

HARPERSFIELD TOWNSHIP

SPECIAL SESSION

Held on June 19, 2017

The Board of Harpersfield Township convened in special session at 6:30 PM in the Harpersfield Township Administration Building. The purpose was to hear public opinion regarding an addendum to JEDD (Joint Economic Development District) III contract between City of Geneva and Harpersfield Township.

Ray read the addendum:

Second Addendum to Harpersfield-Geneva Joint Economic
Development District #3 Agreement

This addendum agreement is entered into by an between Harpersfield Township, Ashtabula County, Ohio (the Township) and The City of Geneva, Ashtabula County, Ohio (the City) in accordance with the terms and provisions set forth herein.

RECITALS

Whereas, the Parties entered into the JEDD #3 Agreement and its First Addendum on July 14, 2014; and

Whereas, the Parties had reason and information regarding business growth to conclude that income generated from the JEDD #3 area would be greater than the debt service for constructing an additional sewer line along Rt 534; and

Whereas, the Parties now recognize that while the JEDD#3 revenue is not currently significant enough to pay said debt service, but further recognize that construction of the sewer extension is critical to development in the JEDD #3 area; and,

Whereas, the Parties further recognize that the Ohio Legislature amended rules regarding Joint Economic Development Districts with the passage of House Bill 182, and it is in the best interest of the Parties to allow for flexibility provided by House Bill 182, and

Whereas, on Monday, March 6, 2017, the Township Trustees unanimously approved a resolution to amend the JEDD #3 Agreement to allow for funds to be expended from the Geneva Wastewater Proprietary Fund for the sanitary sewer extension under certain conditions, and to amend the JEDD #3 agreement to allow for the application of rule changes under House Bill 182.

Whereas, on Monday, March 13, 2017, Geneva City Council unanimously approved a resolution to amend the JEDD #3 Agreement to allow for funds to be expended from the Geneva Wastewater Proprietary Fund for the sanitary sewer extension under certain conditions, and to amend the JEDD #3 agreement to allow for the application of rule changes under House Bill 182.

Now, Therefore, in consideration of the mutual promises contained in this Agreement, the Parties agree as follows:

1. The Parties agree to **strike** from the addendum dated July 14, 2014, the entire sentence that reads: "Parties agree not to spend funds on construction of the 534 sewer until JEDD and other applicable revenue is significant enough to pay for said construction". Upon execution of this Second Addendum, said sentence, phrase and term shall have no further force or effect.
2. The Parties specifically and expressly agree that all other terms and conditions relating to financing and/or debt reduction relating to the 534 sewer project shall remain in full effect.
3. In the event that (and as long as) JEDD and other applicable revenue is insufficient to cover the debt service payments for the 534 sewer extension, the Parties agree that the Geneva Wastewater Proprietary Fund may advance funds to pay the deficiency under the following conditions:
 - a. The Wastewater Proprietary Fund shall only advance the specific amount necessary to cover the difference between the debt service payment and the income generated from the JEDD.
 - b. The funds advanced by the Wastewater Proprietary Fund shall be considered a "loan" to the JEDD for purposes of payment of the debt service.
 - c. As soon as the JEDD income exceeds the debt service payment amount, the excess shall be paid back to the Geneva Wastewater Proprietary Fund until such time as the "loan" amount has been repaid in full.
 - d. No interest shall be calculated on the "loan" amounts paid from the Geneva Wastewater Proprietary Fund.

4. The Parties expressly acknowledge and adopt the ability to utilize changes in state law relating to JEDDs with the passage of House Bill 182, effective September 13, 2016, including, **but not limited to**, expansion of JEDDs to include residential areas.
5. The Parties agree that any person(s) or entity(ies) must join JEDD #3 prior to gaining access to the 534 sewer extension, and must agree and shall be charged city rates for sanitary sewer tap-in and user fees.
6. The Parties agree that residents who gain access to the 534 sewer extension may be subject to JEDD income taxes as long as the Parties follow state law procedures applicable to JEDD areas to impose an income tax.
7. The Parties acknowledge that there are no residents existing in the JEDD #3 area on the date of execution of this Addendum.

Ray introduced Attorney Paul Malchesky.

Ray questioned Paul regarding advancement funds to be considered a "loan". Paul instructed Sharon to handle the funds as a loan when entering the advances in the Township funds.

Ron Valitsky questioned that he will have to join the JEDD before he would be allowed to hook into the sewer. Ray answered – yes. Ron questioned #7 and was told that "no residents are in the JEDD at this time as the JEDD boundaries went around any/all existing residents in that area.

Sharon asked what might happen if any of the existing businesses question the collection of the income tax and the lack of economic development. Paul stated that it is unlikely that those business will challenge economic development.

Only JEDD III income tax will be used to re-pay the "loan" – no other Township funds – could be up to 40 years if no new business (hotel) builds in JEDD III.

Cliff made a motion to accept the addendum as written; Jim seconded; the Board voted thusly:

Ray Gruber Jr –yes

Clifford Henry – yes

James Pristov – yes

Raymond Gruber Jr

James Pristov

Clifford Henry

Sharon Rohrbaugh

HARPERSFIELD TOWNSHIP

REGULAR SESSION

Held on June 19, 2017

The Board of Harpersfield Township convened in regular session from 7 PM to 8:30 PM in the Harpersfield Township Administration Building. Raymond Gruber Jr, Chairman, called the meeting to order with the following members and visitors present:

Raymond Gruber Jr	Present	James Pristov	Present
Clifford Henry	Present	Sharon Rohrbaugh	Present

Employees: Larry Lister; Cody Craine; Everett Henry

Visitors: Ron Valitsky, Jeff Lang

The minutes from the regular session held on May 22, 2017, and an emergency meeting held on June 6, 2017, were reviewed. Cliff made a motion to approve the minutes for both meetings as written; Jim seconded; the Board voted unanimously in favor.

Larry reported issuing one zoning permit and one variance hearing. He contacted Ron Clutter about a new sign on Spire property at Rt 534 entrance.

Larry spoke with Dave Pelley regarding a "shooting range" he told him it was not allowed in a residential area but that he could request the area to be "re-zoned".

Larry spoke with Mike German and he agreed to move a shed on the property by September (or sooner).

Larry informed the Board that he has been in contact with two wineries regarding signs and permit requirements.

As Steve is out on sick leave, Cody will be giving the reports. The 550 truck was taken to Classic and they were told that all 8 glow plugs need to be replaced; cost will be \$900 if Classic does the job. Cody is willing to do the job but at his personal garage (he needs his tools). Cliff made a motion to allow Township property to be on Cody's personal premises for the repairs; Jim seconded; the Board voted unanimously in favor.

Cody wants comp time instead of overtime pay; the Board discussed and it was decided to stay with overtime. Jim commented that it could get confusing and honesty issues could arise.

Cody would like to purchase more crack seal; he informed the Board that if he purchase the product the company will give him a tar kettle (free of charge) and that he can return any material not used; the Board agreed to this purchase.

Cliff made a motion to purchase a 50 watt radio to be installed in the backhoe from Northeastern Communications at a cost of \$585.20; Jim seconded; the Board voted unanimously in favor.

Everett informed the Board that the new SCBA units are on the trucks and the new tires are on the mule; the Board allowed for the backhoe to be used at the annual Beef Roast festivities.

Ron Tamburrino, Trumbull Township Trustee, contacted Jim regarding the "mutual aid" our volunteer fire department has been supplying Trumbull Township. Trumbull Township wants it to be "automatic aid" and wants to discuss the next step. It was stated during the discussion – why are we offering fire service that our taxpayers are paying for and receiving no compensation to responding to a fire call in Trumbull Township. Trumbull Township has informed the Board that they have used their fire levy funds for other things and have no available funds to pay for fire service. It was suggested to set up a meeting with both Boards and the Fire Department in attendance to discuss and resolve this matter.

Jim made a motion to pay the bills totaling: \$201,033.46 - #9649 through #9695; Cliff seconded; the Board voted unanimously in favor.

Sharon reported the following receipts: #80-2017 through #113-2017; totaling \$195,452.39.

Sharon informed the Board that we do not have to attend Ashtabula County Budget hearings unless the Budget Commission deems it necessary but we still have to submit estimates for the 2018 budget:

General Fund	286,350
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Motor Vehicle License	11,025
Gasoline Fund	87,020
Road & Bridge Fund	319,800
Cemetery Fund	3,000
Zoning Fund	2,500
Fire Levy Fund	63,000
Permissive Vehicle License	12,020
Street Lighting Assessment	14,800
Fire Truck Bond Levy	55,900
JEDD III (income tax)	20,000
Total of all funds	875,415

Cliff moved to adopt the budget as presented; Jim seconded; the Board voted thusly:

Ray Gruber – yes Clifford Henry – yes James Pristov – yes

Sharon informed the Board that she asked the County Auditor’s office for levy information for the road and bridge levy expiring in November.

- 1 mill will generate \$61,015 (replacement)
- 1 ½ mill will generate \$91,522 (replacement)

After discussing the figures, Cliff made a motion to request a Certificate of Estimated Property Tax Revenue from the Ashtabula County Auditor for a 1 ½ mill replacement levy; Jim seconded; the Board voted thusly:

Ray Gruber Jr –yes Clifford Henry – yes James Pristov – yes

Larry questioned the Board for assistance with a zoning matter involving 1029 Harpersfield Road. There was a mobile home on the property that the homeowners constructed a “pavilion” type roof (on poles) over; they have removed the mobile home and now would like to finish the “pavilion/pole” structure into a house. The previous Zoning Administrator issued a permit for “new construction” in August 2015. Cliff stated that permits are issued with construction to begin within one year and to be complete in two years. Therefore, in August 2017, the zoning permit will no longer be used. Larry is concerned about issuing a permit as the lot is too small. Cliff and Larry will ask County Prosecutor for advice.

Larry reported to the Board that he has completed updating the township map for zoning purposes.

Benny Vito Winery requested that when the Road Dept puts the “road closed” sign up in the fall/winter months for Clyde Hill (County Line Road south of Rt. 307) that they add to the sign “open to bridge” as this sign affects his customer flow.

Cliff reported that the “Hile house” is in the hands of the County Building Dept; the structure is not safe since the recent fire.

Cliff checked into speed limit on Harper Valley Lane and we can set speed limit (25 mph) as it is a platted subdivision.

Ray questioned the County Engineer for assistance in installing our sign posts if we get the grant. Yes they will do the work; we will have to pay to rent the machine with labor for worker to run the machine.

Ray contacted Lake Erie Construction Company to ask if they would give us advice on guardrail on Clyde Hill. They did go out to the site and said they will install 360 feet of guardrail with 9 foot post drilled into the shale; estimate of material and labor is \$8115. Ray made a motion to allow Lake Erie Construction Co to install the guardrail; Cliff seconded; the Board voted unanimously in favor.

Meeting adjourned until July 24, 2017

Raymond Gruber Jr

James Pristov

Clifford Henry

Sharon Rohrbaugh