

RESOLUTION OF THE CELINA CITY SCHOOL DISTRICT
BOARD OF EDUCATION

August 15, 2022

IN THE MATTER OF APPROVING PROPOSED **ENTERPRISE ZONE AGREEMENT FOR S & K PRODUCTS COMPANY**, REQUESTING COUNTY APPROVAL OF SAME, AND WAIVING STATUTORY NOTICE PERIODS

_____ moved the adoption of the following resolution:

WHEREAS, Mercer County, Ohio, a political subdivision of the State of Ohio (the "County") and Butler Township, Mercer County, Ohio, a political subdivision of the State of Ohio (the "Township"), have created an enterprise zone for the purpose of promoting development and expansion of industry in the area, pursuant to Section 5709.632 of the Ohio Revised Code.

WHEREAS S & K Products Company desires to construct building improvement on property located at 4540 US Route 127 in Franklin Township, Celina, Mercer County, which is located in the enterprise zone, provided that the appropriate development incentives are available to support the economic viability of the project.

WHEREAS, the Company has submitted a proposed enterprise zone agreement application (the "Application"), a copy of which was received by the Board of Education of the Celina City School District (the "Board") (attached hereto as Exhibit A).

WHEREAS it is anticipated that an enterprise zone agreement (the "Agreement") substantially in the form attached hereto as Exhibit B will be executed by and among the County, the Township, and the Company.

WHEREAS, pursuant to Section 5709.63(C) of the Ohio Revised Code, it has been requested that the Board approve the Agreement, including but not limited to the terms of the Agreement that provide for real property tax exemption of one hundred percent (100%) for ten years (10 years), with a 11-mill payment in lieu of taxes (PILOT); (\$1828.75, annually)

WHEREAS, it has been requested that the Board waive the forty-five-day notice period and the fourteen-day notice period required pursuant to Sections 5709.63(C) and 5709.83 (A), respectively, of the Ohio Revised Code prior to the County taking formal action to approve the Agreement; and

WHEREAS, the Board has agreed to approve the Agreement, waive the statutory notice periods, and cooperate fully to effectuate the Agreement and the enjoyment by the Company of the benefits of the Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD:

Section One:

The Board has received a copy of the Application and the proposed Agreement.

Section Two:

Pursuant to Section 5709.63(C) of the Ohio Revised Code, the Board hereby approves the Agreement, including but not limited to the terms of the Agreement that provide for real property tax exemption of one hundred percent (100%) for ten years (10 years), with a 11-mill payment in lieu of taxes (PILOT).

Section Three:

Pursuant to Sections 5709.63(C) and 5709.83(A) of the Ohio Revised Code, the Board hereby waives the forty-five day and fourteen-day notice periods provided therein and authorizes the County to approve and execute the Agreement as soon as practicable after the date of this Resolution.

Section Four:

The Board hereby agrees to cooperate fully to effectuate the Agreement and the enjoyment by the Company of the benefits of the Agreement.

Section Five:

The Board hereby requests the approval and execution of the Agreement by the Board of Commissioners of Mercer County as soon as practicable after the Board of Commissioners of Mercer County receives a copy of the Resolution.

Section Six:

True and complete copies of this Resolution, together with the attachments hereto, shall be certified to the County, the Township and by the Clerk of the Board as soon as practicable after the passage of this Resolution.

Section Seven:

It is hereby found and determined that all formal actions of the Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Board and that all deliberations of the Board and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

_____seconded the motion and, the roll being called upon the question, the vote resulted as follows:

Mrs. Vorhees, ____; Mr. Huber, ____; Mrs. Guingrich, ____; Mr. Sells, ____; Mr. Huelsman, ____

Motion passed and adopted this 15th day of August 2022.

President, Board of Education

ATTEST:

Treasurer

Date

OHIO ENTERPRISE ZONE AGREEMENT
Between Franklin Township, Mercer County, Ohio and S & K Products Co.

This agreement made and entered into by and between the Franklin Township, Ohio, a Township government, with its main office located at 6805 St. Rt. 219, Celina, Ohio (hereinafter referred to as the Township) and S & K Products Co. an Ohio Corporation with its main office located at 4540 US Route 127, Celina, Ohio (hereinafter referred to as "S & K Products Co.")

WITNESSETH:

WHEREAS, Franklin Township, has encouraged the development and expansion of real property and the acquisition of personal property located in the area designated as an Enterprise Zone; and

WHEREAS, S & K Products Co. is desirous of constructing a new building on the property at 4540 US Route 127, Celina Ohio to support future growth. The scope of the project is to construct a 20,000 sq. ft. building expansion and installation of a new press and new robotic weld cell to support the manufacturing operation. This will create employment opportunities (hereinafter referred to as the "PROJECT") within the boundaries of the aforementioned Enterprise Zone, provided that the appropriate development incentives are available to support the economic viability of said PROJECT; and

WHEREAS, the Board of Franklin Township, Ohio by Resolution # 031595-1 adopted March 15, 1995, designated the area as an "Enterprise Zone" pursuant Chapter 5709 of the Ohio Revised Code; attached as Exhibit A, and

WHEREAS, effective April 17, 1995, the Director of Development of the State of Ohio recertified the area designated in said Resolution # 031595-1 contains the characteristics set forth in Section 5709.61(A) of the Ohio Revised Code and certified said area as an Enterprise Zone under said Chapter 5709; attached as Exhibit B, and

WHEREAS, Mercer County and Franklin Township have determined that the Company satisfies the statutory criteria set forth in Section 5709.632(B) of the Ohio Revised Code; and

WHEREAS, Franklin Township is desirous of providing S & K Products Co. with incentives available for the development of the PROJECT in said Enterprise Zone under Chapter 5709 of the Ohio Revised Code; and

WHEREAS, S & K Products Co. has submitted a proposed agreement application (herein attached as Exhibit C) to Franklin Township pursuant to Section 5709.62(B) of the Ohio Revised Code, said application (hereinafter referred to as "Application") and

WHEREAS, S & K Products Co. has submitted the required state application fee of \$750.00 made payable to the Ohio Department of Development with the application to be forwarded with the final agreement; and

WHEREAS, the Trustees of Franklin Township has investigated the application of S & K Products Co. and has recommended the same to the Commissioners of Mercer County on the basis that S & K Products Co. is qualified by financial responsibility and business experience to create and preserve employment opportunities in said Enterprise Zone and improve the economic climate of Franklin Township; and

WHEREAS, the project site as proposed by S & K Products Co. is located in the Celina City School District and the Board of Education of Celina City School District has been notified in accordance with Sections 5709.62(C) and 5709.83 of the Ohio Revised Code and has been given a copy of the APPLICATION and

WHEREAS, pursuant to Sections 5709.62 (C) and 5709.83(B) of the Ohio Revised Code, the Board of Education has approved this Agreement, waived the forty-five day and fourteen day notice periods provided for therein, and agreed to operate to cooperate fully in effectuating agreement and the enjoyment by the Company of the benefits thereof; and

WHEREAS, pursuant to Section 5709.62 (C) of the Ohio Revised Code and in conformance with the format required under Section 5709.631 of the Ohio Revised Code, the parties hereto desire to set forth their agreement with respect to matters hereinafter contained;

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained and the benefit to be derived by the parties from the execution hereof, the parties herein agree as follows:

- 1) S & K Products Co. shall expand their existing facilities by constructing a 20,000 sq. ft. building expansion to support the manufacturing operations located at 4540 US Route 127, Celina Ohio. The building will cost approximately \$1,187,000 and will create employment opportunities in Franklin Township, Mercer County, Ohio.

The project will begin January 1, 2022 and all construction and development will be completed by July 1, 2022. Any changes to the beginning and completion dates must be agreed to by formal resolution and an amended agreement.

The PROJECT will involve a total investment by S & K Products Co. of no less than \$2,662,000 (Two Million, Six Hundred Sixty-Two Thousand dollars) at the S & K Products Co. site at 4540 US Route 127, Celina, Ohio. The building will cost \$1,187,000. Improvements to existing building \$0; Machinery \$975,000 and Inventory \$500,000 for a total of \$2,662,000 investment.

- 2) S & K Products Co. shall create within a time period not exceeding 36 months after the commencement of construction of the aforesaid facility, the equivalent of 2 new full-time permanent job opportunity, 1 new part-time permanent job opportunities, 0 full-time temporary job opportunities and 0 part-time temporary job opportunities.

S & K Products Co. currently has 35 full-time permanent employees, 1 part-time permanent employees, 0 full-time temporary employees, and 0 part-time temporary employees at the project site. In total, S & K Products Co. has 44

permanent full and 1 part-time employees, 0 full-time temporary employees, and 3 part-time temporary employees in the State of Ohio.

This increase in the number of employees will result in \$90,000 of additional annual payroll for this facility of S & K Products Co. The following is an itemization by the type of new jobs created: full-time permanent \$70,000, full-time temporary \$0, part-time permanent \$20,000, and part-time temporary \$0.

- 3) In any three-year period during which this Agreement is in effect, if the actual number of employee positions created or retained by S & K Products Co. is not equal to or greater than seventy-five percent of the minimum number of employee positions estimated to be created or retained under this Agreement during that three-year period, S & K Products Co. shall repay the amount of taxes on property that would have been payable had the property not been exempted from taxation under this Agreement during that three-year period. In addition, Mercer County or Franklin Township may terminate or modify the exemptions from taxation granted under this Agreement.
- 4) S & K Products Co. shall provide to the proper Tax Incentive Review Council any information reasonably required by the council to evaluate the enterprise's compliance with the agreement, including returns filed pursuant to Section 5711.02 of the Ohio Revised Code if requested by council.

Ohio Department of Development suggests enterprises receiving personal property tax incentives be required to supply a copy of the Ohio Department of Taxation State Tax return form 913 to the Tax Incentive Review Council for each year the agreement is in effect or required to be reviewed.

- 5) The Ohio legislature has eliminated the tangible personal property tax. By law, the following clause remains a requirement of this agreement: Mercer County and Franklin Township hereby grant a 0% tax exemption pursuant to Section 5709.632 for eligible new tangible personal property including inventory acquired

in conjunction with the PROJECT and will only apply to the limits expressed in the project description as defined in Sections 1 and 5 of this agreement.

0% tax exemption on all machinery, equipment and inventory acquired as part of the PROJECT as defined in Section 1 of this agreement and as more fully set forth in their ODSA Ohio Enterprise Zone Program application attached hereto and incorporated by reference. Each identified project improvement will receive a zero year exemption period.

The minimum investment for tangible personal property to qualify for the exemption is \$0 to purchase machinery and equipment first used in business at the facility as a result of the project, \$0 for furniture and fixtures and other noninventory personal property first used in business at the facility as a result of the project, and \$0 for new inventory. The maximum investment for tangible personal property to qualify for exemption is \$0 to purchase machinery and equipment first used in business at the facility as a result of the project, \$0 for furniture and fixtures, \$0 for inventory, and \$0 for other noninventory personal property first used in business at the facility as a result of the project. The exemption commences the first year for which the tangible personal property would first be taxable were that property not exempted from taxation. No exemption shall commence after tax return year 2022 nor extend beyond tax return year 2022. In no instance shall any tangible personal property be exempted from taxation for more than ten return years.

- 6) Mercer County and Franklin Township, hereby grants S & K Products Co. a tax exemption of 100% for Real Property improvements made to the PROJECT site pursuant to Section 5709.62, 5709.63 or 5709.632 of the Ohio Revised Code. This identified improvement will receive a ten-year exemption period. The exemption commences the first year for which the Real Property exemption would be taxable were that property not exempted from taxation. Total exempted Real Property shall not exceed \$1,224,114 during the life of the project. S & K Products Co. must file appropriate tax forms (DTE 23) with the County Auditor

and (#913) with the State Department of Taxation to effect and maintain the exemptions covered in the agreement. The #913 must be filed annually.

- 7) S & K Products Co. shall pay such real and tangible personal property taxes as are not exempted under this agreement and are charged against such property and shall file all tax reports and returns as required by law. If S & K Products Co. fails to pay such taxes, or file such returns and reports, all incentives granted under this agreement are rescinded beginning the year for which such taxes are charged or such reports or returns are required to be filed thereafter. Mercer County and Franklin Township, hereby waive any annual monitoring fee in conjunction with this project.
- 8) Mercer County and Franklin Township shall perform such acts as are reasonably necessary or appropriate to effect, claim, reserve, and maintain exemptions from taxation granted under this agreement including, without limitation, joining in the execution of all documentation and providing any necessary certificates required in connection with such exemptions.
- 9) If for any reason the Enterprise Zone designation expires, the Director of the Ohio Department of Development revokes certification of the zone, or Mercer County or Franklin Township revokes the designation of the zone, entitlements granted under this agreement shall continue for the number of years specified under this agreement, unless S & K Products Co. materially fails to fulfill its obligations under this agreement and Mercer County and/or Franklin Township, terminates or modifies the exemptions from taxation granted under this agreement.
- 10) If S & K Products Co. materially fails to fulfill its obligations under this agreement or if Mercer County or Franklin Township determines that the certification as to delinquent taxes required by this agreement is fraudulent, Mercer County or Franklin Township, Mercer County may terminate or modify the exemptions from taxation granted under this agreement.

- 11) S & K Products Co. hereby certifies at the time this agreement is executed, S & K Products Co. does not owe any delinquent real property taxes to any taxing authority of the State of Ohio, and does not owe delinquent taxes for which S & K Products Co. is liable under Chapter 5733., 5735., 5739., 5741., 5743., 5747., or 5753. of the Ohio Revised Code, or, if such delinquent taxes are owed, S & K Products Co. currently is paying the delinquent taxes pursuant to an undertaking enforceable by the State of Ohio or an agent or instrumentality thereof, has filed a petition in bankruptcy under 11 U.S.C.A. 101, et seq., or such petition has been filed against S & K Products Co.. For the purpose of the certification, "delinquent taxes are taxes that remain unpaid on the latest day prescribed for payment without penalty under the chapter of the Revised Code governing payment of those taxes."
- 12) S & K Products Co. affirmatively covenants that it does not owe: (1) any delinquent taxes to the State of Ohio or a political subdivision of the State; (2) any moneys to the State or a State agency for the administration of enforcement of any environmental laws of the State; (3) any other moneys to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not.
- 13) "S & K Products Co., Mercer County and Franklin Township, acknowledge that this agreement must be approved by formal action of the legislative authority of Celina City School District, as a condition for the agreement to take effect. This agreement takes effect upon such approvals."
- 14) Mercer County and Franklin Township have developed a policy to ensure recipients of Enterprise Zone tax benefits practice non-discriminating hiring in its operations. By executing this agreement, S & K Products Co. is committed to following non-discriminating hiring practices acknowledging that no individual may be denied employment solely on the basis of race, religion, sex, disability, color, national origin, or ancestry."

- 15) Exemptions from taxation granted under this agreement shall be revoked if it is determined that S & K Products Co., any successor enterprise, or any related number (as those terms are defined in Section 5709.61 of the Ohio Revised Code) has violated the prohibition against entering into this agreement under Division (E) of Section 3735.671 or Section 5709.632 of the Ohio Revised Code prior to the time prescribed by that division or either of those sections.”
- 16) S & K Products Co. affirmatively covenants that it has made no false statement to the State or local political subdivision in the process of obtaining approval for the Enterprise Zone incentives. If any representative of S & K Products Co. has knowingly made a false statement to the State or local political subdivision to obtain the Enterprise Zone incentives, S & K Products Co. shall be required to immediately return all benefits received under the Enterprise Zone Agreement pursuant to ORC Section 9.66 (C)(2) and shall be ineligible for any future economic development assistance from the State, any state agency or a political subdivision pursuant to ORC section 9.66(C)(1). Any person who provides a false statement to secure economic development assistance may be guilty of falsification, a misdemeanor of the first degree, pursuant ORC 2921.13(D)(1), which is punishable by a fine of not more than \$1,000 and /or a term of imprisonment of not more than six months.
- 17) “This agreement is not transferable or assignable without the express, written approval of Mercer County and/or Franklin Township, Mercer County.”

IN WITNESS WHEREOF, Mercer County, by its Board of Commissioners and the Township, by its Board of Trustees, Ohio, and pursuant to County Resolution # _____, and Township Resolution No. _____ and has caused this instrument to be executed on this _____ day of _____, 2022; and S & K Products Co. by V. J. Westerheide, its Vice President, has caused this instrument to be executed on this _____ day of _____, 2022.

MERCER COUNTY:

Board of Commissioners:

By: _____
Greg Homan, Commission Chairman

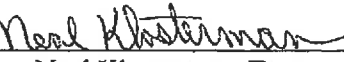
By: _____
Jerry Laffin, Commissioner

By: _____
Rick Muhlenkamp, Commissioner

FRANKLIN TOWNSHIP, MERCER COUNTY:

Board of Trustees:

By: 
Ronald Brookhart, Trustee

By: 
Neal Klosterman, Trustee

By: 
Joe Karalit, Trustee

S & K Products Co.

By: _____
V. J. Westerheide, Vice President

Approved as to form:

Mercer County Prosecuting Attorney Office

CLERK OF FRANKLIN TOWNSHIP

Montezuma, Ohio

Resolution # 031595-1

EXHIBIT
~~A~~

WHEREAS, the Ohio Enterprise Zone Act ("the Act"), under Ohio Revised Code Section 5709.61 through 5709.66, has authorized counties, with the consent and agreement of affected municipalities and townships therein, to designate areas as Enterprise Zones and to execute agreements with certain enterprises for the purpose of establishing, expanding, renovating or occupying facilities and hiring new employees and preserving jobs within said zones in exchange for specified local tax incentives granted by the county; and

WHEREAS, the Township Trustees of Franklin Township ("the Trustees") upon due consideration desire to implement said Act and to designate an Enterprise Zone within the Boundaries of Franklin Township ("the Township") to promote the economic welfare of said township; and

WHEREAS, it is necessary for the Trustees to formally request from the Board of County Commissioners of Mercer County, Ohio ("the Board") the inclusion of the Township in an Enterprise Zone proposal and to include such a resolution in a petition to the Director of Development of the State of Ohio to certify the area described as such a zone; and

WHEREAS, the Board finds and determines that designation of the zone pursuant to the Ohio Revised Code Section 5709.63 will promote the economic welfare of the residents of the Township by creating new jobs and retaining and preserving current jobs and employment opportunities within such areas and is in the best interest of said township; and

WHEREAS, the Trustees understand that the Board of County Commissioners is required by law to administer all Enterprise Zones and agreements within the County and will therefore appoint a designee to be responsible for 1) the establishment and operation of the Tax Incentive Review Council as specified in the Ohio Revised Code Section 5709.63(B), 2) to ensure that the Enterprise Zone abatement agreements contain the information required in Ohio Revised Code Sections 5709.63(A) and 5709.62(B), including a description of the project, the amount to be invested, the number of jobs created and/or retained, the annual payroll associated with these jobs, and the specified percentage and number of years of tax abatement being granted toward real and/or personal property, 3) to forward copies of all Enterprise Zone abatement agreements to both the Ohio Department of Development and the Ohio Department of Taxation within fifteen days after the agreement is entered into,

as specified in Ohio Revised Code Section 5709.63(D)(4) to maintain a centralized record of all aspects of the Zone, including copies of the agreements, a list of the members of the Tax Incentive Review Council and a summary of the Tax Incentive Review Council's annual review of each agreement.

WHEREAS, THE Trustees requests from the Board of County Commissioners the power and duty to negotiate Enterprise Zone abatement agreements as permitted in Ohio Revised Code Section 5709.63, and that the Trustees agree to negotiate agreements and to assist the Board of County Commissioners in the administration of the Enterprise Zone and will approve all agreements before submitting agreements to the Board of County Commissioners for approval; and

WHEREAS, THE Trustees hereby agree to the establishment of a Tax Incentive Review Council or Councils pursuant to the Ohio Revised Code Section 5709.63(B) and will appoint two representatives to said Council within sixty days after the state development director certifies the Zone.

WHEREAS, the zone as proposed will be the only Enterprise Zone in the Township; and

NOW THEREFORE BE IT RESOLVED, that the Board of trustees hereby authorize the County to include the portion of the Township described in Exhibit A in the Enterprise Zone; and

BE IT FURTHER RESOLVED that the Clerk of the Board of County Commissioners of Mercer County, Ohio is hereby authorized to include this resolution in the petition to the Director of the Department of the State of Ohio.

Dated: March 15, 1995.

Evert Dorsten

Evert Dorsten, Clerk

Ronald Brookhart

Ronald J. Brookhart, Trustee

Charles Steinbruner

Charles Steinbruner, Trustee

Brian C. Miller

Brian C. Miller, Trustee



OHIO DEPARTMENT OF DEVELOPMENT

George V. Voinovich
Governor

Donald E. Jakeway
Director

OHIO'S ENTERPRISE ZONE PROGRAM

EXHIBIT
13


**MERCER COUNTY/VILLAGES of COLDWATER and FT.RECOVERY and
BUTLER, GRANVILLE, FRANKLIN, MARION and RECOVERY TOWNSHIPS**

AMENDED CERTIFICATION - ZONE No. 188C

Upon examination of (a) the "Petition for Zone Certification" authorized by the Mercer County Board of Commissioners on April 4, 1995; (b) a certified copy of Enterprise Zone Resolution No. 404 adopted by the Mercer County Board of Commissioners on April 4, 1995; (c) a certified copy of Enterprise Zone Resolution No. 031595-1 adopted by the Franklin Township Trustees on March 15, 1995; (d) a written description of the area designated as the proposed zone; (e) a map of the proposed zone; and (f) a review of the findings of the staff of this Department, I have determined that the area so designated meets the requirements of Ohio Revised Code Section 5709.61 (A) (3). This zone was previously certified by the Director of Development on December 4, 1990 and amended on January 2, 1991, September 29, 1993, December 13, 1993 and June 8, 1994.

Accordingly, pursuant to Ohio Revised Code Section 5709.632 (A) (3), I hereby recertify the area within the Villages of Coldwater and Ft. Recovery and Butler Granville, Franklin, Marion and Recovery Townships as designated by the Mercer County Board of Commissioners as an Enterprise Zone.

Executed at Columbus, Ohio this 17th day of April, 1995.


Donald E. Jakeway, Director
Ohio Department of Development

**OHIO DEVELOPMENT SERVICES AGENCY
OHIO ENTERPRISE ZONE PROGRAM**

EXHIBIT
C

Franklin

PROPOSED AGREEMENT for Enterprise Zone Tax Incentives between the _____ Township
located in the County of Mercer and S+K Products Co.

- 1a. Name of business, home or main office address, contact person, and telephone number (attach additional pages if multiple enterprise participants).

S+K Products Co.
enterprise name

V.J. Westerheide
contact person

419-268-2244
telephone number

4540 U.S. Rt. 127, Celina, OH 45822
address

- 1b. Project site:

V.J. Westerheide
contact person

419-268-2244
telephone number

4540 U.S. Rt. 127, Celina, OH 45822
address

- 2a. Nature of business (manufacturing, distribution, wholesale or other).

manufacturing

- 2b. List primary 6 digit NAICS # 332110

Business may list other relevant SIC numbers. _____

- 2c. If a consolidation, what are the components of the consolidation? (must itemize the location, assets, and employment positions to be transferred)
 N/A as this is not a consolidation n/a
- 2d. Form of business of enterprise (corporation, partnership, proprietorship, or other).
corporation
3. Name of principal owner(s) or officers of the business (attach list if necessary).
VJ Westerheide, Kurt Westerheide
4. Is business seasonal in nature? Yes No *
- 5a. State the enterprise's current employment level at the proposed project site:
1 part time, 35 full time
- 5b. Will the project involve the relocation of employment positions or assets from one Ohio location to another? Note that relocation projects are restricted in non-distress based Ohio Enterprise Zones. A waiver from the Director of the Ohio Department of Development is available for special limited circumstances. The business and local jurisdiction should contact ODOD early in the discussions.
 Yes No
- 5c. If yes, state the locations from which employment positions or assets will be relocated and the location to where the employment positions or assets will be located:
n/a
- 5d. State the enterprise's current employment level in Ohio (itemized for full and part-time and permanent and temporary employees):
1 part time, 44 full time, 3 seasonal temporary
- 5e. State the enterprise's current employment level for each facility to be affected by the relocation of employment positions or assets: n/a
- 5f. What is the projected impact of the relocation, detailing the number and type of employees and/or assets to be relocated? n/a
- 6a. Has the Enterprise previously entered into an Enterprise Zone Agreement with the local

legislative authorities at any site where the employment or assets will be relocated as a result of this proposal? Yes No

6b. If yes, list the local legislative authorities, date, and term of the incentives for each Enterprise Zone Agreement:

7. Does the Enterprise owe :

a. Any delinquent taxes to the State of Ohio or a political subdivision of the state?

Yes No

b. Any moneys to the State or a state agency for the administration or enforcement of any environmental laws of the State? Yes No

c. Any other moneys to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not.

Yes No

d. If yes to any of the above, please provide details of each instance including but not limited to the location, amounts and/or case identification numbers (add additional sheets if necessary).

8. Project Description (attach additional pages if necessary):

20,000 sq. ft. building expansion,
new press and new robotic weld cell

9. Project will begin January 1, 2022 and be completed July 1,
2022 provided a tax exemption is provided.

10a. Estimate the number of new employees the business intends to hire at the facility that is the project site (job creation projection must be itemized by full and part-time and permanent and temporary): 2 full time, 1 part time permanent

10b. State the time frame of this projected hiring: 3 years

10c. State proposed schedule for hiring (itemize by full and part-time and permanent and

temporary employees): starting July 1, 2022

11a. Estimate the amount of annual payroll such new employees will add \$ 90,000 (new annual payroll must be itemized by full and part-time and permanent and temporary new employees). \$20,000 part time, \$70,000 full time

11b. Indicate separately the amount of existing annual payroll relating to any job retention claim resulting from the project: \$ 1,250,000,

12. Market value of the existing facility as determined for local property taxation.
\$ 1,129,020.

13a. Business's total current investment in the facility as of the proposal's submission.
\$ 4,500,000. existing facility

13b. State the businesses' value of on-site inventory required to be listed in the personal property tax return of the enterprise in the return for the tax year (stated in average \$ value per most recent 12 month period) in which the agreement is entered into (baseline inventory):
\$ 2,225,000

14. An estimate of the amount to be invested by the enterprise to establish, expand, renovate or occupy a facility:

	<u>Minimum</u>	<u>Maximum</u>
A.Acquisition of Buildings:	\$ —	\$
B.Additions/New Construction:	\$ 1,187,000	\$ 1,224,114
C.Improvements to existing buildings:\$	—	\$
D.Machinery & Equipment:	\$ 975,000	\$ 1,000,000
E.Furniture & Fixtures:	\$ —	\$
F.Inventory:	\$ 500,000	\$ 500,000
Total New Project Investment:	\$ 2,662,000	\$ 2,724,114

15. a. Business requests the following tax exemption incentives: 100 % for 10 years covering real property only as described above. Be specific as to type of assets, rate, and term.

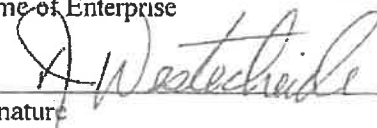
b. Business's reasons for requesting tax incentives (be quantitatively specific as possible)

Due to extremely high costs being experienced currently

Submission of this application expressly authorizes Franklin Township and/or Mercer County to contact the Ohio Environmental Protection Agency to confirm statements contained within this application including item #7 and to review applicable confidential records. As part of this application, the business may also be required to directly request from the Ohio Department of Taxation or complete a waiver form allowing the Ohio Department of Taxation to release specific tax records to the local jurisdictions considering the incentive request.

Applicant agrees to supply additional information upon request.

The applicant affirmatively covenants that the information contained in and submitted with this application is complete and correct and is aware of the ORC Sections 9.66(C)(1) and 2921.13(D)(1) penalties for falsification which could result in the forfeiture of all current and future economic development assistance benefit as well as a fine of not more than \$1,000 and/or a term of imprisonment of not more than six months.

S+K Products Co.	6/2/2022
Name of Enterprise	Date
	VJ Westerheide, VP
Signature	Typed Name and Title

* A copy of this proposal must be forwarded by the local governments to the affected Board of Education along with notice of the meeting date on which the local government will review the proposal. Notice must be given a minimum of fourteen (14) days prior to the scheduled meeting to permit the Board of Education to appear and/or comment before the legislative authorities considering the request.

** Attach to Final Enterprise Zone Agreement as Exhibit A

Please note that copies of this proposal must be included in the finalized Enterprise Zone Agreement and be forwarded to the Ohio Department of Taxation and the Ohio Development Services Agency within fifteen (15) days of final approval.

**Resolution of the Board of Trustees
Franklin Township, Mercer County, OH
(ORC 5705.31)**

The Board of Trustees of Franklin Township, Mercer County met in regular session on the 15th day of June, 2022, at the Office of Franklin Township with the following members present: Mr. Ronald J. Brookhart, Mr. Neal E. Klosterman and Mr. Joseph Karafit. Also present was Mrs. Lee Ann Dorsten, Fiscal Officer.

Mr. Neal E. Klosterman moved the adoption of the following:

Resolution #061522-1

Whereas, S & K Products Co. has requested a tax abatement for a new building expansion to be built on 4540 US Rt. 127, Celina at the current facility. The proposed building is estimated to be \$1,187,000 and

WHEREAS, the proposed tax abatement would be for 100% of the real property tax on the \$1,187,000 investment for 10 years.

Now Therefore Be it Resolved, The board of Franklin Township Trustees do hereby approve the tax abatement for S & K Products Co. for 100% of the real property tax on the \$1,187,000 investment for 10 years.

Mr. Joseph Karafit seconded the adoption and the roll being called upon its adoption the vote resulted as follows: Mr. Ronald Brookhart, Yes; Mr. Neal Klosterman, Yes; Mr. Joseph Karafit, Yes.

APPROVED BY THE BOARD OF FRANKLIN TOWNSHIP
TRUSTEES, MERCER COUNTY, OHIO


Mr. Neal Klosterman, Chairman


Mr. Joseph Karafit, Vice – Chairman


Mr. Ronald Brookhart, Member

ATTEST:


Lee Ann Dorsten, Fiscal Officer

RESOLUTION OF THE CELINA CITY SCHOOL DISTRICT
BOARD OF EDUCATION

October 15, 2018

IN THE MATTER OF APPROVING PROPOSED ENTERPRISE ZONE AGREEMENT FOR S & K PRODUCTS COMPANY, REQUESTING COUNTY APPROVAL OF SAME, AND WAIVING STATUTORY NOTICE PERIODS

Mrs. Vorhees moved the adoption of the following resolution:

WHEREAS, Mercer County, Ohio, a political subdivision of the State of Ohio (the "County") and Butler Township, Mercer County, Ohio, a political subdivision of the State of Ohio (the "Township"), have created an enterprise zone for the purpose of promoting development and expansion of industry in the area, pursuant to Section 5709.632 of the Ohio Revised Code;

WHEREAS, S & K Products Company desires to construct a new building on property located at 4555 US Route 127 in Butler Township, Celina, Mercer County, which is located in the enterprise zone, provided that the appropriate development incentives are available to support the economic viability of the project;

WHEREAS, the Company has submitted a proposed enterprise zone agreement application (the "Application"), a copy of which was received by the Board of Education of the Celina City School District (the "Board") (attached hereto as Exhibit A);

WHEREAS, it is anticipated that an enterprise zone agreement (the "Agreement") substantially in the form attached hereto as Exhibit B will be executed by and among the County, the Township and the Company;

WHEREAS, pursuant to Section 5709.63(C) of the Ohio Revised Code, it has been requested that the Board approve the Agreement, including but not limited to the terms of the Agreement that provide for real property tax exemption of one hundred percent (100%) for ten years (10 years), with a 10 mill payment in lieu of taxes (PILOT);

WHEREAS, it has been requested that the Board waive the forty-five day notice period and the fourteen day notice period required pursuant to Sections 5709.63(C) and 5709.83 (A), respectively, of the Ohio Revised Code prior to the County taking formal action to approve the Agreement; and

WHEREAS, the Board has agreed to approve the Agreement, waive the statutory notice periods, and cooperate fully to effectuate the Agreement and the enjoyment by the Company of the benefits of the Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD:

Section One:

The Board has received a copy of the Application and the proposed Agreement.

Section Two:

Pursuant to Section 5709.63(C) of the Ohio Revised Code, the Board hereby approves the Agreement, including but not limited to the terms of the Agreement that provide for real property tax exemption of one hundred percent (100%) for ten years (10 years), with a 10 mill payment in lieu of taxes (PILOT).

Section Three:

Pursuant to Sections 5709.63(C) and 5709.83(A) of the Ohio Revised Code, the Board hereby waives the forty-five day and fourteen day notice periods provided therein and authorizes the County to approve and execute the Agreement as soon as practicable after the date of this Resolution.

Section Four:

The Board hereby agrees to cooperate fully to effectuate the Agreement and the enjoyment by the Company of the benefits of the Agreement.

Section Five:

The Board hereby requests the approval and execution of the Agreement by the Board of Commissioners of Mercer County as soon as practicable after the Board of Commissioners of Mercer County receives a copy of the Resolution.

Section Six:

True and complete copies of this Resolution, together with the attachments hereto, shall be certified to the County, the Township and by the Clerk of the Board as soon as practicable after the passage of this Resolution.


Section Seven:

It is hereby found and determined that all formal actions of the Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Board and that all deliberations of the Board and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Mr. Huber seconded the motion and, the roll being called upon the question, the vote resulted as follows:

Mrs. Vorhees, Aye; Mr. Huber, Aye; Mrs. Guingrich, Aye; Mr. Gilmore, Aye

Motion passed and adopted this 15th day of October, 2018.



President, Board of Education

ATTEST



Treasurer



Date