

RESOLUTION 10-0405-05

A RESOLUTION TO ACCEPT THE REPORT OF THE BERLIN/LIBERTY TOWNSHIP COMMUNITY REINVESTMENT AREA (CRA) TAX INCENTIVE REVIEW COUNCIL (TIRC) ON THE STATUS OF THE CRA PROGRAM FOR PROGRAM YEAR 2009 (P&D BUILDERS) AND TO ACCEPT THE RECOMMENDATIONS OF THE TIRC CONCERNING AGREEMENTS WITHIN THE CRA:

The Liberty Township met in regular session on April 5, 2010 all members present. It was moved by Curt Sybert, and seconded by Mary Carducci to adopt the following Resolution:

WHEREAS, the Delaware County Commissioners, with the consent of Liberty/Berlin Township, have designated areas of Liberty/Berlin Township as a CRA, pursuant to the Ohio Community Reinvestment Area Act, which is contained in the Ohio Revised Code Sections 3735.65 through 3735.70, inclusive; and

WHEREAS, the purpose of the Delaware County CRA's in Liberty/Berlin Township is to provide the community with an effective tool for managing and guiding economic development by enhancing the tax base, by encouraging and sustaining long term investment in the community, by enhancing the quality of life, and by preserving existing and attracting new business investment within said Area; and

WHEREAS, the maintenance of existing and construction of new commercial and industrial structures in these areas would serve to encourage economic stability, maintain real property values, and generate employment opportunities; and

WHEREAS, the duly appointed Tax Incentive Review Council (TIRC) for the CRA met on March 16,, 2010 respectively and reviewed the status of each active CRA Project and Agreement and made certain recommendations concerning action to either continue, modify, or terminate said Agreements and the CRA; and

WHEREAS, Liberty/Berlin Township and Delaware County are required under Ohio Revised Code Section 3735.672 to submit an annual report regarding the status of each CRA Agreement, the results of each project during CRA Program Year 2009, and the recommendations of the TIRC, by March 31, 2010 to the Director of the Ohio Department of Development, and said report has been submitted.

NOW THEREFORE BE IT RESOLVED by Liberty Township, County of Delaware, State of Ohio as follows:

Section 1. That the review and recommendations made by the TIRC on March 16, 2010 respectively to continue all existing agreements for Liberty/Berlin Township - CRA Number 0410113501, be accepted and that this report, and all other information required by the State of Ohio, be forwarded to the Director of the Ohio Department of Development, and all other appropriate entities, as noted in Ohio Revised Code Section 3735.672.

Section 2. The Fiscal Officer is directed to submit a certified copy of this Resolution to the Board of County Commissioners of Delaware County for its approval.

Section 3. That this Resolution shall take effect and be in force immediately after its passage.

PASSED: 3-0

ATTEST: Mary Carducci
Fiscal Officer

Curt Sybert
Trustee Chairman



Delaware County Commissioners

Todd Hanks
Ken O'Brien
Tommy Thompson

County Administrator
David Cannon

Clerk to the Commissioners
Letha George

March 23, 2010

Dave Anderson
Liberty Township Administrator
10104 Brewster Lane, Suite 125
Powell, Ohio 43065

**Re: Resolution to Accept TIRC Recommendation –Berlin/
Liberty Township Community Reinvestment Area (CRA)
Program Year 2009**

Dear Mr. Anderson:

Please find enclosed draft resolutions to accept the recommendation of the Delaware County / Berlin/Liberty Township TIRC for Program Year 2009 of the Community Reinvestment Area. The TIRC reviewed the CRA Agreement at their annual meeting on March 16, 2010, and voted to continue.

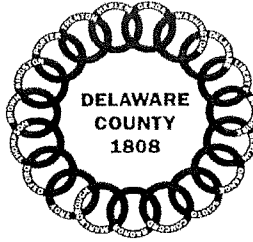
If possible, I would greatly appreciate if the Township could take action on the recommendation of the TIRC at their next available meeting. Please send me a copy of your resolution for my file. This would enable the Commissioners to act shortly thereafter.

If you should have any questions, or if I can provide any additional information or assistance, please do not hesitate to contact me at (740) 833-2107. We appreciate the efforts of Liberty Township to promote economic development in Delaware County.

Very truly yours,

Dottie Brown

Dottie Brown
Delaware County Economic Development Specialist II



Delaware County, Ohio

March 22, 2010

**To: Delaware County / Berlin/Liberty Township Tax Incentive Review Council (TIRC)
Members:**

- ◆ George Kaitsa – Delaware County Auditor, TIRC Chairman - Present
- ◆ Letha George – Delaware County - Present
- ◆ Phil Panzarella – Berlin Township Representative - Present
- ◆ Ray Armstrong, Berlin Township Zoning - Present
- ◆ Becky Jenkins, Olentangy Local School District - Present
- ◆ Chris Bell – Treasurer, Delaware Area Career Center - Present
- ◆ Frank Reinhard – Delaware County Bank – Present
- ◆ Dave Anderson – Liberty Twp. Administrator-Present
- ◆ Curt Sybert-Liberty Twp. Trustee-Absent
- ◆ Shawn Stevens- Chase Bank - Present

From: Dottie Brown
Delaware County Economic Development Specialist II

**Subject: Community Reinvestment Area (CRA) and Enterprise Zone Program for Year
2009 Review -Tax Incentive Review Council Meeting Minutes – March 16, 2010**

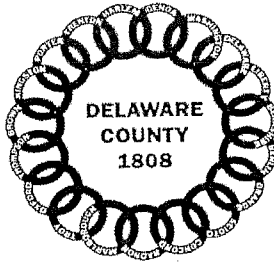
The meeting of the Tax Incentive Review Council was called to order at 1:53 pm. by County Auditor George Kaitsa. Mr. Kaitsa turned the meeting over to Gus Comstock and Dottie Brown.

Dottie reviewed the CRA status of P & D Builders, which was completed in the spring of 2009. The building houses P & D Builders, Ohio Corn Growers and Pioneer Seed Company. The CRA agreement stated P & D Builders would retain 14 jobs and create 1 part-time permanent position. They have retained 12 jobs and created 36 positions with Ohio Corn Growers and Pioneer Seed. Frank Reinhard moved to continue, seconded by Becky Jenkins. The motion carried unanimously.

Chris Bell made a motion to adjourn, seconded by Becky Jenkins.

Dottie Brown

Delaware County Economic Development Specialists II



**Delaware County / Liberty Twp/Berlin Twp (The Park at Greif)
Community Reinvestment Area (CRA)**

Tax Incentive Review Council (TIRC) – Review of Program Year 2009

Tuesday, March 16, 2010

1:50 pm.

**Delaware County Commissioners Office
101 N. Sandusky Street
Delaware, Ohio**

A G E N D A

1. Call to Order
2. Introductions
3. Community Reinvestment Area (CRA)- P & D Builders
4. Other Business
5. Adjournment



2009 COMMUNITY REINVESTMENT AREA ANNUAL REPORT

SECTION A: GENERAL AREA INFORMATION

Community Reinvestment Area Number: 041-05788-01 County: Delaware

- 1. Date Community Reinvestment Area (CRA) Certified: 10-17-05
2. State the population of the CRA according to the most recent data (2000 census): 15,547
3. Chronologically list the date(s) the CRA was formally amended: N/A
4. Identify the average unemployment for the County or Municipal Corporation (if available) for each calendar year since the area was certified. 7.7%

SECTION B: CUMULATIVE AGREEMENT INFORMATION

- 1. The total number of CRA Agreements entered into since certification of the area 1
2. The total number of CRA Agreements in effect as of 12/31/09: 1
3. The total number of enterprises:
a. Subject to CRA Agreements (including both operating companies and developer/lessor investors receiving tax benefits): 1
b. Subject to CRA Agreements that have expanded in the Area (see Section C for itemization): 0
4. The total number of CRA Agreements approved by the applicable legislative authority during the calendar year (2009): 0
5. The total number of CRA Agreements executed during the calendar year (2009): 0
6. The total number of CRA Agreements that:
a. Expired during the calendar year (2009): 0
b. Are scheduled to expire during the calendar year in which the report is submitted (2010): 0

Section B con't on next page

SECTION B: CRA Agreement Information Continued

7. Tax Incentive Review Council:

- a. The total number of CRA Agreements reviewed by the TIRC in 2009: 1
- b. The total number of CRA Agreements determined to be in compliance: 1
- c. The total number of CRA Agreements determined to be in non-compliance: 0
- d. After formal review, the total number of CRA Agreements for which the TIRC made recommendations to the legislative authority: 1
- e. The total number of CRA Agreements for which the legislative authority did not follow the recommendation of the TIRC: 0
- f. The total number of CRA Agreements rescinded during 2009: 0
- g. The total number of CRA Agreements modified during 2009: 0

8. The total number of full-time permanent (FTP) jobs

- a. Retained as a result of the CRA Agreements: 12
- b. Created as a result of the CRA Agreements: 36
- c. Committed in the CRA Agreements: 14.5

9. The total number of enterprises subject to CRA Agreements that closed or reduced employment at:

- a. Another site within the state of Ohio for the primary purpose of locating at the CRA Agreements' specific location: 1
- b. Any location outside the state of Ohio for the primary purpose of locating at the CRA Agreements' specific location: 0
- c. The number of full-time permanent employees relocated and retained within Ohio by the business pursuant to 9a above: 12

I CERTIFY THAT THE ABOVE INFORMATION IS THE MOST RECENT AND ACCURATE DATA AVAILABLE.

Signature of Housing Officer

Date

Typed Name and Title



SECTION C: SPECIFIC CRA AGREEMENT/PROJECT STATUS REPORT - 2009

CRA# 041-05788-01 Agreement # 08-001

Please provide the appropriate information for the following questions pertaining to each CRA project. Review each question filling in missing or inaccurate information.

1. Name the business(s) party to the CRA Agreement: P + D Builders

2. Name the Local Governmental Jurisdiction(s) where the project is located: County: Delaware

City, Municipality, or Township: Berlin/Liberty Twp.

Local School District: Olentangy

3. List the CRA Agreement:

a. Execution Date

5-15-08

b. Expiration Date

12-31-19

c. Amendment date(s) (please list all)

0

4. State the baseline total full-time permanent employment of the enterprise:

a. At the facility prior to the CRA agreement:

0 Payroll: 0

b. In Ohio prior to the CRA agreement:

14.5

5. Did the enterprise close or reduce employment at another site:

a. Within Ohio as a result of this agreement? (Y or N): Y If yes, note community(s) and the number of full-time permanent jobs effected:

Community: Liberty

Jobs: 14.5

b. Outside Ohio as a result of this agreement? (Y or N): N If yes, note the state and number of full-time permanent jobs effected:

State: 0

Jobs: 0

6. Number of full-time permanent jobs committed to create and/or retain within the CRA agreement

Retain: 14.5

Create: 0

7. Note the job creation period in months outlined within the CRA Agreement (#months): 36

8. The estimated annual payroll attributed to the new and/or retained employees pursuant to question 6:

Retain Payroll: 655,684

New Payroll: 2,241,579

9. State the enterprise's total project investment commitment and the total investment eligible (if different from the total commitment) for tax exemptions as specified in the CRA Agreement:

Real Property: 2,000,000

Eligible for exemption: 640,000

10. State the tax exemption rates and terms granted to the business under the CRA Agreement: 40 % 10 yrs.

SECTION C: Actual CRA Project Information as of December 31, 2009

11. State the total permanent full-time employees employed by the enterprise at the CRA project for the following categories:
- a. As of 12/31/2009: 48
 - b. New jobs created attributed to the CRA Agreement: 36
 - c. Jobs retained attributed to the CRA Agreement: 12
12. Identify **total actual annual payroll** as of 12/31/2009 **attributed to the new employment (11b)** resulting from the CRA Agreement: \$ 450,440
13. a. State the project investment level **achieved** as of 12/31/2009:
- Real Property:* \$ 2,000,000
 - Real Property Eligible for Exemption:* \$ 640,000
 - Personal Property:* \$ 100,000
- b. Identify total **actual** project tax revenue amounts at the project site for the **most recent calendar year (2009)** (revenues should be reflective of values in question 13a above) (use best available information):
- Real Property Taxes Paid:* \$ 9,482
 - Real Property Taxes forgone (business savings for most current year):* \$ 0
 - Personal Property Taxes Paid:* \$ 0
 - Local Corporate Income Taxes Paid:* \$ 0
- c. Identify total **actual** project tax revenue amounts at project site over the **term** of the CRA through December 31, 2009 (use best available information):
- Cumulative Real Property Taxes Paid:* \$ 9,482
 - Cumulative Real Property Taxes Forgone (total business savings to date):* \$ 0
 - Cumulative Personal Property Taxes Paid:* \$ 0
 - Cumulative Local Corporate Income Taxes Paid:* \$ 0
- d. State the total estimate value of any other incentive provided by the local authorities under the CRA: \$ 0
14. Date of most recent Tax incentive Review Council (TIRC) review of this project: 3-16-10
- a. TIRC recommendations from most recent compliance review: Continue
 - b. Local government action/status: _____

CERTIFICATION OF INFORMATION

I hereby represent and certify that the foregoing information, to the best of my knowledge, is true, complete, and accurately describes the status of the CRA project as of December 31, 2009.

ENTERPRISE'S AUTHORIZED REPRESENTATIVE: _____

Signature Date

Mac Roberts, President P+D Builders LTD.

Typed Name /Title

COMMUNITY AUTHORIZED REPRESENTATIVE: _____

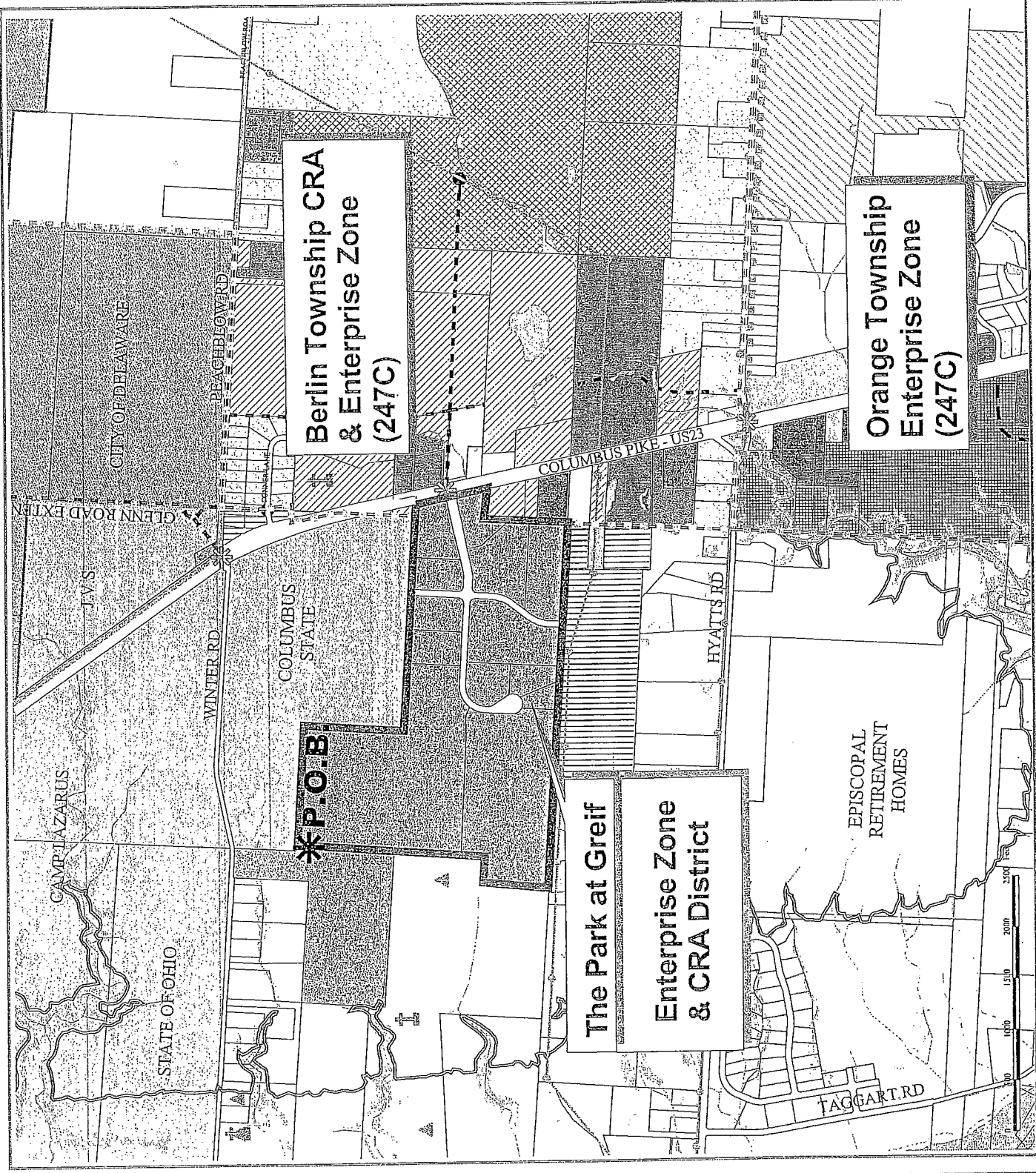
(CRA Housing Officer or C.E.O. of local government) Signature Date

Typed Name /Title

Enterprise Zone & CRA

Liberty Township,
Berlin Township,
and Orange Township
Delaware County, Ohio

- The Park at Greif
- Berlin CRA Enterprise Zone
- Orange Enterprise Zone
- Liberty CP Prepared Route
- Liberty Township Zoning
- Planned Residential District
- Neighborhood Retail District
- Planned Elderly or Retirement Residential Community
- Industrial District
- Planned Industrial District
- Liberty CP Recommended Land Use
- Planned Commercial
- Office + Multi-Family 4 du per N.D.A.
- Planned Office or Residential 1.5 du per N.D.A. with Sanitary Sewer
- Planned Office or Residential 1.25 du per N.D.A. with Sanitary Sewer
- Planned Office or Residential 1 du per N.D.A. without Sewer
- Northwest Greenbelt - 1 du per N.D.A.
- Onestage and Seize Watershed Cumblers
- Residential at 1 du per N.D.A.
- Berlin CP Proposed Road
- Single Family at 1 unit/acre 1.1 unit/acre
- Single Family at 1 unit/acre without centralized Sewer
- Single Family at 1.25 units/acre with Centralized Sewer
- Single Family at 1.5 units/acre NDA
- Single Family at 1.85 units/acre NDA
- Historic District Village - 5 du/acre
- Planned Industrial
- Planned Commercial
- Township Park
- Delaware City Exclusive Waste Services Area at 1 unit/acre without County Sewer
- Berlin Township Zoning
- Farm Residential District (FR-1)
- Low Density Residential District (R-2)
- R-2 with PUD Overlay (R-2/PUD)
- Multi-Type Residential District (R-3)
- Neighborhood Commercial District (NCD)
- General Commercial District (GCD)
- Planned Office District (POD)
- Planned Commercial and Office District (PCD)
- OC/PUD Overlay District (OC/PUD)
- Planned Industrial District (PID)
- Agricultural Conservation District (A-1)
- US Land
- Orange CP Proposed Land Use
- Single Family at 1 du/acre without Water & Sewer
- Planned Multi-Family at 4 du/acre
- Planned Office/Institution
- Planned Commercial
- Planned Industrial
- Delaware County Alum Creek Water Treatment Plant
- Pond
- Orange Township Zoning
- Farm Residence District (FR-1)
- Low Density Residence District (R-2)
- Medium Density Residence District (R-3)
- Single-Family Planned Residential District (SFRD)
- Neighborhood Office District (C-1)
- Neighborhood Commercial District (C-2)
- Planned Commercial and Office District (PC)
- Industrial District (I)
- Planned Industrial District (PI)
- Agricultural Conservation District (A-1)
- Highbanks Park



Prepared by: Delaware County Regional Planning Commission (704-433-2100)
 GIS Data Provided by: The Delaware County Auditor's Office (615-318-1100)
 (704-433-2100) and Chemtreat, Hyattsville, Township Boundary, Municipal Boundary
 (Printed 2/17/2006)