

The Board of Trustees of Sugarcreek Township, Greene County, Ohio, Special Meeting on Monday, June 26, 2023, 9:00 A.M.

- 1) Mrs. Destefani called the session to order at 9:00am.**
- 2) Mr. Demko called the roll with Board Members, Mrs. Destefani, Mr. Moeller, and Mr. Cramer, were in attendance. Also in attendance, Cara Tilford, Barry Tiffany, and Donna Hillman.**
- 3) All in attendance stood for the Pledge of Allegiance.**
- 4) Discussion Agenda Items**

A. Establishment of Wilmington Pike I-675 TIF - 2023.06.26.01

RESOLUTION NO. 2023.06.26.01

**DECLARING IMPROVEMENTS TO PARCELS OF REAL PROPERTY
LOCATED IN SUGARCREEK TOWNSHIP, OHIO TO BE A PUBLIC PURPOSE
UNDER SECTION 5709.73(B) OF THE OHIO REVISED CODE, EXEMPTING
SUCH IMPROVEMENTS FROM REAL PROPERTY TAXATION,
ESTABLISHING A TAX INCREMENT EQUIVALENT FUND.**

WHEREAS, Section 5709.73 et seq. of the Ohio Revised Code authorizes townships to participate in a financing technique commonly known as tax increment financing; and

WHEREAS, this Board of Township Trustees (the “Board”) of Sugarcreek Township, Greene County, Ohio (the “Township”) wishes to use the authority granted pursuant to such Sections in connection with certain improvements in the Township in order to meet the public health, safety, welfare and convenience needs of the area, including new development and traffic capacity; and

WHEREAS, this Board has determined to grant a property tax exemption for the parcels comprising the Wilmington Pike I-675 TIF (the “WIL 675 TIF”); and

WHEREAS, the boundary of the WIL 675 TIF shall be coextensive with the boundary of, and shall include, the parcels of real property specifically identified and depicted in Exhibit A attached hereto (each, individually, a “Parcel” and collectively, the “Parcels”); and

WHEREAS, notice has been given to the Sugarcreek Local School District and the Greene County Career Center of the consideration of a resolution providing for tax increment financing, as required by Section 5709.73 and 5709.83 of the Ohio Revised Code; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Sugarcreek Township, Greene County, State of Ohio, all members elected thereto concurring:

SECTION 1. Pursuant to Section 5709.73(B) of the Ohio Revised Code, this Board hereby creates the “WIL 675 TIF”, the boundaries of which shall be coextensive with the boundaries of the Parcels and shall

include the Parcels as specifically identified and depicted in Exhibit A attached hereto, which Parcels are located in the unincorporated area of the Township.

SECTION 2. That this Board hereby finds and declares that certain public improvements in the Township, to wit: the planning, design and construction of public street improvements including pavements, walkways, bike paths, traffic control devices and alterations to existing streets, including but not limited to improvements to Wilmington Pike and public roads interior to the parcel(s); the planning design and construction of public parking facilities; the planning, design and construction of utilities including but not limited to water, sanitary sewers, storm retention/water sewers, detention facilities and telecommunication facilities; the preparation of plans for land use in the area; the creation or enhancement of buffer areas, recreation facilities and open areas necessary for ensuring the compatibility of adjacent land uses; community or educational facilities; parkland acquisition and/or improvements; park, recreation, performance, or creative arts improvements and facilities; the creation and/or enhancement of public service facilities; the acquisition of land in aid of industry, commerce, distribution, or research; demolition; environmental remediation; and, the purchase of property rights of way and easements or other rights in property necessary for the completion of the Public Improvements listed above, are a public purpose and that those Public Improvements are necessary for the further development of the parcels of land described in Exhibit A attached to this Resolution (such parcels are hereinafter collectively referred to as the “Sugar creek Township WIL 675 TIF”), but excluding any and all residential property located within Exhibit A, which parcels are located in the unincorporated area of the Township; for the creation of jobs; increasing property values, and the provision of adequate public services in Sugar creek Township. The further development of the parcels in the WIL 675 TIF will place direct additional demand on the Public Improvements.

SECTION 3. That, pursuant to Section 5709.73 of the Ohio Revised Code, further improvements to the parcels in the WIL 675 TIF occurring after the date of this Resolution are declared to be a public purpose and are exempt from real property taxation commencing for each parcel on the first day of the tax year in which an improvement resulting from construction on the parcel first appears on the tax list and duplicate of real and public utility property and that begins after the effective date of this Resolution and ending for each parcel on the earlier of (1) the date ten years after the date the exemption commences or (2) the date on which the specific public improvements as described in Section 1 above (the “Public Improvements”) that will benefit the WIL 675 TIF are paid in full from the Tax Increment Equivalent Fund, as defined in Section 4 hereof, but in no case shall the Public Improvements on any parcel be exempted from taxation for more than ten (10) years. It is hereby determined that (i) a portion of the Improvements shall be exempt from real property taxation, (ii) such portion shall be seventy-five percent (75%) of the assessed value of the Improvements, and (iii) the Public Improvements directly benefit, or once made will directly benefit, the parcels set forth on Exhibit A attached hereto.

SECTION 4. That pursuant to Section 5709.74 of the Ohio Revised Code, the owner or the owners of the Improvements shall be required to make semi-annual service payments in lieu of taxes (the “Service Payments”) to the Greene County Treasurer on or before the final dates for payment of real property taxes. This Board hereby expresses its intention and authorizes the Township Administrator to enter into such agreements as may be necessary and appropriate to assure the payment of such Service Payments.

SECTION 5. That pursuant to Section 5709.75 of the Ohio Revised Code, there is hereby established the Sugar creek Township WIL 675 Public Improvement Tax Increment Equivalent Fund (the “WIL 675 Tax Increment Equivalent Fund”), into which the Service Payments shall be deposited. Money in the WIL 675 Tax Increment Equivalent Fund shall be used to finance the Public Improvements and may be used to make payments to the Sugar creek Local School District and/or the Greene County Career Center at the discretion of the Board of Township Trustees.

SECTION 6. That the proper township officials are hereby authorized to do all things necessary and proper to carry out Sections 1 through 5 above, including but not limited to filing any required applications for tax exemption with the Greene County Auditor and/or State Tax Commissioner.

SECTION 7. That pursuant to Ohio Revised Code Section 5709.73(I), the Fiscal Officer is hereby directed to deliver a copy of this Resolution to the Director of the Department of Development of the State of Ohio within fifteen days after its adoption. On or before March 31 of each year that the exemption set forth herein remains in effect, the Fiscal Officer or other authorized officer of this Township shall prepare and submit to the Director of the Department of Development of the State of Ohio the status report required under Section 5709.73(I) of the Ohio Revised Code.

SECTION 8. That the Fiscal Officer is hereby directed to forward a copy of this Resolution to the County Auditor of Greene County.

SECTION 9. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage 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 such formal action were taken in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 10. That this Resolution shall be effective at the earliest date allowed by law.

ADOPTED: June 26,2023.

Mr. Tiffany stated that this is commonly known as a springing TIF It runs for a 10-year period any new construction on the property, the additional taxes that come in will be deferred or re-routed to a fund to pay for projects we deem more appropriate for the properties for the benefit of the property.

Mr. Cramer, stated that there is a building on the property, so we take the value of the property as it is now

Mr. Tiffany stated the current value is 3.5 million dollars

Mr. Cramer stated what we take is 75% of the value of the difference, the improvement which usually would be a building or buildings.

Mr. Tiffany stated any current taxes on the property would be where they are. The interesting thing is the building is a church which does not have taxes.

Mr. Tiffany stated that he does not know the result with new ownership and their plan to tear down the building. He does not know if there will be new valuation for taxes.

Mr. Tiffany stated anything above that 3.5-million-dollar value or above 0 on account to not fully knowing the outcome, will go at 75% into the fund. the understanding is the building is under contract for purchase and the membership of the church has not been told who is purchasing it or the price.

Mr. Tiffany stated that we can assume it will not remain a church with new ownership. We want to send a clear message to the new owners of the property that Sugar creek Township is willing to work with them to retain them in the Township and to help them with some of their public infrastructure for the property.

Mr. Tiffany stated Mr. Moeller wanted to consider a Jeed for this property, which is something that can be done moving forward once the owner is confirmed.

Mr. Cramer indicated the Jeed can include other properties and a Jeed board would be created resulting in losing control.

Mr. Tiffany stated that to some extent yes. He explained the board directs where the money will go from the Jeed. A lot of that will be done on the front end so it is not left up in the air for the board to decide after the fact. The decisions are made going into it.

Mr. Tiffany stated that the process of the Jeed would be working with municipality that has an income tax, they would levy the income tax on the property, collect the income tax, keep a portion of it while sending the rest to the Township, ideally the Township would keep a portion for safety services or working on improvements in the area and the balance would be reinvested into the Jeed area.

Mr. Tiffany stated the non-annexation agreement is only between the Township and the entity opposing income tax. Mr. Stated that to his knowledge it protects for 1 year or maybe 3 years. After that anyone can annex it if it continues with that property.

Mr. Tiffany mentioned in the meantime, ideally when a property develops and there is an existing income tax, the property owners do not want to impose a second income tax, they would not want to annex it and use a Jeed.

Mr. Moeller stated A non- consent TIF is where the owner of the property does not have to be involved with it

Mr. Tiffany confirmed as a non-consent TIF, there is no need for permission of the schools or the owners.

Mr. Moeller asked why the Township does not go bigger with the TIF the shopping centers for example.

Mr. Tiffany stated that the shopping centers are already approved. Unless the site is redeveloped in the future there would be no value at this point.

Mr. Tiffany stated that the Senator is trying to get the church to agree to do an annexation for a decade.

The wild card for the township is Mr. Lofino controls at least half of the intersection, the driveway coming in or out back in that property. Being attached to the shopping center. HE stated he has no desire to annex it to the city which could cause more delay.

Mr. Cramer made a motion to accept the first agenda item as stated. Mrs. Destefani seconded

Mr. Moeller - yes

Mr. Cramer - yes

Mrs. Destefani - yes

B. Updated Personnel Policies and Procedures Manual Adoption – 2023.06.26.02

**SUGARCREEK TOWNSHIP
RESOLUTION NO. 2026.06.26.02**

IN RE: Approval of Amendments to the Personnel Policies and Procedures Manual

WHEREAS, the Board of Trustees recognizes that current and relevant policies and procedures are essential in regards to the retention and recruitment of a highly qualified and motivated work force; and,

WHEREAS, the policies and procedures are designed to be consistent with the requirements of the state and federal laws and regulations relative to employment; and,

WHEREAS, the Board of Trustees have reviewed the requested changes to the Personnel Policies and Procedures Manual; and,

NOW, THEREFORE, BE IT RESOLVED, this Sugarcreek Township Board of Trustees does hereby adopt the proposed amendments to the Sugarcreek Township Personnel Policies and Procedures Manual (copy hereto attached) effective June 26, 2023.

BE IT FURTHER RESOLVED, that this Sugarcreek Township Personnel Policies and Procedures Manual shall replace all previous personnel policies.

BE IT FURTHER RESOLVED, that the Township Administrator is hereby directed to notify all employees of the updated policies with the effective date, that a copy of the Personnel Policies and Procedures Manual be made available to each employee via the M: drive on the Township network, and that a hard copy be distributed to each department no later than June 26, 2023.
B. 26, 2023.

Mr. Cramer made a motion to accept the second agenda item stated. Mrs. Destefani seconded.

Mr. Moeller - yes
Mr. Cramer - yes
Mrs. Destefani - yes

5) Public Comments

None.

6.) Trustee/Staff Discussion

Mr. Tiffany stated an issue on the police department side, their rooftop air conditioner unit is inoperable. He proceeded to discuss the cost for a replacement will be around \$9,400 with additional services, which is within the police budget.

Mrs. Destefani made a motion to approve Viking to approve replacing the unit for \$9,400. Mr. Moeller seconded.

Mr. Cramer - yes
Mr. Moeller - yes
Mrs. Destefani - yes

Mrs. Destefani asked how long do the trustees have to respond to public record request ORC?

The board all reported a reasonable amount of time.

13) Adjourn

Mrs. Destefani made a motion to adjourn, which was seconded by Mr. Moeller. Upon call of the roll, the vote resulted in the following:

Mr. Moeller-yes

Mr. Cramer - yes

Mrs. Destefani-yes