section 5709.62(C), 5709.63(A) or 5709.632 and in conformance with the format required under Section 5709.631 of the Ohio Revised Code, the parties hereto desire to set forth their agreement with respect to matters hereinafter contained; NOW,

THEREFORE, in consideration of the mutual covenants hereinafter contained and the benefit to be derived by the parties from the execution hereof, the parties herein agree as follows:

1. Sofidel America shall construct a new 1 million, seven hundred thousand square foot (1.7 million SF) facility at Pittsburg Road, Pickaway Township, Pickaway County, Ohio, to house its manufacturing operation.

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In addition, Sofidel America will install new machinery and equipment at an estimated investment of \$151,200,000 to \$154,200,000.

The PROJECT will begin July 2016 and all acquisition, construction and installation of the main equipment will be completed by December 2018.

This PROJECT establishes a significant new investment with an estimated total project investment of \$265,740,000 to \$273,060,000.

2. Sofidel America shall create within a time period not exceeding 36 months after the commencement of construction of the aforesaid facility, the equivalent of 290 new full-time permanent job opportunities.

The job creation period begins in January 2017 and all jobs will be in place by December 31, 2020.

Sofidel America currently has not employees in the State of Ohio.

This increase in the number of employees will result in approximately \$12,820,000 (twelve million, eight hundred twenty thousand dollars of additional annual payroll for Sofidel America.

3. Sofidel America shall provide to the property Tax Incentive Review Council any information reasonably required by the council to evaluate the enterprise's compliance with the agreement, including returns filed pursuant to Section 5711.02 of the Ohio Revised Code if requested by the council.
4. Pickaway County hereby grants Sofidel America a tax exemption for real property improvements made to the PROJECT site pursuant to Section 5709.62, 5709.63 or 5709.632 of the Ohio Revised Code and shall be in the following amount: One hundred percent (100%) tax exemption of the assessed value for real property for a period of fifteen (15) years.

The exemption commences the first year for which the real property would first be taxable were that property not exempted from taxation. No exemption shall commence after December 31, 2018 nor extend beyond December 31, 2033.

Sofidel America must file the appropriate tax forms (DTE 23) with the County Auditor and (#913) with the state Department of Taxation to effect and maintain the exemptions covered in the agreement. The #913 Ohio tax form must be filed annually.

5. Beginning with the first year for which the real property would first be taxable were that property not exempted from taxation and during the term of said exemption, Sofidel America shall pay an annual fee equal to the greater of one percent of the dollar value of incentives offered under the agreement or five hundred dollars: provided, however, that if the value of the incentives exceeds two hundred fifty thousand dollars, the fee shall not exceed two thousand five hundred dollars.

The fee shall be made payable to Pickaway County once per year for each year the agreement is effective on or before March 31. The fee is to be paid to the Treasurer of Pickaway County. This fee shall be deposited in a special fund created for such purpose and shall be used exclusively for the purpose of complying with section 5709.68 of the revised code and by the tax incentive review council created under section 5709.85 of the revised code exclusively for the purposes of performing the duties prescribed under that section.

Sofidel America shall pay an annual contribution to the Logan Elm Local School District of ten thousand dollars (\$10,000) once per year for each year the agreement is effective on or before March 31.

6. Sofidel America shall pay such real and tangible personal property taxes as are not exempted under this agreement and are charged against such property and shall file all tax reports and returns as required by law. If Sofidel America fails to pay such taxes or file such returns and reports, all incentives granted under this agreement are rescinded beginning with the year for which such taxes are charged or such reports or returns are required to be filed and thereafter.

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7. Pickaway County shall perform such acts as are reasonably necessary or appropriate to effect, claim, reserve, and maintain exemptions from taxation granted under this agreement including, without limitation, joining in the execution of all documentation and providing any necessary certificates required in connection with such exemptions.
8. If for any reason the Enterprise Zone designation expires, the Director of the Ohio Development Services Agency revokes certification of the zone, or Pickaway County revokes the designation of the zone, entitlements granted under this agreement shall continue for the number of years specified under this agreement, unless Sofidel America materially fails to fulfill its obligations under this agreement and Pickaway County terminates or modifies the exemptions from taxation granted under this agreement.
9. If Sofidel America materially fails to fulfill its obligations under this agreement, or if Pickaway County determines that the certification as to delinquent taxes required by this agreement is fraudulent, Pickaway County may terminate or modify the exemptions from taxation granted under this agreement.
10. Sofidel America certifies that at the time this agreement is executed, Sofidel America does not owe any delinquent real or tangible personal property taxes to any taxing authority of the State of Ohio and does not owe delinquent taxes for which Sofidel America is liable under Chapter 5733., 5735., 5739., 5741. 5743., 5747., or 5753. of the Revised Code, or, if such delinquent taxes are owed, Sofidel America currently is paying the delinquent taxes pursuant to an undertaking enforceable by the State of Ohio or an agent or instrumentality therefore, has filed petition in bankruptcy under 11 U.S.C.A. 101, et seq., or such a petition has been filed against Sofidel America. For the purposes of the certification, delinquent taxes are taxes that remain unpaid on the latest day prescribed for payment without penalty under the chapter of Revised Code governing payment of those taxes
11. Sofidel America affirmatively covenants that it does not owe: (1) any delinquent taxes to the State of Ohio or a political subdivision of the State; (2) any moneys to the State or a state agency for the administration or enforcement of any environmental laws of the State; and (3) any other moneys to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not.
12. Sofidel America and Pickaway County acknowledges that this agreement must be approved by formal action of the legislative authority of Pickaway County as a condition for the agreement to take effect. This agreement takes effect upon such approval.
13. Pickaway County has developed a policy to ensure recipients of Enterprise Zone tax practice non-discriminating hiring in its operations. By executing this agreement, Sofidel America is committing to following non-discriminating hiring practices acknowledging that no individual may be denied employment solely on the basis of race, religion, sex, disability, color, national origin, or ancestry.
14. Exemptions from taxation granted under this agreement shall be revoked if it is determined that Sofidel America, any successor enterprise, or any relate member (as those terms are defined in Section 5709.61 of the Ohio Revised Code) has violated the prohibition against entering into this agreement under Division (E) of Section 3735.671 or Section 5709.62, 5709.63, or 5709.632 of the Ohio Revised Code prior to the time prescribed by that division or either of those sections.
15. Sofidel American affirmatively covenants that it has made no false statements to the State or local political subdivision in the process of obtaining approval for the Enterprise Zone incentives. If any representative of Sofidel America has knowingly made a false statement to the State or local political subdivision to obtain the Enterprise Zone incentives, Sofidel America shall be required to immediately return all benefits received under the Enterprise Zone Agreement pursuant to ORC Section 9.66 (C)(2) and shall be ineligible for any future economic development assistance from the State, any state agency or a political subdivision pursuant to ORC Section 9.66 (C)(1). Any person who provides a false statement to secure economic development assistance may be guilty of falsification, a misdemeanor of the first degree, pursuant to ORC 2921.13 (D)(1), which is punishable by a fine of not more than \$1,000 and/or a term of imprisonment of not more than six months.
16. This agreement is not transferrable or assignable without the express, written approval of Pickaway County.

**TUESDAY, JUNE 28, 2016**  
**OFFICE OF THE BOARD OF COMMISSIONERS**  
**PICKAWAY COUNTY, OHIO**

IN WITNESS WHEREOF, the Board of Commissioners, Pickaway County Ohio, and pursuant to Resolution No. PC-062816-4 has caused this instrument to be executed this 28<sup>th</sup> day of June, 2016.

Voting on the motion was as follows: Commissioner Henson, yes; Commissioner Stewart, yes; Commissioner Wippel, yes. Voting No: None. Motion carried.

Attest: Patricia Webb, Clerk

When an inquiry was made about the natural gas pipeline that will be installed in the area, Mr. Scribner stated that he will be reviewing and signing the final loan documents between P<sup>3</sup>, Jobs Ohio, and Columbia Gas for the down payment. He went on to say that with the execution of the TIF, the Enterprise Zone Agreement, the JEDD documents, the CDBG grant agreement for the road work, and with the closing for Sofidel's ownership of the land, focus will be on workforce and leveraging resources local for workforce development.

**In the Matter of**  
**Approval to Initiate Exploring the**  
**Creation of Community Reinvestment Area with the**  
**Assistance of Pickaway Progress Partnership (P<sup>3</sup>):**

The next topic of discussion Mr. Scribner held with the commissioners was related to previous dialogue that took place regarding the tax incentive districts in Pickaway County, being Enterprise Zones and Community Reinvestment Areas (CRA). With talks about the possibility of the General Assembly ultimately doing away with Enterprise Zones, and use CRAs as the development tool in Ohio as they have become a more desirable option for economic development. Previous discussions have been held about the creation of additional CRAs with the commissioners, currently in the Pickaway Township area. Mr. Scribner stated that NTE is moving forward with its objective for a new project in Pickaway Township near the Sofidel site, and NTE has indicated its intention to ask for a 60% tax incentive. He pointed out that even if everything would go as planned, the project would not be operational for a period of about 5 years and mentioned the ambiguity of the continued existence of enterprise zones. Mr. Scribner added that CRAs provide a more streamlined process and he indicated that looking at areas that are already zoned for industrial and commercial development for a designated area in Pickaway Township could be advantageous. CRAs provide the opportunity to provide tax incentives and requests would be reviewed on a project-by-project basis. Mr. Scribner said that the first step in the process would be to determine the CRA boundaries, which the commissioners have previously considered, and Terry Frazier, the CRA Housing Officer, would need to conduct a housing study and Mr. Scribner stated that P<sup>3</sup> could assist.

After discussing the matter further, Commissioner Stewart offered the motion, seconded by Commissioner Wippel, to initiate the exploration of creating a southern Pickaway County CRA and authorize Terry Frazier to begin the process by performing a housing study with the assistance of P<sup>3</sup>.

Voting on the motion was as follows: Commissioner Henson, yes; Commissioner Stewart, yes; Commissioner Wippel, yes. Voting No: None. Motion carried.

Attest: Patricia Webb, Clerk

Mr. Scribner then briefly mentioned the NorthPoint Development, LLC's construction of industrial facilities for warehousing/manufacturing in the northern part of the county near the Rickenbacker Intermodal and their intention to apply for tax incentives.

At the conclusion of the meeting, Mr. Scribner thanked the commissioners for their time and cooperation.

**In the Matter of**  
**2017 Tax Budget Tentatively Adopted for**  
**Pickaway County General Fund and Non-General Fund:**

**TUESDAY, JUNE 28, 2016**  
**OFFICE OF THE BOARD OF COMMISSIONERS**  
**PICKAWAY COUNTY, OHIO**

The commissioners reviewed the 2017 General Fund and Non-General Fund/Special Revenue Tax Budget as prepared by Brad Lutz, County Administrator, based on submittals by county elected officials and department heads.

Following the review, Commissioner Wippel offered the motion, seconded by Commissioner Stewart, to tentatively approve the 2017 General Fund and Non-General Fund/Special Revenue Tax Budget.

Voting on the motion was as follows: Commissioner Henson, yes; Commissioner Stewart, yes; Commissioner Wippel, yes. Voting No: None. Motion carried.

Attest: Patricia Webb, Clerk

The Public Hearing on the said budget is scheduled to be held in the commissioners' office on Tuesday, July 12, 2016, at 11:00 a.m.

**In the Matter of**  
**Approval to Provide \$25,000 in Matching Funds**  
**Related to Grant Application to the Ohio Department of Agriculture**  
**For Improvements to the Pickaway County Fairgrounds:**

In reference to the May 31, 2016 minutes which reflected the Pickaway County Board of Commissioners' willingness to provide \$25,000 in local matching funds associated with a \$50,000 grant application to Agricultural Society Facilities Grant Program offered through Ohio Department of Agriculture for capital improvements to the Pickaway County Fairgrounds, Commissioner Wippel offered the motion, seconded by Commissioner Stewart to officially approve the \$25,000 local match. The Pickaway County Agricultural Society will also provide a \$25,000 local match.

Voting on the motion was as follows: Commissioner Henson, yes; Commissioner Stewart, yes; Commissioner Wippel, yes. Voting No: None. Motion carried.

Attest: Patricia Webb, Clerk

**In the Matter of**  
**Appropriations Approved:**

Commissioner Stewart offered the motion, seconded by Commissioner Wippel, to approve the following request for the CREATION OF A NEW LINE ITEM:

**101.0000.4592 – Prosecutor-Reimbursement Cost**

Voting on the motion was as follows: Commissioner Henson, yes; Commissioner Stewart, yes; Commissioner Wippel, yes. Voting No: None. Motion carried.

Attest: Patricia Webb, Clerk

**In the Matter of**  
**Appropriations Approved:**

Commissioner Stewart offered the motion, seconded by Commissioner Wippel, to approve the following requests for the APPROPRIATION OF FUNDS:

**151,940.49 to 401.7115.5529 – Capital Improvements-Planned**  
**174.00 to 299.2006.5501 – Sheriff - CCW-Equipment**  
**7,500 to 905.1244.5102 – Juvenile-Special Projects Fees -Salaries**  
**1,045.50 to Juvenile-Special Projects Fees -OPERS**  
**110 to 905.1244.5202 – Juvenile Special Projects Fees-Medicare**

Voting on the motion was as follows: Commissioner Henson, yes; Commissioner Stewart, yes; Commissioner Wippel, yes. Voting No: None. Motion carried.

**TUESDAY, JUNE 28, 2016  
OFFICE OF THE BOARD OF COMMISSIONERS  
PICKAWAY COUNTY, OHIO**

Attest: Patricia Webb, Clerk

**In the Matter of  
Transfer Approved:**

Commissioner Stewart offered the motion, seconded by Commissioner Wippel, to approve the following request for the TRANSFER & APPROPRIATION OF FUNDS:

**650 from 101.1140.5401 – Board of Elections - Contract Services  
To  
101.1140.5489 – Board of Elections – SOS/OAEO - Travel**

Voting on the motion was as follows: Commissioner Henson, yes; Commissioner Stewart, yes; Commissioner Wippel, yes. Voting No: None. Motion carried.

Attest: Patricia Webb, Clerk

**In the Matter of  
Cash Advance Approved:**

Commissioner Stewart offered the motion, seconded by Commissioner Wippel, to approve the following CASH ADVANCE request:

**650 from 101.1140.5401 – Board of Elections - Contract Services  
To  
101.1140.5489 – Board of Elections – SOS/OAEO - Travel**

Voting on the motion was as follows: Commissioner Henson, yes; Commissioner Stewart, yes; Commissioner Wippel, yes. Voting No: None. Motion carried.

Attest: Patricia Webb, Clerk

**In the Matter of  
Weekly Dog Warden Report:**

The weekly report for the Wright-Poling/Pickaway County Dog Shelter was filed for week ending July 2, 2016.

A total of \$903 was reported being collected as follows: \$280 in adoption fees; \$48 in boarding revenue; \$195 in dog licenses; \$30 in dog license late fees; \$65 in redemptions; \$40 in transfer out rescue; \$245 in private donations.

Six (6) stray dogs were processed in; seven (7) dogs were adopted.

No firearms were discharged.

**TUESDAY, JUNE 28, 2016**  
**OFFICE OF THE BOARD OF COMMISSIONERS**  
**PICKAWAY COUNTY, OHIO**

With there being no further business brought before the Board, Commissioner Wippel offered the motion, seconded by Commissioner Stewart, to adjourn. Voting on the motion was as follows: Commissioner Henson, yes; Commissioner Stewart, yes. Commissioner Wippel, yes. Voting No: None. Motion carried.

Harold R. Henson, President

Brian S. Stewart, Vice President

Jay H. Wippel, Commissioner  
BOARD OF COUNTY COMMISSIONERS  
PICKAWAY COUNTY, OHIO

Attest: Patricia Webb, Clerk