

OHIO AIR QUALITY DEVELOPMENT AUTHORITY

Mike DeWine
Governor

Members

James S. Simon
Chairman

Michael H. Keenan
Vice-Chairman

Ted Celeste
Michael F. Curtin
Cara Dingus Brook

Ex Officio
Stephanie McCloud
Ohio Department of Health

Laurie Stevenson
Ohio Environmental Protection Agency

Executive Director
Christina O'Keeffe

Secretary-Treasurer
Christina O'Keeffe

Legal Counsel
Stephen J. Smith, Esq.

Programs
Clean Air Improvement Program
Clean Air Resource Center

The regular meeting of the *OHIO AIR QUALITY DEVELOPMENT AUTHORITY* will be held on Tuesday, January 12, 2021 at 10:00 am via video conference.

The meeting will be conducted in accordance with open meeting laws within the State of Ohio. During the current state of emergency and to protect employees, partners and the public, the Authority is offering video conference access and a call line as an option to attend the meeting remotely. To help ensure capacity on this conference line, please RSVP to info@aqda.state.oh.us with your interest to participate.

**To access the meeting by video, choose this link:
[Click here to join the meeting](#)**

**To access the meeting by telephone,
dial: 614.721.2972,, 861 586 631#**

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OHIO AIR QUALITY DEVELOPMENT AUTHORITY



TUESDAY, JANUARY 12, 2021

AGENDA

The meeting will be conducted in accordance with open meeting laws within the State of Ohio. During the current pandemic and to protect employees, partners and the public, the Authority is offering video conference access and a call line as an option to attend the meeting remotely. To help ensure capacity on this conference line, please RSVP to info@aqda.state.oh.us with your interest to participate.

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To access the meeting by telephone, dial: 1 614-721-2972 Conference ID: 861 586 631#

1. [Welcome and Introduction of Guests](#) [Chairman](#)
2. [Minutes December 8, 2020](#)
3. [Resolution 21-01 \(CARC\)](#) [Frank's Auto Body & Restoration](#)

A resolution authorizing the issuance of not to exceed \$340,000 Air Quality Revenue Bonds of the State of Ohio in order to assist Frank's Auto Body & Restoration, Inc. in the financing of costs of Air Quality Facilities in order to promote the public purposes of Chapter 3706, Ohio Revised Code; providing for the assignment of revenues for the payment of the bonds; authorizing the execution and delivery of a loan agreement, an assignment of loan agreement and the bonds; and authorizing and approving related matters.

4. [Resolution 21-02 \(CARC\)](#) [Frank's Auto Body & Restoration](#)

That the Ohio Air Quality Development Authority (the "Authority") approves two grants from the Small Business Assistance Fund to Frank's Auto Body & Restoration, Inc. for the purpose related to the eligible portions of the financing approved through Resolution 21-01. The first grant to assist in the payment of closing costs of the eligible portion of the amount financed and shall be certified as eligible by bond counsel. The second grant shall cover a portion of the principal amount not to exceed \$20,000 less eligible closing costs covered under the first part of the grant.

5. [Resolution 21-03 \(Inducement\)](#) [Cargill Incorporated](#)

A resolution agreeing to issue revenue bonds of the State of Ohio to assist in the financing of the costs of the acquisition, construction and installation of air quality facilities for the use of Cargill, Incorporated.

6. Resolution 21-04 (Administrative)

HB6 – Temporarily Revoke and Suspend
Energy Harbor Application

To temporarily revoke and suspend the approval of the Nuclear Generation Program application of FirstEnergy Nuclear Generation LLC (formerly known as Energy Harbor Nuclear Generation, LLC).

7. Resolution 21-05 (Administrative)

Renumbering Resolution Numbers

To renumber certain resolutions adopted by the Authority at its March 23, 2020 meeting and May 12, 2020 meeting.

8. Executive Director's Report

Christina O'Keeffe, Executive Director

- Fiscal Presentation

Dawn Pertner, Fiscal Officer

9. Adjournment

OHIO AIR QUALITY DEVELOPMENT AUTHORITY

The regular meeting of the Ohio Air Quality Development Authority (“Authority”) was held remotely, on Tuesday, January 12, 2021 at 10:00 am.

As authorized through House Bill 197 as passed by the General Assembly and signed into law by Governor DeWine, the Authority conducted this meeting using online videoconferencing technology via Microsoft Teams in order to protect the public during the declaration of an emergency related to COVID-19 pandemic. A telephone number and videoconference link to the meeting was published on the Authority’s website and distributed to persons of interest prior to the meeting and in compliance with Open Meeting Laws.

These are the minutes of the meeting.

The following members were present:

Jim Simon, Chairman
Michael Keenan, Vice Chairman
Ted Celeste
Michael Curtin
Cara Dingus Brook

Ex-Officio members present:

Laura Factor, Ohio Environmental Protection Agency
Gene Phillips, Ohio Department of Health

The following members were absent:

Ex-officio members absent:

Staff present:

Christina O’Keeffe, Executive Director
Brooke Grant, Manager of Planning and Projects
Sandra Langston, Administrative Manager
Dawn Pertner, Fiscal Officer
Gabe Lorenz, Customer Service Coordinator

General Counsel:

Thad Boggs, Frost Brown Todd

Guests present:

Scott Lindner, Cargill
Blake Beachler, Calfee
Mary Sullivan, Dinsmore & Shohl
Steve Sparks, Frost Brown Todd
Edmundo Gabaldon, Cargill
Stephanie Kromer, Ohio Chamber of Commerce
Mikel Livingston, Gongwer
Phil Muldoon, TE Fusion Group
Becca Martin, Cargill

Frank Latin, Frank’s Auto Body
Cheryl Senko, Frank’s Auto Body
Jeff Liebert, TE Fusion
Katie Lundy, Inspire PR Group
Jess Ensley, Inspire PR Group
Marisa Long, Inspire PR Group
Jim Schultz, Huntington
Deb Hackathorn, Civic Point

This meeting of the Authority has been duly posted and given to all news media, organizations and other persons who requested such information in accordance and in full compliance with Chapter 3706-1 of the Ohio Administrative Code.

The Chairman called the meeting to order at 10:08 a.m.

1. The Chairman welcomed everyone.

The Chairman noted the meeting was being conducted through Microsoft Teams videoconferencing, in compliance with the Open Meetings Act and the administrative rules of the Authority.

Ms. Sandra Langston called the Roll:

Mr. Simon – Yea
Mr. Keenan - Yea
Mr. Celeste - Yea
Mr. Curtin – Yea
Ms. Dingus Brook – Yea
Ms. Factor - Absent
Mr. Phillips – Yea

General Counsel Thad Boggs confirmed compliance with the Open Meetings Act, that a quorum of six members was present, and that it remained an open, public meeting. Mr. Thad Boggs confirmed that the meeting was fully in compliance with state law including House Bill 197.

Chairman Simon stated that the Authority would be explicit on which item was on the table for discussion or vote, and that he would recognize members and guests by name and title during discussions or ask them to introduce themselves. Additionally, he stated that roll call votes would be taken for each vote, and that if any member left the meeting it would be noted in the minutes. As part of the orientation to the meeting, the Chairman asked Mr. Langston to provide information about Microsoft Teams software and the ground rules for the meeting.

The Chairman asked Ms. Langston to announce all guests present on the meeting. Ms. Langston announced all known guests and staff and asked those not readily identifiable to introduce themselves.

2. Minutes – Regular business meeting December 8, 2020.

Mr. Keenan moved for approval of the minutes. Mr. Celeste seconded.

Roll call vote:

Mr. Simon – Yes
Mr. Keenan – Yes
Mr. Celeste – Yes
Mr. Curtin – Yes
Ms. Dingus Brook – Yes
Mr. Phillips – Yes

Motion passed. Minutes adopted.

3. Resolution 21-01 (CARC)

Frank's Auto Body & Restoration

A resolution authorizing the issuance of not to exceed \$340,000 Air Quality Revenue Bonds of the State of Ohio in order to assist Frank's Auto Body & Restoration, Inc. in the financing of costs of Air Quality Facilities in order to promote the public purposes of Chapter 3706, Ohio Revised Code; providing for the assignment of revenues for the payment of the bonds; authorizing the execution and delivery of a loan agreement, an assignment of loan agreement and the bonds; and authorizing and approving related matters.

Director O'Keeffe introduced this Resolution for Frank's Auto Body & Restoration, located in Madison Ohio, Lake County. She stated the Resolution is for financing of an amount not to exceed \$340,000 and that the accompanying Resolution 21-02 is for grant assistance for no more than \$20,000. The company is relocating and seeking to replace two aging paint booths with more efficient equipment that will reduce harmful air pollution. She introduced Frank Latin from the company to present.

Mr. Latin thanked the Authority for the opportunity to present on their project. He stated that they were founded in 1993 and provide their communities with auto body restoration and repair. He graduated from a local trade school, Auburn Career Center, where he currently mentors and advises students as they move into their career paths. He stated that his industry has a shortfall in technicians, so his business remains engaged with trade schools to foster development in this area. He then showed a picture of his staff and discussed some of the projects that they are involved in, along with their certifications including I-CAR Gold, AAA Collision Repair, Honda ProFirst, and others.

Mr. Latin stated the planned upgrades would reduce service cycle time from eight and a half days to seven days. The company services fleets for numerous clients including local municipalities and police departments, multiple trucking companies, and other local companies. The new facilities will better enable the company to service large trucks and vehicles. The company participates in community engagement, including an annual benefit car show for local animal shelters. They also donated time to repair a Humvee for their local police department as well as money toward the purchase of a bulletproof vest to donate to the department.

Mr. Latin stated that their booths will be Garmat 3000 down draft spray booths, which increase energy efficiency, reduce VOC pollutant emissions, and will improve the company's ability to remain competitive and hire new employees. The new building and the new spray booths will optimize their efficiency and increase their workflow. He shared a quote from Madison Village Mayor, Sam Britton in support of the company, and introduced Cheryl Senko, marketing representative for the company.. Ms. Senko stated that the area where Mr. Latin is located is an area of growth, and that his community engagement is significant. Mr. Latin thanked the Authority for considering his project..

Mr. Celeste asked how Mr. Latin heard about the program, and if he had seen the spray booth model in person. Mr. Latin stated that he heard about the program from his spray booth vendor, and that he normally attends a trade show for the industry where the models are on display. Mr. Keenan asked if the trade schools that the company works with mainly include younger students, or if they have older students as well. . Mr. Latin stated that one employee who currently works for the company came to them from a vocational rehabilitation program in his mid-40s, and that he is now one of their top

employees. He further stated that they are working with a trade school at the current time where the average student age is 28 years old. He noted that many trade schools do a general education, and students find their niche through apprenticeships and working with companies like his.

Mr. Celeste moved to for approval of Resolution 21-01. Ms. Dingus Brook seconded.

Roll call vote:

Mr. Simon – Yes

Mr. Keenan – Yes

Mr. Celeste – Yes

Mr. Curtin – Yes

Ms. Dingus Brook – Yes

Mr. Phillips – Yes

Motion passed. Resolution adopted.

Ms. Factor joined the meeting at 10:15 a.m.

4. Resolution 21-02 (CARC)

Frank's Auto Body & Restoration

That the Ohio Air Quality Development Authority (the "Authority") approves two grants from the Small Business Assistance Fund to Frank's Auto Body & Restoration, Inc. for the purpose related to the eligible portions of the financing approved through Resolution 21-01. The first grant to assist in the payment of closing costs of the eligible portion of the amount financed and shall be certified as eligible by bond counsel. The second grant shall cover a portion of the principal amount not to exceed \$20,000 less eligible closing costs covered under the first part of the grant.

Mr. Keenan moved to approve Resolution 21-02. Mr. Phillips seconded.

Roll call vote:

Mr. Simon – Yes

Mr. Keenan – Yes

Mr. Celeste – Yes

Mr. Curtin – Yes

Ms. Dingus Brook – Yes

Ms. Factor – Yes

Mr. Phillips – Yes

Motion passed. Resolution adopted.

5. Resolution 21-03 (Inducement)

Cargill Incorporated

A resolution agreeing to issue revenue bonds of the State of Ohio to assist in the financing of the costs of the acquisition, construction and installation of air quality facilities for the use of Cargill, Incorporated.

Director O’Keeffe introduced this Resolution for Cargill Incorporated. They are headquartered in Minnesota and have a facility in Sidney, Ohio. They are expanding their Ohio facility and looking to include OAQDA financing as part of the project for an amount not to exceed \$74 million for solid waste disposal capturing soybean waste that would otherwise be sent to a landfill. She stated that this is an inducement request, one step in the process for tax-exempt financing, and that the company is looking to do a public offering. She noted that they will engage with the Ohio Development Services Agency for the use of volume cap. She introduced Scott Lindner, Senior Financial Analyst for the company.

Mr. Lindner thanked the Authority for the opportunity to present. He began with an overview of the company, stating that the company has over 155,000 employees operating in 70 countries. They work in partnership with food, agriculture, financial and industrial customers in over 125 countries. He further stated that the company is divided into four segments, including origination and processing, which is specific to the Sidney expansion and connects producers and users of grain, oil, seeds and other agricultural commodities. The company’s other areas of focus include food ingredients and application, animal nutrition and protein, and industrial & financial support. Cargill was founded in 1865 and is one of the world’s largest privately held companies. Their long term ratings are A/A2/A and short term are A1/P1/F1.

He described the process that Cargill uses in their food and supply chain, which takes products from farmers who grow crops and source expertise and tools, store products and transport to where needed, process the products, and then transport to the end user. He discussed the community engagement that Cargill participates in, which include global support to non-governmental organizations, partnering with organizations working in food, security, nutrition and sustainability, and participating in charitable giving. In Ohio, Cargill partners with the Ohio and Erie Canal Corridor Coalition, the Cuyahoga Valley National Park Association, the Trust for Public Land supporting the Cuyahoga Lake Link Project, and supports educational, environmental, nutritional, and hunger initiatives.

Mr. Lindner discussed their operations in Ohio, which include a crush plant, refinery and packaging facilities and serves customers across the Northeast U.S. and Canada. He noted the facility currently employs approximately 293 employees, and was founded in 1978. Their planned expansion will increase capacity to over 180,000 bushels per day, and the air quality project would include approximately \$74 million of the \$250 million investment. The overall expansion includes new systems for a variety of production and storage infrastructure and equipment, along with repurposing of existing systems. Construction began in Fall 2020, and the facility is expected to be fully operational by April 2023. The expansion is expected to enhance future viability of the facility and likelihood of additional capital investment.

The air quality project is focused on reduction and disposal of products containing air contaminants and solid waste disposal. It is centered on processing of soybean meal and hull waste left over from the production of soybean oil, which is the main product produced at the facility. These leftover products will be reprocessed into cattle feed rather than being sent to a landfill and is expected to avoid 1.6 million tons of waste annually. This will also contribute to avoidance of particle matter and VOC emissions that will be reduced by usage of scrubbers and other equipment. He stated that the process is very dusty, but particles will be pulled off during the production and returned to the production line using the new equipment. He stated that Cargill is seeking OAQDA assistance for the sole purpose of bond interest savings, and that the company is entering into a PILOT agreement with local taxing

districts to mitigate any tax impact from the OAQDA assistance. He stated that there should be no additional tax impact on local entities.

Mr. Curtin inquired about the size of the area from which they get soybean for this project. Edmundo Gabaldon, a product manager with Cargill, stated that the beans come from Ohio and Indiana in an approximate 200-mile radius. Mr. Curtin also asked what the projected life of the equipment is and noted that the facility had several owners before Cargill. Mr. Gabaldon stated that the projected life of the equipment was 30 years.

Mr. Celeste moved to approve Resolution 21-03. Mr. Curtin seconded.

Roll call vote:

Mr. Simon – Yes

Mr. Keenan – Yes

Mr. Celeste – Yes

Mr. Curtin – Yes

Ms. Dingus Brook – Yes

Ms. Factor – Yes

Mr. Phillips – Yes

Motion passed. Resolution adopted.

6. Resolution 21-04 (Administrative)

HB6 – Temporarily Revoke and Suspend
Energy Harbor Application

To temporarily revoke and suspend the approval of the Nuclear Generation Program application of FirstEnergy Nuclear Generation LLC (formerly known as Energy Harbor Nuclear Generation, LLC).

Director O’Keeffe introduced this Resolution. The purpose is to comply with the preliminary injunction order issued by Judge Brown of the Franklin County Court of Common Pleas that also includes a directive for OAQDA to temporarily revoke and suspend the approval of the applications of Energy Harbor Nuclear Generation, LLC. Those applications were submitted in January 2020 and approved in the OAQDA meeting of March 23, 2020. She noted that OAQDA is working with PJM-EIS, the owner of Generation Attribute Tracking System (GATS), on their system that OAQDA is using for monitoring generation from approved facilities in the program and assigning credits. She stated, with the assistance of General Counsel, OAQDA staff would continue to monitor the activity affecting the program and will keep Members informed. She further stated that this Resolution will give her authorization as Executive Director to act if there are any further court activity involving this item.

Chairman Simon asked if, ultimately, the merits of the case are other than as determined in the preliminary injunction, will everything be re-instituted. General Counsel stated that is correct, but the Authority would follow whatever orders are made by the court and that this was part of discussions that had taken place with PJM-EIS. He noted that OAQDA has been assured that PJM-EIS has the records-keeping capabilities to reinstate credits if the order is lifted. Chairman Simon also asked if the court had further activity or if the legislature adopted a repeal, if that would be rolled into this. General Counsel noted that this is the reason the Resolution authorizes Director O’Keeffe to take further action

if it becomes necessary. Mr. Keenan asked if this was related to the Attorney General’s lawsuit, and how this interacted with other suits related to House Bill 6. General Counsel stated that the suit filed by Cincinnati and Columbus, along with the initial suit filed by the Attorney General, were consolidated with the suit where the Attorney General named the Authority, and thus this single order governs all three suits.

Mr. Keenan moved to approve Resolution 21-04. Mr. Celeste seconded.

Roll call vote:

Mr. Simon – Yes
Mr. Keenan – Yes
Mr. Celeste – Yes
Mr. Curtin – Yes
Ms. Dingus Brook – Yes
Ms. Factor – Yes
Mr. Phillips – Yes

Motion passed. Resolution adopted.

7. Resolution 21-05 (Administrative) Renumbering Resolution Numbers

To renumber certain resolutions adopted by the Authority at its March 23, 2020 meeting and May 12, 2020 meeting.

Director O’Keeffe introduced this Resolution, which will renumber two Resolutions that had been inadvertently given the same number in 2020. She noted that the checks and balances in the agency’s processes identified this error, and the updates will be made in the official journal of OAQDA’s records on board resolutions.

Mr. Curtin moved to approve Resolution 20-47. Ms. Factor seconded.

Roll call vote:

Mr. Simon – Yes
Mr. Keenan – Yes
Mr. Celeste – Yes
Mr. Curtin – Yes
Ms. Dingus Brook – Yes
Ms. Factor – Yes
Mr. Phillips – Yes

Motion passed. Resolution adopted.

8. Executive Director’s Report

Director O’Keeffe thanked the Authority Members for their support during her leave and stated that everything went well and everyone is healthy. She further thanked Brooke Grant for her service as Interim Executive Director during the leave and stated that the process had been smooth during the transition. Director O’Keeffe also noted that she will be remaining on a part-time basis in the next month or so, and that Interim Director Grant will continue managing much of the day-to-day operations.

As far as the status on projects, she said those presented during this meeting represents the good progress in both the CARC and CAIP programs. She noted that there are several significant projects expected in the coming months and she’s happy to address any questions from Members based on the details in her written report. She then stated that OAQDA is progressing on the effort with the Green Bonds designation, working with the approved verifier, Sustainalytics, on this project and securing their Second Party Opinion on OAQDA’s Green Bonds Framework. She anticipates the process will conclude with the end of the CAIP pilot period, and that Sustainalytics will present to the Board during a future meeting.

Director O’Keeffe highlighted that Dawn Pertner will provide a detailed financial report on 2020 and a forecast for 2021. She noted the Authority would appear before Controlling Board later in the month to increase appropriation related to payroll. The requested amount was approved by Controlling Board in the previous state fiscal year 2020 and this request seeks approval to extend it through the end of the current fiscal year 2021.

Chairman Simon welcomed Director O’Keeffe back and noted that it was expected that her transition back to work would occur in a phased in approach. He then thanked Brooke Grant for her service, diligence and leadership and stated that there were several unexpected challenges that she had to handle in her role as Interim Executive Director.

Mr. Keenan asked if the money spent by OAQDA on House Bill 6-related operations was part of the Controlling Board request, or if that would be discussed during the fiscal presentation. Director O’Keeffe stated that it is not part of the Controlling Board request, which is focused on existing staff and payroll relating to the CAIP and CARC programs, but there would be information in the fiscal presentation about the House Bill 6 costs.

Director O’Keeffe then introduced Dawn Pertner, Fiscal Officer, to present on her report.

- Fiscal Presentation

Dawn Pertner, Fiscal Officer

Ms. Pertner introduced her presentation, which was focused around 2020 year-end activities and the 2021 budget. She discussed 2020 activities which included transitioning to working remotely during the COVID-19 pandemic, launching the House Bill 6 program as required, redesigning and launching the CAIP program, initiating the Green Bonds framework, completing the CARC 5-year rule review, revising the fee schedule which took effect January 1, 2021, and changing some professional services. Director O’Keeffe noted that, once the pandemic hit, they focused the year on rebuilding many areas of the agency, including necessary program rule changes and program redesign. She noted that OAQDA, as with other organizations, did experience the financial effects of the pandemic, but anticipates its position to be stronger in the future as a result of these actions.

Ms. Pertner then showed the five-year activity for bond issuance, noting that the year experienced different program activity due to the larger scale events occurring during the year. She stated that seven

CARC projects closed during the year, which was anticipated and on trend with expectations due to the program restructuring in the first half of 2020 and the relaunch in July. She then stated that nine CAIP projects closed in the year and described the difference in the amount of issuance compared to larger project issuances that closed in 2019. She stated the level of issuance amounts are driven by specific projects and timing of their closings. As a result, agency's efforts to revise fee schedule will stabilize this ongoing, historical volatility as we move into future years.

Ms. Pertner then discussed the non-pass-through OAQDA expenditures, which did not include grants and subsidies. She stated that the 2020 budget included fixed expenditures with its CARC and CAIP programs along with House Bill 6-related expenses, but anticipated a net positive income barring House Bill 6 expenses. She noted that OAQDA did not currently have a revenue source for reimbursement of or continuing expenses related to House Bill 6. She then compared budgeted and actual revenue for the year, noting that there was a negative operating loss for the calendar year 2020. She also compared these numbers with the revenue related to the new fee schedule and stated that if it had been in place at the start of 2020 there would have been a positive net income in that scenario. This analysis again validates the purpose of the revised fee schedule.

Ms. Pertner then showed revenue sources, stating there would be additional revenue in 2021 due to the revised fee schedule, and a larger than usual interest income due to success in the investment portfolio for OAQDA. She then provided an analysis on actual expenses, which were on track as anticipated. She discussed professional services, which reflected a new research and development category consisting of third-party services such as the redevelopment efforts of CAIP. She noted that the professional services expenses were over budget for the year. General Counsel was a primary driver that included significant special project expenses such as those related to House Bill 6. She then noted that research and development was significantly under budget, which reflected a 10% reduction in a contract that had been negotiated. She said advertising and communications expenses reflected the transition between the old vendor and onboarding the existing firm in 2020 and expenses into 2021 will should stay within budget. In addition, temporary staffing services was over budget due to the need of a temporary fiscal employee near the end of the year during a scheduled leave of permanent employee. IT Services was under budget due to a change in IT providers to a new firm that was cheaper and more efficient. Other categories were under budget due to cost reduction measures taken earlier in the year.

Ms. Pertner then showed five-year historic trends, including additional information on expenses and revenue. The proposed 2021 budget projected a positive net income for the year based on conservative revenue projections. She noted the transfers from the Ohio EPA every year for the small business assistance grants continues its downward decline, as expected, due to the reduced fee revenue generated from Title V permit fees from larger polluting facilities.

Chairman Simon thanked Ms. Pertner for her analysis and stated the information demonstrates the value of the new fee schedule. He further shared with the Board that he and Director O'Keeffe were continuing to have discussions with the Governor's office on options for funding to OAQDA to recover the House Bill 6 expenses. Director O'Keeffe added that Ms. Pertner presented on the amount that was just for the 2020 year, which was around \$280,000, but the program-to-date House Bill 6 expenses were around \$380,000 and will increase with the continued implementation requirements of the program that has not been on hold, even though the funding source is through the court injunction. She further added that they are continuing to explore all options with the Governor's Office and OBM, including legislative ones.

Ms. Pertner then discussed administrative fee historical trends, noting that the trends were up and down over the past five years but that the revised fee schedule should stabilize it moving forward. She discussed proposed professional services for 2021, noting that there was an increase in the retainer for General Counsel from \$8,000 to \$12,000 as approved by the Board last Fall. However, everything else remains consistent with historical projections. She then showed trends for revenues, expenses, and net operating income.

Ms. Pertner then presented on the budget submitted to OBM for Fiscal Years 2022-2023 and said that it did not include any House Bill 6 requests. She stated that the 2-year budget request has not changed greatly and remains consistent for CARC and the Small Business Ombudsman. Then, in displaying the historical year-to-date fund balances, she noted the payroll operating line was steady and reflects the additional permanent employee, who was added in 2020 from being in the temporary position for quite some time. She further noted that the Small Business Grants and Ombudsman funds were trending down, as more financial assistance is being provided to small businesses as intended. The balance of the operating trust was trended down, as it reflected the negative operating expenses of the previous year, but she noted it should trend back up due to the timing of closings for significant projects this year and the revenue from the revised fee schedule. In addition, House Bill 6 expenses were included in the amount.

Chairman Simon asked if the retainer for General Counsel was adjusted based on 2020 usage and reflects the costs of special projects in that amount. Director O’Keeffe stated that they negotiated with General Counsel based on the activity from 2020 with the goal of aligning the retainer to reflect the work that was being performed going into 2021 and as approved by the Members in Fall 2020. The retainer will be reanalyzed in the next year as planned. She noted that any activity on House Bill 6 or other special projects would continue to be charged in addition to the retainer, and noted that the budget identified in the 2021 forecast was to ensure availability of funds, if needed, especially with the uncertainty of future legal activity related to House Bill 6. Ms. Dingus Brook commended the work done to increase stability of the organization’s revenues and thanked Ms. Pertner and Director O’Keeffe for their focus on this issue where other organizations are not as far ahead in thinking about this approach for their future. Chairman Simon seconded her statements.

9. Adjournment

The Chairman adjourned the meeting at 11:24 a.m.

The regular meeting of the *OHIO AIR QUALITY DEVELOPMENT AUTHORITY* will be held remotely on **Tuesday, February 9, 2021.**