

TO: NEWS MEDIA
DATE: SEPTEMBER 14, 2020

Five pages

SUBJECT: EXCERPTS FROM COMMISSIONERS'
MEETING OF SEPTEMBER 8, 2020

RESOLUTION ACCEPTING ALTERNATE FORMULA FOR DISTRIBUTION OF LOCAL GOVERNMENT AND LOCAL GOVERNMENT REVENUE

Resolution accepting the Alternate Formula for Distribution of Local Government and Local Government Revenue Assistance Funds as Proposed by the Fayette County Budget Commission and as Prescribed in Section 5747.53 of the Ohio Revised Code.

The Board of Commissioners of Fayette County, Ohio met on the 8th day of September, 2020 at the office of the Commissioners with the following members present:

Mr. Daniel C. Dean, Mr. James Garland, Mr. Tony Anderson.

Mr. Anderson moved to adopt the following formula proposed by the Fayette County Budget Commission (for one year), for the calendar year 2021 to distribute Local Government and Local Government Revenue Assistance Funds:

County	37.04%
City of Washington	45.75%
Bloomingsburg Corp.	2.63%
Jeffersonville Corp.	3.75%
Milledgeville Corp.	.75%
Octa Corp.	.08%
Townships	10% Divided by 10

And that the Clerk of the Board be directed to certify a copy of this resolution to the Fayette County Auditor. Mr. Dean seconded this resolution.

AGREEMENT AUTHORIZING THE COMMUNITY IMPROVEMENT CORPORATION OF WASHINGTON COURT HOUSE AND FAYETTE COUNTY TO SELL REAL PROPERTY OWNED BY FAYETTE COUNTY DETERMINED NOT TO BE REQUIRED FOR COUNTY PURPOSES

THIS AGREEMENT is entered this ____ day of _____, 2020 by and between the Board of Commissioners of Fayette County, Ohio, on behalf of the County, (hereafter "County"), a political subdivision of the State of Ohio, and the Community Improvement Corporation of Washington Court House and Fayette County, (hereafter "CIC"), a nonprofit community improvement corporation established pursuant to Ohio Revised Code Chapters 1702 and 1724 for the sale of certain real property owned by the County and having been

determined not to be required by the County for its purposes, according to the terms and conditions hereinafter set forth:

Whereas, County is the owner of approximately 7.50 acres, more or less, of unimproved real property located at 1351 Leesburg Ave., Washington Court House, Ohio 43160 (hereafter the "Property"), and,

Whereas, County has received an offer to purchase the Property from MVC Acquisitions, LLC, an Ohio Limited Liability Company, (hereafter "Purchaser"), which offer to purchase County has accepted conditionally and has authorized the CIC to enter into a Real Estate Purchase & Sale Agreement (hereafter "PSA") with Purchaser for the sale of the Property. The PSA is attached hereto as Exhibit "A," and incorporated herein by reference and made a part of this Agreement, and,

Whereas, pursuant to Ohio Revised Code Section 1724.10, and additional authority granted to the County by the laws of the State of Ohio, County has designated CIC as the agency of the County for the purposes set forth in such section and authorized CIC to sell the Property to Purchaser according to the terms and conditions of the PSA,

Now Therefore, the parties do hereby mutually agree as follows:

1. County has determined, and CIC does hereby agree, that the Property is not required for County's purposes, the Property being more suitable for economic development and uses that will promote the welfare of the people of the county, stabilize the county economy, provide employment, assist in the development of industrial, commercial, distribution, and research activities to the benefit of the people of the county, will provide additional opportunities for county residents gainful employment, and will promote the re-utilization of vacant real property within the county.
2. The consideration for the sale shall be as set forth in the PSA, which shall include a payment by Purchaser, in addition to the purchase price, in an amount equal to three (3.00%) percent calculated on the sum of \$275,000.00 of the purchase price to CIC for its assistance and services in connection with the sale of the Property.
3. CIC, acting through its officers, and on behalf of and as agent for County, shall execute all necessary instruments and documents, including without limitation, any deed or deeds conveying title of County to Purchaser in the Property to accomplish such sale. Pursuant to Ohio Revised Code Section 1724.10, such conveyance shall be made without advertising and receipt of bids. A copy of this Agreement shall be recorded in the office of the Fayette County Recorder, the county in which the Property is situated, prior to the recording of the deed executed pursuant to this Agreement and the laws of the State of Ohio. The parties agree that amendments to the Agreement which extended the closing date only need not be attached to this Agreement nor recorded.

4. The parties each shall be authorized hereby to take any and all further actions without any further formal authority, and to do all other things, including without limitation, to sign any and all documents and instruments, which may be necessary to complete the sale of the Property.

5. This Agreement shall be governed by the laws of the State of Ohio with respect to the subject matter and any construction or interpretation of the terms and conditions hereof, and jurisdiction and venue for any dispute regarding the same shall be exclusively in the Fayette County, Ohio Common Pleas Court.

6. This Agreement may be amended from time to time only by prior written instrument signed by both parties.

RESOLUTION DESIGNATING THE COMMUNITY IMPROVEMENT CORPORATION OF WASHINGTON COURT HOUSE AND FAYETTE COUNTY AS THE AGENCY OF FAYETTE COUNTY FOR THE PURPOSES SET FORTH IN OHIO REVISED CODE 1724.10 AND AUTHORIZING SUCH AGENCY TO SELL REAL PROPERTY OWNED BY THE COUNTY

It was moved by Mr. Anderson and seconded by Mr. Garland to adopt the following resolution:

Whereas, the Community Improvement Corporation of Washington Court House and Fayette County (hereafter “CIC”) has been duly established pursuant to Ohio Revised Code Chapter 1724 for the promotion and establishment of industrial, commercial, distribution, and research development within Fayette County, Ohio and for all other purposes provided by law, and,

Whereas, the Board of Commissioners of Fayette County, Ohio does hereby designate the CIC as the agency for such purposes for Fayette County (hereafter “County”), and,

Whereas, the County owns approximately 7.50 acres, more or less, of unimproved land situated at 1351 Leesburg Ave., Washington Court House, Ohio and being the land designated as Fayette County Auditor Permanent Parcel Nos. 21301800300401 and 2151800300202, which the Board of Commissioners has determined hereby to be no longer required for County purposes, and,

Whereas, MCV Acquisitions, LLC, an Ohio limited liability company (hereafter “Buyer”) has proposed to purchase such real property for the purpose of constructing thereon facilities and business which will employ individuals and otherwise be for the economic benefit and general welfare of the County, now therefore,

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF FAYETTE COUNTY, OHIO AS FOLLOWS:

1. That pursuant to Ohio Revised Code Section 1724.10, et al., the Board of Commissioners hereby determines that the real property which the County owns as described above in the preamble hereto, which is incorporated herein, is no longer required for County purposes, and that the same may be sold and devoted more satisfactorily to promote the welfare of the people of the County, assist in stabilizing the economy and provide employment opportunities for the County, and otherwise assist in the development of commercial activities within the County, all to the benefit of the people of the County.
2. That the proposal of MVC Acquisitions, LLC to purchase the described property to construct certain facilities and establish a business which will promote the economy of the County and be for the benefit of the general welfare of the people of the County.
3. That the Board of Commissioners hereby determines after due diligence review that the sum of \$288,750.00 offered by the Buyer for such real property to be reasonable and represents fair value therefor, and accordingly does hereby designate the CIC as agent to sell such property, and does authorize an agreement with the CIC, pursuant to Ohio Revised Code Section 1724.10, et al., as agent for the County to sell the subject real property to the Buyer for the price set forth herein and in accordance with the terms of the contract for sale attached to this resolution.
4. That there is hereby authorized an agreement with the CIC for such purposes, which agreement shall authorize the CIC to execute, pursuant to such statutory authority, any and all documents and instruments on behalf of the County which may be necessary or incident to the sale of such real property.

APPOINTMENT – ROB HERRON, HERRON FINANCIAL GROUP AND ROWLAND D. LEMASTER, PARRETT INSURANCE AGENCY, AGENTS OF RECORD, FAYETTE COUNTY EMPLOYEES HEALTH INSURANCE PROGRAM

It was moved by Mr. Anderson seconded by Mr. Garland that Rob Herron, Herron Financial Group and Rowland D. Lemaster, Parrett Insurance Agency be appointed to serve as agents of record for the Fayette County Employees Health Insurance Program. Roll call: Mr. Dean, aye; Mr. Garland, aye; Mr. Anderson, aye. Motion carried.

PARTICIPATION AGREEMENT – COUNTY EMPLOYEE BENEFIT CONSORTIUM OF OHIO (CEBCO)

It was moved by Mr. Garland and seconded by Mr. Anderson to enter into a three year Participation Agreement with the County Employees Benefit Consortium of Ohio, Inc. (CEBCO) to assist the County in controlling employee benefit plan cost. CEBCO is not intended to operate as an insurance company, but rather is a corporation not for profit through which political subdivision of the State of Ohio may collectively pool their resources to purchase employee

benefit programs. Effective date: January 1, 2021 through December 31, 2023. Entire agreement on file. Roll call: Mr. Dean, aye; Mr. Garland, aye; Mr. Anderson, aye. Motion carried.

PROPOSAL ACCEPTED – MARQUEE CONSTRUCTION, INC., HVAC RENOVATION IMPROVEMENTS, FAYETTE COUNTY ECONOMIC DEVELOPMENT BUILDING

It was moved by Mr. Garland and seconded by Mr. Anderson, to accept the proposal from Marquee Construction Inc., 211 S. Fayette St., Washington C.H., 43160, for HVAC renovation for a portion of the east side of the Fayette County Economic Development Building, at a cost of \$35,500.00. Roll call: Mr. Dean, aye; Mr. Garland, aye; Mr. Anderson, aye. Motion carried.

PROPOSED QUOTE ACCEPTED – ROSS-CO REDI-MIX COMPANY, CONCRETE PAD, FAYETTE COUNTY AIRPORT

It was moved by Mr. Garland and seconded by Mr. Anderson, to accept the proposed quote from Ross-Co Redi-Mix Company, Inc., 1865 Old State Rt. 35 SE, Washington C.H., 43160, for 68 yards of concrete at the Fayette County Airport, at a cost of \$7,995.00. Roll call: Mr. Dean, aye; Mr. Garland, aye; Mr. Anderson, aye. Motion carried.