

RESOLUTION 2020-07

A RESOLUTION CONSENTING TO THE EXECUTION OF AN AMENDED AGREEMENT BETWEEN THE BOARD OF COMMISSIONERS OF HARDIN COUNTY, OHIO AND HARVEST PRIDE TORTILLAS & CHIPS, LLC FOR THE ADOPTION OF A PROJECT WHICH WILL PROVIDE FOR EMPLOYMENT OPPORTUNITIES WITHIN THE VILLAGE'S ENTERPRISE ZONE, AND DECLARING AN EMERGENCY.

Whereas, the Village of Ada has heretofore consented to the establishment of an enterprise zone by the Board of Commissioners of Hardin County, Ohio as authorized by law, and

Whereas, Harvest Pride Tortillas & Chips, LLC has previously proposed a project which will involve new infrastructure and employment within the enterprise zone in the village and improve the economic climate of the village and county and the Enterprise Zone Committee and Tax Incentive Review Committee have reviewed the progress and recommended amending the existing terms of agreement,


NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF ADA, OHIO:

SECTION 1. That the Village of Ada hereby consents to and recommends the approval of the amended enterprise zone agreement by and between the Board of Commissioners of Hardin County, Ohio, and Harvest Pride Tortillas & Chips, LLC, upon the conditions recommended by the Enterprise Zone Committee and by the Tax Incentive Review Committee.

SECTION 2. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare, the particular necessity being the need to enable the parties to immediately enter into an amended enterprise zone agreement. Therefore, this Resolution shall go into immediate effect.

PASSED: 7 April 2020


MAYOR

ATTEST:

FISCAL OFFICER
Acting Clerk of Council

AMENDED OHIO ENTERPRISE ZONE AGREEMENT

This AGREEMENT made and entered into by and between the Village of Ada located in the County of Hardin, Ohio a political subdivision duly organized and validly existing under the laws of the State of Ohio, with its main offices located at 115 W. Buckeye Ada, Ohio (hereinafter referred to as “VILLAGE”) and Hardin County, Ohio a political subdivision duly organized and validly existing under the laws of the State of Ohio with its main offices located at One Courthouse Square Suite 100, Kenton, Ohio (hereinafter referred to as “COUNTY”, and Denny E. Hensel & Roxie L. Hensel owners of Harvest Pride Tortillas & Chips, LLC., located at 604 East Montford Street, Ada, Ohio (hereinafter referred to as

" HARVEST PRIDE "), WITNESSETH;

WHEREAS, This *amended* Ohio Enterprise Zone Agreement modifies the paragraph four (4) terms spelled out in the original agreement which was executed on August 12, 2012. This was orally agreed to at the March 6, 2020 Enterprise Zone meeting held in Ada, OH.

The *previous* agreement's paragraph four (4) reads as follows:

Hardin County hereby grants HARVEST PRIDE a tax exemption for real property improvements made to the PROJECT site pursuant to Section 5709.62, 5709.63 or 5709.632 of the Ohio Revised Code and shall be in the following amount: 75% Tax Exemption for 10 Years. Exemption shall begin Tax Year 2013 (payable 2014) and ending Tax Year 2022 and payable tax year 2023.

The *revised amended* agreement's paragraph four (4) now reads as follows:

Hardin County hereby grants HARVEST PRIDE an amended tax exemption of 50% for real property improvements made to the PROJECT site pursuant to Section 5709.62, 5709.63 or 5709.632 of the Ohio Revised Code. Failure to comply with terms of the agreement including job creation and further noncompliance will likely result in committee consideration to recommend termination of this agreement.

WHEREAS, All other terms of the August 12, 2012 agreement remain in force and effect.

WHEREAS, The undersigned parties agree to the modified terms as evidenced by their signatures.

IN WITNESS WHEREOF, the Village of Ada Ohio, by David A. Retterer, its Mayor, and pursuant to Resolution No. 2020-07 , has caused this instrument to be executed this day 7th of ~~March~~^{April} 2020; the Board of Commissioners of Hardin County, Ohio by Resolution No. V104-128 , adopted March 10, 2020 has caused this instrument to be executed on this 7th day of ~~March~~^{April}, 2020

VILLAGE OF ADA

By David A. Retterer
(Mayor)

HARDIN COUNTY COMMISSIONERS

By Lucy White
[Signature]
[Signature]

Approved as to form:

[Signature]
Hardin County Prosecutor

Harvest Pride Tortillas & Chips, LLC

By _____
Denny Hensel