
REGULAR SESSION FEBRUARY 16, 2022

This day the Board of Morrow County Commissioners met in their office at 80 North Walnut St., Ste. A, Mt. Gilead, Ohio with the following members present: Mr. Abraham, Mr. Whiston and Mr. Siegfried.

Public in attendance: Mike Goff (Treasurer), Andy Ware (Development), Daniel Schwartz, Dixie Shinaberry (Recorder) and Kevin DeWine.

The meeting was opened with prayer and pledge of allegiance to the flag, and then called to order by Mr. Siegfried, who then proceeded with the business at hand. The following matters came before the Board for their consideration and approval.

**IN THE MATTER OF
APPROVAL OF THE MINUTES
OF REGULAR SESSION OF FEBRUARY 14, 2022: 22-R-140**

Mr. Whiston made a motion to approve the minutes of regular session of February 14, 2022, as recorded in the Commissioners Journal # 49.

Mr. Abraham duly seconded this motion

Roll Call Vote: ..,Mr. Whiston..., "yea" ..,Mr. Abraham..., "yea" .., Mr. Siegfried.., "yea"

**IN THE MATTER OF
APPROVAL OF BILLS FOR PAYMENT: 22-R-141**

Mr. Siegfried made a motion to approve payment of bills numbered 1 through 72 submitted by the Morrow County Auditor's office.

Mr. Abraham duly seconded this motion

Roll Call Vote: ..,Mr. Whiston..., "yea" ..,Mr. Abraham..., "yea" .., Mr. Siegfried.., "yea"

**IN THE MATTER OF
PAY-INS: 22-R-142**

The following pay-ins were made to Patricia K. Davies, Morrow County Auditor:

Receipt Batch #2417 Payments received from Chesterville customers for sewer fund 5159 \$105.29
Payments received from Johnsville customers for sewer fund 5100 \$123.90
Payments received from Ketterman customers for sewer fund 5121 \$55.84
Payments received from Somoco customers for sewer fund 5110 \$52.71

Receipt Batch #2419 Payments received from Chesterville customers for sewer fund 5159 \$180.00
Payments received from Johnsville customers for sewer fund 5100 \$175.00
Payments received from Ketterman customers for sewer fund 5121 \$56.00

Receipt# 220433 Payment from Peru Township for EMA services 2012-1050-450525 \$1,134.75

Receipt# 220434 Payment from Morrow County Treasurer and Recorder for storage reimbursement 1000-1020-420250 \$1,111.95

**IN THE MATTER OF
RESOLUTION FOR DISPOSAL OF UNNEEDED, OBSOLETE OR UNFIT PERSONAL
PROPERTY - COMMON PLEAS COURT: 22-R-143**

WHEREAS, per Ohio Revised Code §307.12 (b)(1):

(B) When the board of county commissioners finds, by resolution, that the county has personal property, including motor vehicles acquired for the use of county officers and departments, and road machinery, equipment, tools, or supplies, that is not needed for public use, is obsolete, or is unfit for the use for which it was acquired, and when the fair market value of the property to be sold or donated under this division is, in the opinion of the board, two thousand five hundred dollars or less, the board may do either of the following:

(1) Sell the property by private sale, without advertisement or public notification;

WHEREAS, the Morrow County Common Pleas Court has a 2 drawer filing cabinet (grey – 1975 model) that is no longer needed by the Common Pleas Court and would like dispose of through a private sale for the amount of \$30.00; and

THEREFORE, Mr. Whiston made a motion to approve through this Resolution for the private sale of the 2 drawer filing cabinet in the amount of \$30.00.

Mr. Siegfried duly seconded this motion.

Roll Call Vote: ..,Mr. Whiston..., “yea” ..,Mr. Abraham..., “yea” .., Mr. Siegfried.., “yea”

**IN THE MATTER OF
APPROVAL TO JOURNALIZE REPORT FROM THE MORROW COUNTY TREASURER
FOR GAP SHEET AS OF THE CLOSE OF BUSINESS ON JANUARY 31, 2022: 22-R-144**

Mr. Siegfried made a motion to journalize receipt of the Gap sheet 01.31.2022 report from the Morrow County Treasurer, Michael Goff and acknowledged and signed by the Morrow County Auditor, Pat Davies and the Board of County Commissioners as presented:

Receipts/Disbursements balance close of business			
Recon. Items	(\$0.01)		
Vault	\$3,000.00		
Checking Account	\$3,969,668.80		
Sweep ICS	\$4,788,879.72		
Star Ohio	\$537,566.77		
CDARS 3	\$1,055,851.68		
CDARS 4	\$2,001,511.41		
CDARS 5	\$1,035,351.43		
CDARS 6	\$2,000,821.24		
PARK ICS 0603	\$3,933,988.63		
Wire	\$0.00		
Fifth Third	\$13,588,031.11		
Engineer Note	\$223,466.30		
Commissioners	\$168,011.85		
Point N Pay	\$86,221.18		
Warrant	\$0.00		
Balance	\$33,392,370.11		
Monthly Investments Balance		Interest pd in	2.3.22
Star Ohio	\$537,566.77	\$47.50	
Fifth Third	\$13,588,031.11	\$8,576.54	1.31.22
CDARS 4	\$2,001,511.41	\$339.57	
CDARS 5	\$1,035,351.43	\$175.67	
CDARS 3	\$1,055,851.68	\$2,080.92	
CDARS 6	\$2,000,821.24	\$339.50	
PARK ICS 0603	\$3,933,988.63	\$217.14	
Engineer Note	\$223,466.30	\$793.24	1.6.22
Commissioners Note	\$168,011.85	0.00	
Daily Investments Balance	\$24,544,600.42		
Checking Account	\$3,969,668.80	Bank Balance	
Vault	\$3,000.00		
Wire Acct	\$0.00		
FKNB Sweep ICS	\$4,788,879.72	\$47.89	
Warrant	\$0.00		
Recon. Issue	(\$0.01)		
Point N Pay	\$86,221.18		

	\$33,392,370.11	Funds and Banks VIP	

Mr. Abraham duly seconded this motion.

Roll Call Vote: ..,Mr. Whiston..., “yea” ..,Mr. Abraham..., “yea” .., Mr. Siegfried.., “yea”

**IN THE MATTER OF
RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A TAX
INCREMENT FINANCING AGREEMENT BY AND BETWEEN THE COUNTY AND
MORROW MEADOWS DEVELOPMENT, INC. SUBJECT TO FURTHER
AUTHORIZATION FROM THIS BOARD: 22-R-145**

The Board of Commissioners of Morrow County, Ohio, met in a regular meeting on February 16, 2022 at 80 North Walnut Street, Mount Gilead, OH 43338, with the following members present:

Mr. Whiston offered a motion to adopt the following Resolution:

RESOLUTION NO. 22-R-145

MORROW COUNTY BOARD OF COMMISSIONERS

**RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A TAX
INCREMENT FINANCING AGREEMENT BY AND BETWEEN THE COUNTY
AND MORROW MEADOWS DEVELOPMENT, INC. SUBJECT TO FURTHER
AUTHORIZATION FROM THIS BOARD**

WHEREAS, Morrow Meadows Development Inc. (the “Company”) has acquired or intends to acquire certain real property situated in the County, a description and depiction of which is attached hereto as Exhibit A (the “Project Site”) and incorporated herein by reference, with each parcel of real property within the Project Site referred to herein as a “Parcel” (whether as presently appearing on the county tax duplicate or as subdivided or combined and appearing on future tax duplicates); and

WHEREAS, in order to successfully develop the Parcels, it is necessary to construct or to cause to be constructed certain public infrastructure improvements as described in Exhibit B attached hereto (the “Public Infrastructure Improvements”), which the County and the Company agree will directly benefit the Parcels; and

WHEREAS, the Company proposes to establish on all or a portion of the Project Site in multiple phases a commerce center, expected to include but not be limited to retail and hospitality buildings together with related site improvements (collectively the buildings and related site improvements that are actually constructed shall be referred to as the “Project”); and

WHEREAS, the County, by separate Resolution (the “TIF Resolution”), intends to declare that one hundred percent (100%) of the increase in the assessed value of each Parcel subsequent to the effective date of the TIF Resolution (each such increase hereinafter referred to as an “Improvement,” as further defined in Section 5709.77 of the Ohio Revised Code and the TIF Resolution) is a public purpose and is exempt from taxation for a period commencing for each Parcel the earlier of the first day of (i) the tax year in which there is an Improvement with respect to the Parcel (as it may be subdivided or combined in connection with the acquisition of the Parcel by the Company or its affiliates or otherwise) of at least \$175,000 in assessed value (i.e., an increase in true value of \$500,000), or (ii) tax year 2036, and ending on the earlier of (a) twenty (20) years after such commencement or (b) the date on which the County can no longer require service payments in lieu of taxes, all in accordance with the requirements of Sections 5709.77, 5709.78, 5709.79 and 5709.80 of the Ohio Revised Code (the “TIF Statutes”) and the TIF Resolution; and

WHEREAS, the County and the Company desire to enter into the attached tax increment financing agreement (the “Agreement”) on the terms and conditions hereinafter set forth to provide for Public Infrastructure Improvements to support the Project Site; and

WHEREAS, the County and the Company understand that the Agreement may only be effective upon the Board’s approval of the TIF Resolution.

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

Section 1. Approval of TIF Agreement. This Board hereby approves the TIF Agreement and authorizes the County to execute, deliver, and perform the TIF Agreement. The Chairman of this Board (“Chairman”) is hereby authorized and directed, for and on behalf of the County, to execute and deliver the TIF Agreement, substantially in the form attached hereto as **Exhibit C**, together with such modifications to the form of the TIF Agreement as shall be approved by the Chairman, shall not be materially adverse to the County, and shall be consistent with this Resolution, all of which shall be conclusively evidenced by the Chairman’s signature on the TIF Agreement. The Chairman is further hereby authorized to execute and deliver any additional agreements or instruments as the Chairman shall deem necessary to carry out the purposes of this Resolution and the TIF Agreement, and the County is hereby authorized to perform its obligations under any of those agreements or instruments.

Section 2. Agreement Effective upon Passage of TIF Resolution. This Board hereby declares that no provision of the TIF Agreement shall be effective until and unless the Board subsequently passes the TIF Resolution with regards to the Parcels described in **Exhibit A**, attached hereto.

Section 11. Open Meetings. It is found and determined that all formal actions of this Board concerning and pertaining to the adoption of this resolution were taken in an open meeting of this Board, and that all deliberations of the Board, and any of its committees, that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including R.C. Section 121.22.

Section 12. Effective Date. This Resolution shall take effect on and after the earliest period allowed by law.

Attest and certify: s/Patricia K. Davies, County Auditor

EXHIBIT A

Description of the Parcels

The Parcels to be exempt under the foregoing Resolution consist of the following parcels of real property, identified by Morrow County Auditor permanent parcel identification number as of the date of the foregoing resolution, include:

- A01-001-00-354-00
- A01-001-00-355-55
- A01-001-00-356-00
- A01-001-00-357-00
- A01-001-00-359-01
- A01-001-00-358-00

EXHIBIT B

Public Infrastructure Improvements

All of the Public Infrastructure Improvements described below are hereby determined to be “public infrastructure improvements” (as defined in R.C. Sections 5709.40(A)(8) and 5709.77(H)) and are intended to benefit the Parcels described in **Exhibit B**. The Public Infrastructure Improvements specifically include the costs of financing the Public Infrastructure Improvements, including the items of “costs of permanent improvements” described in Ohio Revised Code Section 133.15(B), and incurred with respect to the Public Infrastructure Improvements, which “costs” specifically include any reimbursement payments for the reimbursement of the costs of the Public Infrastructure Improvements and any debt service on, and other expenses relating to the issuance of, any bonds, notes, or other obligations issued to finance the Public Infrastructure Improvements. Any expenditures made or incurred by the County related to such Public Infrastructure Improvements shall be eligible for payment or reimbursement. Other expenditures related to the Public Infrastructure Improvements shall be eligible for payment or reimbursement at the discretion of and subject to approval by the Board of County Commissioners of Morrow County, Ohio. The Public Infrastructure Improvements include, without limitation:

- Construction, reconstruction, extension, opening, improving, widening, grading, draining, curbing or changing of the lines and traffic patterns of, highways, streets, intersections, bridges (both roadway and pedestrian), sidewalks, bikeways, medians and viaducts accessible to and

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serving the public, and providing signage (including traffic signage and informational/promotional signage), lighting systems, signalization, and traffic controls, and all other appurtenances thereto.

- Construction, reconstruction, extension, opening, improving, widening, grading, draining or curbing of walking and/or multipurpose paths.
- Demolition, including demolition on private property when determined to be necessary for public health, safety and welfare.
- Construction, reconstruction or installation of public utility improvements (including any underground municipally owned utilities), storm and sanitary sewers (including necessary site grading therefore), water and fire protection systems, and all appurtenances thereto.
- Construction, reconstruction or installation of gas, electric and communication service facilities (including any underground lines or other facilities), and all appurtenances thereto.
- Construction, reconstruction and installation of stormwater and flood remediation projects and facilities, including such projects and facilities on private property when determined to be necessary for public health, safety and welfare.
- Continued and ongoing maintenance, paving, repaving, striping, grading and related work on roads, highways, streets, water and sewer lines constructed as part of the Public Infrastructure Improvements.
- Construction or installation of streetscape and landscape improvements including trees, tree grates, signage, curbs, sidewalks, scenic fencing, street and sidewalk lighting, trash receptacles, benches, newspaper racks, burial of overhead utility lines and related improvements, together with all appurtenances thereto, including, but not limited to streetscape improvements in conjunction with and along the roadway improvements described above.
- Construction or reconstruction of one or more public parks and park or recreational facilities, including grading, trees and other park plantings, park accessories and related improvements, multi-use trails and bridges, together with all appurtenances thereto.
- Acquisition of real estate or interests in real estate (including easements) (a) necessary to accomplish any of the foregoing Public Infrastructure Improvements or (b) in aid of industry, commerce, distribution or research, including acquisition of interests in the Parcels by one or more public or private entities necessary for redevelopment of the Parcels.
- Any on-going administrative expenses relating to the Public Infrastructure Improvements and maintaining the TIF revenue, including but not limited to engineering, architectural, legal, TIF administration, permitting and public infrastructure construction management, and other consulting and professional services.
- All inspection fees and other governmental fees related to the foregoing.
- Engineering, consulting, legal, administrative, and other professional services associated with the planning, design, acquisition, construction and installation of the foregoing improvements and real estate.

Mr. Siegfried seconded the motion and the roll being called upon the question of its adoption the vote resulted as follows:

Roll Call Vote: ..,Mr. Whiston..., "yea" ..,Mr. Abraham..., "yea" .., Mr. Siegfried..., "yea"

**IN THE MATTER OF
APPROVAL TO RECESS SESSION: 22-R-146**

Mr. Whiston made a motion to recess session at 9:09 a.m.

Mr. Abraham duly seconded this motion.

Roll Call Vote: ..,Mr. Whiston..., "yea" ..,Mr. Abraham..., "yea" .., Mr. Siegfried..., "yea"

**IN THE MATTER OF
APPROVAL TO RETURN TO REGULAR SESSION: 22-R-147**

Mr. Siegfried made a motion to return to regular session at 2:07 p.m.

Mr. Whiston duly seconded this motion.

Roll Call Vote: ..,Mr. Whiston..., "yea" ..,Mr. Abraham..., "yea" .., Mr. Siegfried.., "yea"

**IN THE MATTER OF
APPROVAL OF BILLS FOR PAYMENT #2: 22-R-148**

Mr. Siegfried made a motion to approve payment of bills numbered 1 through 17 submitted by the Morrow County Auditor's office.

Mr. Whiston duly seconded this motion

Roll Call Vote: ..,Mr. Whiston..., "yea" ..,Mr. Abraham..., "yea" .., Mr. Siegfried.., "yea"

**IN THE MATTER OF
APPROVING A QUALIFIED ENERGY PROJECT EXEMPTION APPLICATION
SUBMITTED BY BLOSSOM SOLAR, LLC FOR THE BLOSSOM SOLAR PROJECT IN
MORROW COUNTY AND THEREBY EXEMPTING SUCH PROPERTY IN THE COUNTY
FROM REAL AND PERSONAL PROPERTY TAXATION; REQUIRING ANNUAL SERVICE
PAYMENTS IN LIEU OF TAXES; AND SPECIFYING THE TIME ANND MANNER OF
SUCH PAYMENTS: 22-R-149**

This day the Board of Morrow County Commissioners met in regular session, with the following members present: Thomas Whiston, Tim Siegfried and Tim Abraham.

It was moved by Commissioner Abraham and seconded by Commissioner Whiston that the following be adopted.

WHEREAS, Ohio Revised Code ("R.C.") Section 5727.75 allows a "qualified energy project" using renewable energy resources to be exempt from real property taxes and tangible personal property taxes if certain conditions are satisfied (a "Qualified Energy Project"); and

WHEREAS, a Qualified Energy Project may be certified by the Director of the Ohio Department of Development ("ODOD") in accordance with the provisions of R.C. Section 5727.75 and the Ohio Administrative Code Chapter 122:23-1; and

WHEREAS, Blossom Solar, LLC (the "Company") desires to construct a new 144 megawatt nameplate capacity solar energy facility, on multiple parcels of land located within Washington Township, Morrow County, Ohio, and which may include, depending on development decisions, certain additional parcels of land in Tully Township, Marion County, Ohio (the "Project"); and

WHEREAS, the Company submitted an Ohio Qualified Energy Project Tax Exemption Program Application for Certification to the Director of ODOD on January 20, 2022 (the "Application"), a copy of which is attached hereto as Exhibit A and incorporated herein by reference; and

WHEREAS, the Application requests certification of the Project as a qualified energy project under R.C. Section 5727.75 for that portion of the Project located in Morrow County, Ohio (the "County"); and

WHEREAS, this Board of Morrow County Commissioners (the "Board") has received and reviewed the Application submitted by the Company to ODOD for the Project; and

WHEREAS, the Project is expected to be an important source of renewable energy in the County, and the Board believes that the Project will benefit the citizens of the County and serve as a model alternative energy project for future development; and

WHEREAS, pursuant to R.C. Section 5727.75(E)(1)(b), the Board must adopt a resolution approving or rejecting the Company's Application; and

WHEREAS, the Board may require an annual service payment to be made in addition to the service payment required under R.C. Section 5727.75(G), provided the sum of the service payment required in the resolution and the service payment required under R.C. Section 5727.75(G) shall not exceed \$9,000 per megawatt of nameplate capacity located in the County and the resolution specifies the time and manner in which the payments required by the resolution shall be paid to the County's Treasurer; and

WHEREAS, the Board desires to encourage the construction and development of alternative energy projects in the County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS FOR MORROW COUNTY, OHIO THAT:

SECTION 1. This Board hereby approves the Application pursuant to R.C. Section 5727.75(E)(1)(b).

SECTION 2. The approval provided in Section 1 of this resolution is expressly conditioned upon the payment of an annual service payment required under R.C. Section 5727.75(G) in the amount of seven thousand dollars per megawatt of nameplate capacity located in the County. The annual service payment in lieu of taxes shall be charged, collected, and distributed at the same time and in the same manner as the taxes that would ordinarily be imposed on taxable property.

SECTION 3. The approval provided in Section 1 of this resolution is also expressly conditioned upon the payment of an additional annual service payment to the County as permitted under R.C. Section 5727(E)(1)(b) in the amount of two thousand dollars per megawatt of nameplate capacity located in the County. The payment of this additional annual service payment shall be charged and collected at the same time, in the same manner and under the same conditions as set forth in Section 2. The additional annual service payment set forth in this Section shall be deposited into the County general fund in accordance with R.C. Section 5727.75(E)(1)(b).

SECTION 4. The sum of the annual service payments set forth in Sections 2 and 3 of this resolution shall equal, and may not exceed in any year, nine thousand dollars per megawatt of nameplate capacity located in the County, pursuant to R.C. Section 5727(E)(1)(b).

SECTION 5. The clerk of this Board is hereby directed to send a copy of this resolution by certified mail to the Director of ODOD and to the Company within thirty (30) days after receipt of the Application.

SECTION 6. The Board finds and determines that all formal actions of this Board and any of its committees concerning and related to the adoption of this resolution, and that all deliberations of this Board and of any of its committees that resulted in those formal actions were taken or held in meetings open to the public and in compliance with Ohio law, including R.C. Section 121.22.

SECTION 7. This resolution shall take effect and be in force from and after the earliest period allowed by law.

s/Thomas Whiston

s/Tim Siegfried

s/Tim Abraham

Adopted February 16, 2022

Approved as to form: s/Thomas Smith, County Prosecutor

Certification: s/Cheryl S. Heacock, Clerk

Roll Call Vote: ..,Mr. Whiston..., "yea" ..,Mr. Abraham..., "yea" .., Mr. Siegfried.., "yea"

There being no further matters to bring before the board, a motion to adjourn was made by Mr. Whiston and duly seconded by Mr. Abraham.

Roll Call Vote: ..,Mr. Whiston..., "yea" ..,Mr. Abraham..., "yea" .., Mr. Siegfried.., "yea"

We hereby certify the foregoing to be true and correct.

CHAIRMAN

CLERK

ASSISTANT CLERK

MORROW COUNTY COMMISSIONERS