

BOARD OF TRUSTEES OF HARRISON TOWNSHIP
LICKING COUNTY, OHIO
MINUTES OF SPECIAL MEETING DECEMBER 15, 2009

The Harrison Township Trustees met in special session on December 15, 2009 at the Township Administration Building. The meeting was called to order at 9:00 a.m. by the Chairman, Larry Kretzmann. The purpose of the meeting is to discuss and act on the JEDD contract and any other business that comes before the board. The Fiscal Officer called the roll, and the following members were present.

Chairman	Larry Kretzmann
Trustee	Ray Foor
Trustee	Eric Smith
Fiscal Officer	Carolyn Elder

Trustee Kretzmann stated that the Pataskala City Council voted 6-1 with all members present in favor of the JEDD contract. Trustee Foor inquired about any restrictions or cost to the Township. There are none. Harrison Township will receive one percent from the JEDD contract.

-With the recommendation of Eric Fox from the Licking County Prosecutors Office Ray Foor moved for the Harrison Township Trustees to adopt Resolution 2009 12 15 01 which states: RESOLUTION APPROVING A JOINT ECONOMIC DEVELOPMENT DISTRICT CONTRACT AMONG THE CITY OF PATASKALA, THE CITY OF NEWARK AND HARRISON TOWNSHIP PURSUANT TO OHIO REVISED CODE SECTIONS 715.72 THROUGH 715.81. Harrison Township is entering the agreement for the purpose of facilitating economic development to create jobs and employment opportunities and to improve the economic welfare of the people in the State of Ohio and in the area of the contracting parties. Eric Smith seconded the motion. Roll call: Kretzmann YES, Foor YES and Smith YES. The Resolution was adopted.

Trustee Kretzmann reviewed different possible sites that the fire district is discussing and their future plans.

-Eric Smith moved to approve transferring \$7,000.00 from 01-A-26 to 01-A-06 for a purchase order to Anthem for insurance premiums. Larry Kretzmann seconded the motion. Roll call: Kretzmann YES, Foor YES and Smith YES. Motion passed.

Trustees reviewed a letter from the Licking County Planning Department concerning the Neighborhood Stabilization Program Grants. The preventative maintenance quote from Jess Howard Electric Company concerning the tornado sirens will be discussed at the next meeting.

The Fiscal Officer passed out various financial reports for the Trustees to review and sign.

Being no further business, Chairman Larry Kretzmann adjourned the meeting at 9:46 a.m.

Respectively Submitted,

Carolyn I. Elder
Harrison Township Fiscal Officer

Resolution 2009 12 15 01 is a part of the December 15, 2009 Special meeting minutes.

The Board of Trustees of the Township of Harrison, County of Licking, Ohio, met in Special session at 9:00 o'clock a.m., on December 15, 2009 at the Harrison Township Administration Building, Pataskala, Ohio, with the following members present:

Larry Kretzmann Ray Foor Eric Smith

Ray Foor introduced the following resolution and moved its adoption:

RESOLUTION NO. 2009 12 15 01

RESOLUTION APPROVING A JOINT ECONOMIC DEVELOPMENT DISTRICT CONTRACT AMONG THE CITY OF PATASKALA, THE CITY OF NEWARK AND HARRISON TOWNSHIP PURSUANT TO OHIO REVISED CODE SECTIONS 715.72 THROUGH 715.81.

WHEREAS, Howard P. Emswiler, Trustee of the Howard P. Emswiler Revocable Trust U/A dated December 27, 1978 as amended, and Rosemary A. Emswiler, Trustee of the Rosemary A. Emswiler Revocable Trust U/A dated December 27, 1978 as amended (together, the "Property Owners"), own certain real property located within the City of Pataskala, Ohio ("Pataskala") described in Exhibit A attached hereto (the "Project Site"); and

WHEREAS, the Property Owners propose to establish a master plan-based industrial park (the "Project") in an area that includes the Project Site which will result in the creation of employment opportunities at the Project Site and the improvement of the economic welfare of the people of Pataskala and this Township; and

WHEREAS, the Property Owners, Pataskala, the City of Newark ("Newark"), the County of Licking, Ohio (the "County"), this Township and others, have entered into a Development and Compensation Agreement (as the same may be amended and supplemented, the "DC Agreement") setting forth the undertakings of the parties thereto with respect to the Project; and

WHEREAS, to support the Project, the DC Agreement contemplates that Pataskala may enter into one or more community reinvestment area ("CRA") agreements (each, a "CRA Agreement"), granting the certain incentives for the development of the Project; and

WHEREAS, to enhance the feasibility of the Project and to implement the DC Agreement, the City Council of Pataskala passed an ordinance (as the same may be amended and supplemented, the "TIF Ordinance") declaring improvement to the parcels of real property comprising the Project Site to be a public purpose and exempt from real property taxation; provided, however, that the exemption provided pursuant to the TIF Ordinance shall not apply to the assessed value of any structures exempted under any CRA Agreement for the period and to the extent that the structures are exempt under such CRA Agreement; and

WHEREAS, to enhance the feasibility of the Project and to implement the DC Agreement, the Board of County Commissioners of the County adopted a resolution (as the same may be amended and supplemented, the "TIF Resolution") declaring the improvement to certain parcels of real property located south of Refugee Road and outside of the Project Site to be a public purpose and exempt from real property taxation; provided, however, that the exemption provided pursuant to the TIF Resolution shall not apply to the assessed value of any structures exempted under any CRA Agreements approved by the County for the period and to the extent that the structures are exempt under such CRA Agreement; and

WHEREAS, in addition to the passage of the TIF Ordinance and the adoption of the TIF Resolution, and the entering into of the DC Agreement and any CRA Agreements, Pataskala, Newark and this Township desire to further enhance the feasibility of the Project by establishing a joint economic development district ("JEDD") pursuant to Ohio Revised Code Sections 715.72 through 715.81 (the "Act") through the execution of a JEDD contract substantially in the form attached hereto as Exhibit B (the "JEDD Contract"), in accordance with an economic development plan for the Project Site that consists of the schedules required by Section 715.75(C) of the Act (the "Plan"); and

WHEREAS, the JEDD Contract will provide for, among other things, the following: (i) the creation of a JEDD Board of Directors to govern the operation of the JEDD and the enumeration of the powers of the JEDD Board of Directors; (ii) the levy of a JEDD income tax, a portion of the proceeds of which will be used to finance the construction of public infrastructure improvements within the JEDD; and (iii) the provision of utility services and other services within the JEDD to benefit the property located within the JEDD; and

WHEREAS, pursuant to Section 715.75 of the Act, the legislative authorities of Pataskala, Newark and this Township have each held a public hearing concerning the creation of the JEDD and the approval of the JEDD Contract, which allowed for public comment and recommendations on the JEDD Contract and JEDD, and any such recommendations have been duly considered by this Board of Township Trustees for inclusion in the JEDD Contract; and

WHEREAS, at least 30 days prior to the holding of such public hearings, each of the respective legislative authorities caused notice of the public hearings to be published in a newspaper of general circulation in each political subdivision, in accordance with such Section 715.75 and during such 30-day period, (a) a copy of the JEDD Contract; (b) a description of the area or areas to be included in the JEDD, including a map in sufficient detail to denote the specific boundaries of the area or areas and to indicate any zoning restrictions applicable to the area or areas, and (c) the Plan, were on file in the office of the Clerk of Council in the case of Pataskala and Newark ,and in the office of the Fiscal Officer in the case of this Township; and

WHEREAS, it is necessary and desirable to create the JEDD for the purpose of facilitating economic development, to create or preserve jobs and employment opportunities, and to improve the economic welfare of the people in the State of Ohio and in the area of the parties to the JEDD Contract; and

WHEREAS, this Township desires to provide support for economic development within the area of this Township and to enhance the public infrastructure supporting such development,

which is expected to further the economic welfare of the citizens of this Township, by creating the JEDD and authorizing and entering into the JEDD Contract;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TOWNSHIP TRUSTEES OF THE TOWNSHIP OF HARRISON, LICKING COUNTY, OHIO: THAT

SECTION 1. This Board of Township Trustees hereby approves the JEDD Contract, and authorizes two or more members of this Board of Township Trustees to execute the JEDD Contract in substantially the form attached hereto as Exhibit B, with such non-material and/or non-adverse changes as may be deemed appropriate by the officials signing the same. Such execution shall constitute conclusive evidence of this Board's approval of any such changes. This Board of Township Trustees further authorizes and directs the any member of this Board of Township Trustees acting alone, and other appropriate officers of this Township, to take any further actions, and to execute and deliver any further agreements, certificates or documents that are necessary, reasonable or appropriate to accomplish the granting of the incentives described in the JEDD Contract. This Board of Township Trustees hereby finds and determines that entering into the JEDD contract and the creation of the JEDD will facilitate economic development, create or preserve jobs and employment opportunities, and improve the economic welfare of the people, in the State of Ohio and in the area of this Township.

SECTION 2. This Board of Township Trustees hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board of Township Trustees, and that all deliberations of this Board of Township Trustees and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Ohio Revised Code Section 121.22.

SECTION 3. This Resolution shall take effect at the earliest time permitted by law.

Motion made by Ray Foor, seconded by Eric Smith, and the roll being called upon the question of adoption of the resolution, the vote resulted as follows:

Ayes: Larry Kretzmann Ray Foor Eric Smith

Nays:

ADOPTED this 15th day of December, 2009.

Township Fiscal Officer

Prepared by:
Dennis G. Schwallie, Esq.
Peck, Shaffer & Williams LLP
65 East State Street, Suite 500
Columbus, Ohio 43215

EXHIBIT A
JEDD PROJECT SITE

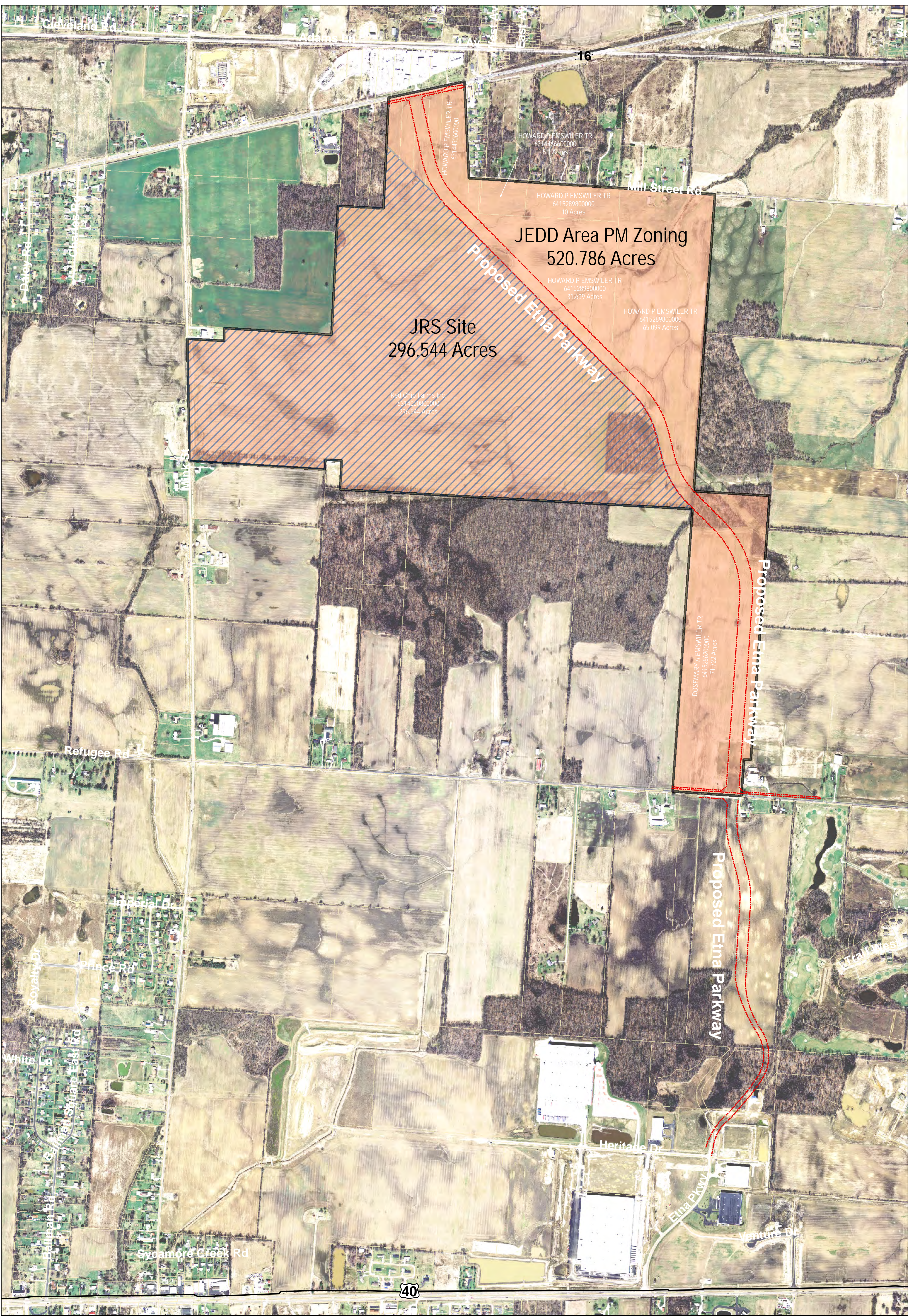


EXHIBIT B
JEDD CONTRACT
COPY OF CONTRACT AVAILABLE AT

Township Administration Building

6750 Outville Road, Pataskala

740-927-8277

AND

Township Fiscal Office

3886 Outville Road, Granville

740-927-3545

CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Board of Township Trustee of Harrison Township (Licking County), Ohio on December 15, 2009.

Harrison Township Fiscal Officer

Date: December 15, 2009

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