

**RESOLUTION AUTHORIZING ASHTABULA COUNTY BOARD OF COMMISSIONERS AND ACDES TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND (WPCLF) AGREEMENT ON BEHALF OF ASHTABULA COUNTY FOR CONSTRUCTION OF COFFEE CREEK WASTEWATER TREATMENT PLANT IMPROVEMENTS AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN, ACDES**

WHEREAS, the County of Ashtabula seeks to upgrade its existing wastewater facilities; and

WHEREAS, the County of Ashtabula intends to apply for Water Pollution Control Loan Fund (WPCLF) for the construction and improvements of the wastewater facilities; and

WHEREAS, the Ohio Water Pollution Control Loan Fund (WPCLF) requires the government authority to pass legislation for application of a loan and the execution of an agreement as well as designating a dedicated repayment source: now

THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of the County of Ashtabula, Ohio, that:

**Section 1.** That Casey Kozlowski, President of Ashtabula County Board of Commissioners be and is hereby authorized to apply for a WPCLF loan, sign all documents for and enter into a Water Pollution Control Loan Fund (WPCLF) with the Ohio Environmental Protection Agency and the Ohio Water Development Authority for the construction and improvements of the wastewater facilities on behalf of the County of Ashtabula, Ohio.

**Section 2.** The estimated loan amount is \$6,026,372.00. The dedicated source of repayment will be from Sewer System Debt Retirement Principal fund 6001.001.150-901 and Sewer System Debt Retirement Interest fund 6001.001.150-910.

**Section 3.** That this resolution shall take effect and be in force from and after the earliest period allowed by law.

BE IT FURTHER RESOLVED that the President of the Board, on behalf of the Board of Commissioners of Ashtabula County, is authorized to execute any and all necessary documents.

**ASHTABULA COUNTY COMMISSIONERS  
CERTIFICATION PAGE**

Resolution No. 2023-371

July 11, 2023

**RESOLUTION AUTHORIZING ASHTABULA COUNTY BOARD OF COMMISSIONERS AND ACDES TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND (WPCLF) AGREEMENT ON BEHALF OF ASHTABULA COUNTY FOR CONSTRUCTION OF COFFEE CREEK WASTEWATER TREATMENT PLANT IMPROVEMENTS AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN, ACDES**

Upon the motion of J.P. Ducro IV, seconded by Kathryn L. Whittington.

**VOTE:**

Casey R. Kozlowski  
Kathryn L. Whittington  
J.P. Ducro IV

Aye  
Aye  
Aye

**CERTIFICATE OF CLERK**

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution acted upon and duly passed by the Board of County Commissioners of Ashtabula County, Ohio, on the date noted above.



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Lisa Hawkins, Clerk of the Board  
Board of County Commissioners  
Ashtabula County, Ohio



Division of Environmental & Financial Assistance (DEFA)

Office of Financial Assistance (OFA)

50 West Town Street, Suite 700, Columbus, Ohio 43215

Ph: 614.644.2798

www.epa.ohio.gov/defa/ofa

This application must be completed in its entirety. Incomplete forms may result in delay of loan approval.

1.0 Program Funding Selection

Please indicate what type of project funding is needed. A selection must be made for the loan application to be reviewed.

- Wastewater Water Pollution Control Loan Fund (WPCLF)
Drinking Water Water Supply Revolving Loan Account (WSRLA)

2.0 Borrower's Information

Borrower (County, City, Village, or District): Ashtabula County
Borrower's Population: 97,337 County: Ashtabula DUNS#: 926038696
Borrower's American Community Survey (ACS) Median Household Income: \$49,680 Date of Application: July 2023

3.0 Project Name and Description

Project Name: Coffee Creek WWTP Improvements

In the box below, please provide a brief description of the project requesting Ohio EPA funding.

The project scope includes expanding the capacity of the Coffee Creek WWTP with the construction of a new aeration tank, which includes the addition of a diversion chamber, new screening and grit removal components, replacement of the sand filters with new tertiary process, and replacement of the UV System.

\*\* Will land and/or easement acquisitions be required for this project?

- Yes, please indicate acquisition commencement date(s).
No additional land and/or easements are needed for the project.

\* Note: If the site title opinion letter is not able to be sent with the loan application, it can be sent at a later date. However, this opinion MUST be submitted with the bid package for review.

\*\* A Site Title Opinion Letter must be submitted and signed by the Borrower's Solicitor/Law Director, to insure legal vested interest in all real property for the project. (Example see ATTACHMENT B)

4.0 Funding Type and Proposed Loan Terms

Estimated Loan Amount: \$6,026,372.00 This field autofills from Tab 4

An estimated loan award date must be entered. This date should be the 1st of Month in which the loan would be awarded. This date is dependent on the type of loan that is requested, the estimated loan date will autofill on to TAB 3-Project Schedule.

Estimated Loan Award Date: 10/1/2023

Please consider my application for the following interest rate discount (construction loans only):

Wastewater Discounts:

- Facility Sludge Upgrade
Septage Facilities
Water Resource Restoration Sponsor Program (WRRSP)
Other: (Specify)

Water Discounts:

- Auxiliary Power Program Construction projects are eligible to receive 50 percent of the auxiliary power cost up to \$10,000 in principal forgiveness.
Other: (Specify)

\*\* Please select only ONE loan type\*\*

The Borrower's interest rate will be determined based on the current year's Program Management Plan requirements. The first payment date must occur no later than 12 months after the project completion date. If you would like the repayment to begin earlier, please indicate a date. Payments are due semiannually: January 1 and July 1.

- Planning Loan Planning loans have a maximum 5-year term. First Payment Date:
Design Loan Design loans have a maximum 5-year term. First Payment Date:
Construction Loan Minimum 5-year term. Maximum 30-year term. Requested Term: 20 Years First Payment Date: 1/1/2026
Supplemental Loan Loan Number:

\*\* Please complete the appropriate schedule on Tab 3 "Project Schedule" that correlates with the selected loan type.

**5.0 Contact Information**

**Authorized Representative to Execute Contracts**

Name Casey R. Kozlowski Title President, Ashtabula County Commissioners  
Address 25 West Jefferson St., 2nd Floor, Old Courthouse  
City Jefferson, Ohio Zip 44047  
Telephone 440-576-3757 Cell \_\_\_\_\_  
Email CRKozlowski@ashtabulacounty.us

**Address to Mail Loan Agreement (If different than Authorized Representative)**

Name Douglas G. Starkey Title Director, Department of Environmental Services  
Address ACDES - P.O. Box 520; 36 West Walnut Street  
City Jefferson, Ohio Zip 44047  
Telephone 440-576-3622 Cell \_\_\_\_\_  
Email dgstarkey@ashtabulacounty.us

**Billing Notices**

Name Douglas G. Starkey Title Director, Department of Environmental Services  
Address ACDES - P.O. Box 520; 36 West Walnut Street  
City Jefferson, Ohio Zip 44047  
Telephone 440-576-3622 Cell \_\_\_\_\_  
Email dgstarkey@ashtabulacounty.us

**Disbursements - Borrower's representative to contact regarding disbursement**

Name Douglas G. Starkey Title Director, Department of Environmental Services  
Address ACDES - P.O. Box 520; 36 West Walnut Street  
City Jefferson, Ohio Zip 44047  
Telephone 440-576-3622 Cell \_\_\_\_\_  
Email dgstarkey@ashtabulacounty.us

**Borrower's Wiring Information - Wires to the borrower should be sent to:**

	<u><b>BANK WIRING</b></u>	<u><b>CHECK MAILING</b></u>
Bank Name	_____	Address _____
Address	_____	_____
City, State, Zip	_____	City, State, Zip _____
Federal Wire ABA	_____	_____
Account #	_____	_____

**Consulting Engineer**

Name Tom Voldrich Title Consulting Engineer  
Firm CT Consultants, Inc.  
Address 8150 Sterling Court  
City Mentor State, Zip 44060  
Telephone 440-951-9000 Cell \_\_\_\_\_  
Email tvoldrich@ctconsultants.com

## 6.0 Project Schedules for Planning, Design & Construction

### PLANNING SCHEDULE

1. **Submit complete Loan Application with dedicated source of repayment and draft engineering agreement with scope of planning activities to be funded through this loan** (no later than 60 days prior to task 3)
2. **Sign loan documents and return to DEFA** (no later than 15 days prior to task 3)
3. **We request a Planning Loan by** (indicate the 1st of the Month in which Loan is requested)  
(Loan awards can be scheduled for January through October and December – no November scheduled awards)
4. **Project Completion Date** (The date funded planning activities will be completed and submitted to Ohio EPA)
5. **Initial Payment due to Ohio EPA program** (January 1 or July 1 - within one year after the Project Completion)

### DESIGN SCHEDULE

1. **Submit approvable Facilities Planning information, including complete I/I Analysis** (generally 120 days prior to task 4)
2. **Submit a complete Loan Application which should include the borrowers financial information, a certified copy of legislation authorizing the borrower to enter into a Loan Agreement with Ohio EPA and OWDA (Example: see ATTACHMENT A), a copy of the utility's User Charge System & Use ordinance and the engineering agreements.** (90 days prior to task 4)
3. **Sign loan documents and return to DEFA** (no later than 15 days prior to task 4)
4. **We request a Design Loan by** (1st of Month in which Loan is Awarded)
5. **Project Completion Date** (The date funded design will be completed and submitted to Ohio EPA)
6. **Initial Payment due to Ohio EPA program** (January 1 or July 1 - within one year after Project Completion)

### CONSTRUCTION SCHEDULE

- |  |           |
|--|-----------|
| 1. <b>Submit approvable Facilities Planning information, including complete I/I Analysis</b> (generally 200 days prior to task 9)  | complete  |
| 2. <b>Submit complete Permit-to-Install application (if applicable), including application, review fee, detail plans, contract documents, and specifications</b> (170 days prior to task 9)  | complete  |
| 3. <b>Submit a complete Loan Application which should include the borrowers financial information, a certified copy of legislation authorizing the Borrower to enter into a Loan Agreement with Ohio EPA and OWDA (Example: see ATTACHMENT A), a copy of the utility's User Charge System &amp; Use ordinance and the engineering agreements.</b> (150 days prior to task 9) | 7/13/2023 |
| 4. <b>Submit Site Title Opinion Letter</b> signed by Solicitor/Law Director (no later than 60 days prior to task 9) (Example: see ATTACHMENT B)  | 7/13/2023 |
| 5. <b>Advertise for construction bids</b> (no later than 60 days prior to task 9)  | 8/1/2023  |
| 6. <b>Open construction bids</b> (no later than 30 days prior to task 9) <u>Be sure to allow for a minimum of 60 days to award contracts</u>   | 8/30/2023 |
| 7. <b>Submit bid information to DEFA</b> (no later than 21 days prior to task 9)   | 9/6/2023  |
| 8. <b>Sign loan documents and return to DEFA</b> (no later than 7 days prior to task 9)  | 9/25/2023 |
| 9. <b>We request a Construction Loan by</b> (1st of Month in which Loan is Awarded)  | 10/1/2023 |
| 10. <b>Estimated Initiation of Operation date</b> (The date funded facilities will be in full operation as planned and designed)   | 7/30/2025 |
| 11. <b>Estimated Initial payment due to the Ohio EPA loan program</b> (January 1 or July 1 - within one year after the Initiation of Operation)  | 1/1/2026  |

7.0 Estimated Cost Data

Select Funding Sources From Dropdown Box Below

Estimated Costs	OPWC	ARC	OEPA / WPLCF	Total Project Cost
<b>Technical Services</b>				
Administration				
Engineering Services			\$450,000.00	\$450,000.00
Planning				
Design			\$107,930.00	\$107,930.00
Force Account				
Planning Loan Pay-off				
Design Loan Pay-off			\$72,192.00	\$72,192.00
<b>Construction</b>				
<i>(Please enter number of anticipated contractors below)</i>				
Contract "A"	\$1,023,750.00	\$500,000.00	\$4,726,250.00	\$6,250,000.00
Contract "B"				
Contract "C"				
Equipment				
<b>Other Costs</b>				
Contingency			\$670,000.00	\$670,000.00
<b>Subtotal</b>	<b>\$1,023,750.00</b>	<b>\$500,000.00</b>	<b>\$6,026,372.00</b>	<b>\$7,550,122.00</b>
Application Fee				\$21,092.00
<i>There is a 0.35% OWDA fee on WPLCF loans and a 1.35% fee on WSRLA loans (0.35% OWDA and 1.00% Ohio EPA/WSRLA). Fees are based on total loan amount. Both program have a minimum fee of \$400. Please see application instructions for more information.</i>				
<b>Total Estimated Costs</b>	<b>\$1,023,750.00</b>	<b>\$500,000.00</b>	<b>\$6,026,372.00</b>	<b>\$7,571,214.00</b>

For construction loan request, please indicate below if the project has an \*Ohio EPA or \*\*OWDA planning/design loan affiliated with the project. The planning/design loans will be closed once the construction loan is approved. If funds have been disbursed from the planning/design loans, the payoff balance will be rolled into the construction loan. If no funds have been disbursed and planning funds are needed, please include a line item for planning and/or design in the construction loan.

*Ohio EPA Planning Loan # _____	Planning Loan Payoff Amount _____
*Ohio EPA Design Loan # _____	Design Loan Payoff Amount _____ \$72,192.00
**OWDA Planning Loan # <u>CS390004-0018</u>	Planning Loan Payoff Amount _____

8.0 Contractor Payment

Please indicate below if the Borrower would like the contractors paid directly. Reimbursement requests for Technical Services line items will be made directly to the Borrower.

Pay contractors directly

## 9.0 Source of Pledged Revenues

To obtain a loan from Ohio EPA, the Borrower is required to pledge the user revenues derived from the ownership and operation of their system as a security instrument (i.e. collateral) for the repayment of the loan. It can also be used as the dedicated source of repayment. The user revenues, after deductions for the operating and maintenance and previous debt obligations, must be able to support the repayment of the loan. However, unless prohibited by law, the Borrower can also choose any of the following as a dedicated source of loan repayment, with the user rates remaining the collateral. (*Reference Article IV in the WPCLF and the WSRLA Standard Loan Agreement*).

Please indicate the intended source of loan repayment below. More than one source can be used.

Revenue from:

- User Charges
- Assessments - Provide authorizing legislation
- General Taxes
- Other: Indicate source Contract services at Airport & Plant C
- Other: Indicate source Investment Income & Refunds/Reimbursement

## 10.0 Revenue Analysis

Current Revenues (Last Audit Year):			YEAR:	2021
User Classes	Total Revenue	Total Number of Users	Annual Revenue Per User	
Residential	\$2,138,970.24	2,441	\$876.27	
Commercial	\$512,645.76	140	\$3,661.76	
Industry / Gov.	\$291,677.76	2	\$145,838.88	
Other	\$329,883.94			
<b>TOTAL</b>	<b>\$3,273,177.70</b>	<b>2,583</b>		

*Total Revenue should reconcile to the "Revenues to System" column on the Projection of Revenues (TAB 7) for the associated year.*

Current Average Monthly Residential User Rate \$73.02

Projected Revenues for first year following project completion			YEAR:	
User Classes	Projected Total Revenue	Projected Total Number of Users	Projected Annual Revenue Per User	
Residential	\$2,421,452.85	2,441	\$991.99	
Commercial	\$581,199.96	140	\$4,151.43	
Industry / Gov.	\$329,385.980	2	\$164,692.99	
Other	\$369,284.240			
<b>TOTAL</b>	<b>\$3,701,323.03</b>	<b>2,583</b>		

*Total Revenue should reconcile to the "Revenues to System" column on the Projection of Revenues (TAB 7) for the associated year.*

Projected Average Monthly Residential User Rate \$82.67

Ten Largest Users	
Customer	% of Revenue
Flying J, Inc.	6.00%
Ashtabula County Nursing Home	2.50%
Pilot Travel 2000	2.00%
Saybrook Landing	2.00%
DNC Parks & Resorts at GSP	1.50%
Austinburg Nursing & Rehab	1.30%
Sav Lot #	1.00%
Engie Insight Services, Inc.	1.00%
Plastpro 2000, Inc.	0.85%
Lake Grov MHP LLC	0.59%

## 11.0 Revenue Analysis Continued

### 3-Year Revenue Allocation

Please provide the revenue allocation for 3 years ending with most recent audit.

Year autofills from TAB 5	2019	2020	2021
<b>Revenue</b>	\$2,920,759.00	\$3,084,948.13	\$3,273,177.70
<b>Expenditures</b>			
Operating Expenses	\$2,705,673.00	\$2,507,430.00	\$2,644,249.12
Debt Service Payments	\$246,633.65	\$214,079.65	\$216,057.22
Other:			\$31,604.32
<b>Total Expenditures</b>	<b>\$2,952,306.65</b>	<b>\$2,721,509.65</b>	<b>\$2,891,910.66</b>
Surplus or Loss	-\$31,547.65	\$363,438.48	\$381,267.04

**Outstanding System Debt** (do not include loan being applied for):

Debt Type	Debt Balance	Annual Payment	Final Payment Date
Ohio EPA Loans	\$236,627.23	\$77,418.71	2031
OWDA	\$8,232.00	\$5,701.04	2023
OPWC	\$440,786.45	\$44,596.58	2039
GO bonds			
Revenue Bonds	\$86,237.55	\$88,340.91	2022
Other			
<b>TOTAL</b>	<b>\$771,883.23</b>	<b>\$216,057.24</b>	

**The annual payment total will autofill in the current year debt service column on TAB 7 "Projection of Revenues" sheet.**

## 12.0 Borrowers Credit Rating (If applicable)

	Moody's	S&P
General Obligation		
Water and Sewer Revenues		A+

## 13.0 Rate Schedule

Indicate the year of the last rate increase: 2023

What was the % of the last rate increase? 10.00%

Please describe the planned rate increases for the next 2 years:

2024 - 10%; 2025 - 5%; 2026 - 5%

## 14.0 Capital Improvement Plan

Brief Description of Major Projects:

Coffee Creek WWTP Capacity expansion.

Ten Year Capital Improvement Plan:

Years	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032
<b>\$ in 000's</b>	3,000	3,000	604	385	390	300	250	250	250	250

15.0 Projection of Revenues and Expenses of the System

Borrower: Ashtabula County  
 Project Name: Coffee Creek WWTP Improvements

Year	Revenues to System Only	Operations, Maintenance & Replacement (O, M & R) Expenses	DEBT SERVICE paid from Revenue to the System (i.e. OPWC, USDA, etc.)	NEW Ohio EPA Loan Repayment	Total Expense to the System	Annual Surplus	Cumulative Surplus
The first Year and Current User Revenues autofills from Section 10.0 on Tab 6. The first year of O, M & R and debt service will autofill from Section 11.0 on Tab 6.				***Indicate previous year carryover surplus in the yellow Cumulative Surplus box***			\$4,242,099.06
2021	\$3,273,177.70	\$2,644,249.12	\$216,057.24		\$2,860,306.36	\$412,871.34	\$4,654,970.40
2022	\$3,628,392.34	\$3,249,163.54	\$183,522.88		\$3,432,686.42	\$195,705.92	\$4,850,676.32
2023	\$3,991,231.57	\$3,574,079.89	\$104,310.19		\$3,678,390.08	\$312,841.49	\$5,163,517.81
2024	\$4,390,354.73	\$3,931,487.88	\$101,459.67		\$4,032,947.55	\$357,407.18	\$5,520,924.99
2025	\$4,609,872.47	\$4,128,062.28	\$101,459.67		\$4,229,521.95	\$380,350.52	\$5,901,275.51
2026	\$4,840,366.09	\$4,334,465.39	\$77,395.67	\$301,318.60	\$4,713,179.66	\$127,186.43	\$6,028,461.94
2027	\$5,082,384.40	\$4,551,188.66	\$77,395.67	\$301,318.60	\$4,929,902.83	\$152,481.46	\$6,180,943.40
2028	\$5,234,855.93	\$4,778,748.09	\$77,395.67	\$301,318.60	\$5,157,462.36	\$77,393.58	\$6,258,336.97
2029	\$5,391,901.61	\$5,017,685.50	\$77,395.67	\$301,318.60	\$5,396,399.77	-\$4,498.16	\$6,253,838.80
2030	\$5,553,658.65	\$5,188,218.06	\$77,395.67	\$301,318.60	\$5,546,930.33	\$6,728.32	\$6,260,567.12
2031	\$5,720,268.41	\$5,323,262.55	\$75,938.01	\$301,318.60	\$5,700,519.16	\$19,749.26	\$6,280,316.38
2032	\$5,891,876.47	\$5,482,960.42	\$64,055.23	\$301,318.60	\$5,848,334.25	\$43,542.21	\$6,323,858.60
2033	\$6,068,632.76	\$5,647,449.23	\$64,055.23	\$301,318.60	\$6,012,823.06	\$55,809.70	\$6,379,668.29
2034	\$6,250,891.74	\$5,816,872.71	\$27,303.82	\$301,318.60	\$6,145,495.13	\$105,186.61	\$6,484,854.90
2035	\$6,438,212.49	\$5,991,378.89	\$27,303.82	\$301,318.60	\$6,320,001.31	\$118,211.18	\$6,603,076.08
2036	\$6,631,358.87	\$6,171,120.26	\$27,303.82	\$301,318.60	\$6,499,742.88	\$131,616.19	\$6,734,692.27
2037	\$6,830,299.64	\$6,356,253.87	\$7,994.48	\$301,318.60	\$6,665,566.95	\$164,732.69	\$6,899,424.96
2038	\$7,035,208.62	\$6,546,941.48	\$7,994.48	\$301,318.60	\$6,856,254.56	\$178,954.06	\$7,078,379.02
2039	\$7,246,264.88	\$6,743,349.73	\$7,994.48	\$301,318.60	\$7,052,662.81	\$193,602.08	\$7,271,981.10
2040	\$7,463,652.83	\$6,945,650.22		\$301,318.60	\$7,246,968.82	\$216,684.01	\$7,488,665.11
2041	\$7,687,562.42	\$7,154,019.73		\$301,318.60	\$7,455,338.33	\$232,224.09	\$7,720,889.20
2042	\$7,918,189.29	\$7,368,640.32		\$301,318.60	\$7,669,958.92	\$248,230.37	\$7,969,119.57
2043	\$8,155,734.97	\$7,589,699.53		\$301,318.60	\$7,891,018.13	\$264,716.84	\$8,233,836.40
2044	\$8,400,407.02	\$7,817,390.51		\$301,318.60	\$8,118,709.11	\$281,697.90	\$8,515,534.31
2045	\$8,652,419.23	\$8,051,912.23		\$301,318.60	\$8,353,230.83	\$299,188.40	\$8,814,722.70
2046	\$8,911,991.80	\$8,293,469.60		\$301,318.60	\$8,594,788.20	\$317,203.61	\$9,131,926.31
2047							\$9,131,926.31
2048							\$9,131,926.31
2049							\$9,131,926.31
2050							\$9,131,926.31
2051							\$9,131,926.31
2052							\$9,131,926.31
2053							\$9,131,926.31
2054							\$9,131,926.31
2055							\$9,131,926.31
2056							\$9,131,926.31
2057							\$9,131,926.31
2058							\$9,131,926.31
2059							\$9,131,926.31
2060							\$9,131,926.31
2061							\$9,131,926.31

Preparer Signature: \_\_\_\_\_

*Cheryl R. Duff*

Date: 7/7/23

Authorized Representative Signature: \_\_\_\_\_

Date: 7-11-23

NOTES:





EPA Project Control Number \_\_\_\_\_

United States Environmental Protection Agency  
Washington, DC 20460

**Certification Regarding  
Debarment, Suspension, and Other Responsibility Matters**

The prospective participant certifies to the best of its knowledge and belief that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three year period preceding this proposal been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
- (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

I understand that a false statement on this certification may be grounds for rejection of this proposal or termination of the award. In addition, under 18 USC Sec. 1001, a false statement may result in a fine of up to \$10,000 or imprisonment for up to 5 years, or both.

Casey R. Kozlowski, President, Ashtabula County Board of Commissioners  
\_\_\_\_\_  
Typed Name & Title of Authorized Representative

\_\_\_\_\_  
Signature of Authorized Representative

7-11-23

\_\_\_\_\_  
Date

I am unable to certify to the above statements. My explanation is attached.

EPA Form 5700-49 (11-88)



**Division of Environmental & Financial Assistance**

50 West Town Street, Suite 700, Columbus, Ohio 43215

Ph: (614) 644-2798 Fax: (614) 644-3687

[www.epa.ohio.gov/defa](http://www.epa.ohio.gov/defa)

**OHIO WATER POLLUTION CONTROL LOAN FUND**

**COMPLIANCE CERTIFICATION**

BORROWER Ashtabula County

PROJECT NAME Coffee Creek WWTP Improvements

I certify that I am the duly authorized representative of the above-named legal entity (Borrower) and that the Borrower agrees to comply with all Federal and State laws, executive orders, regulations, policies and conditions relating to WPCLF assistance. I also certify that the Borrower:

- 1 Has the legal, institutional, managerial and financial capability to ensure adequate construction, operation, maintenance and replacement of the project facilities.
- 2 Will, if the project includes a new wastewater collection system, require all planned users to connect to the said system no later than one-year after the initiation of operation of the project facilities.
- 3 Does assure that the mitigative measures stated in the environmental assessment and detailed plans and specifications will be implemented in the construction of the project facilities.
- 4 Has not and will not violate any Federal, State or local law pertaining to fraud, bribery, graft, collusion or other unlawful or corrupt practices.
- 5 Will, during the construction of the project facilities, comply with the provisions of:
  - A. Federal Executive Order 11246 relating to Equal Employment Opportunity.
  - B. Federal Executive Orders 12432 relating to the use of Women's and Minority Business Enterprises.
  - C. Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition and Policies Act of 1970 (P.L. 91-646).
  - D. Federal Executive Order 11988 relating to evaluation of potential effects of any actions in a floodplain and Federal Executive Order 11990 relating to minimizing harm to wetlands.
  - E. The National Historic Preservation Act of 1966 (P.L. 89-665 as amended.)
  - F. State Executive Order 90-68 relating to construction impacts on wetland areas.
  - G. The Federal Davis-Bacon Act as codified at 40 U.S.C. 276a-276a-5 unless waived in writing by the State.
- 6 Will, when disbursements exceed \$750,000 in any year under this agreement, comply with:
  - The Single Audit Act of 1984, (SAA), as amended by the Single Audit Act of 1996. The Borrower will also have an audit of its use of Federal Financial Assistance, keep a copy of the SAA for review for the life of the loan.
- 7 Will comply with Federal Water Pollution Control Act 602(b)(14) pertaining to the procurement of A/E services.
- 8 Will comply with Federal Water Pollution Control Act 603(d)(1)(E) pertaining to the development of a Fiscal Sustainability Plan.

I certify that I have read and understand these requirements and agree that WPCLF assistance is conditional upon the above-named Borrower maintaining compliance with these requirements.

\_\_\_\_\_  
Signature of Authorized Official

7-11-13  
Date

17.0 Application Check List


- Facilities Plan
- A copy of Legislation authorizing current rates/tap in fees
- A copy of Legislation authorizing the borrower to enter into a Loan Agreement with Ohio EPA & OWDA (Example: see ATTACHMENT A)
- Planning & Design Loan Only: Draft or Executed Copy of Engineering Agreement
- Construction Loan Only: Engineer's Estimate for project costs. Bid tabs are required to be submitted prior to project approval.  
Detailed estimate for Equipment and Force Account  
Draft or Executed Copy of the Engineering Agreement if engineering costs are included in the loan.
- If the borrower is using special assessments to cover any portion of the Ohio EPA loan payments, attach a certified statement from a Solicitor/Law Director stating the status of the assessment proceedings, resolutions or ordinances, and notices.
- Site Title Opinion Letter signed by Solicitor/Law Director (Example: see ATTACHMENT B)  
\* Note: If the site title opinion letter is not able to be sent with the loan application, it can be sent at a later date. However, this opinion MUST be submitted with the bid package for review.
- Intermunicipal Service Agreement (if applicable)
- Documentation of outstanding debt for planning and/or design costs, to be included in the Ohio EPA loan (if applicable)

**\*\*\*ITEMS LISTED BELOW ARE NOT NEEDED WITH THE LOAN APPLICATION.\*\*\*  
These are required after the Borrower has reviewed and SIGNED the Ohio EPA Loan Agreement and Exhibits.**

- General Certificate (Example: see ATTACHMENT C)
- Legal procedural letter signed by the Solicitor/Law Director (Example: see ATTACHMENT D)

18.0 Preparer Information

This Application Submitted by (Name & Title) : Phyllis A. Dunlap, Funding Specialist, CT Consultants, Inc.

Signature: 

Date: July 7, 2023 Telephone Number: 440-487-7794 (cell)

19.0 Authorized Representative Approval

To the best of my knowledge and belief, the information contained in this application is true and correct. The application has been duly authorized by the governing body of the applicant and the applicant will maintain compliance with all the laws, rules, executive orders and policies pertaining to the Ohio EPA - Water Pollution Control Loan Fund (WPCLF) or the Water Supply Revolving Loan Account (WSRLA) programs.

Authorized Representative Casey R. Kozlowski

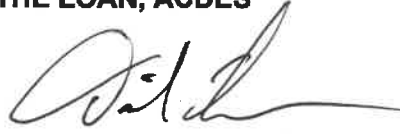
Title Board President, Ashtabula County

Signature:  Date: July 11, 2023

**FISCAL OFFICER'S CERTIFICATE**  
5705.41 O.R.C.

The undersigned, County Auditor of Ashtabula County, hereby certifies that the amount required to meet the obligations of the County during the year 2023 under the Agreement has been lawfully appropriated for that purpose, and is in the Treasury of the County or in the process of collection and free from any previous encumbrances to the credit of:

**Agreement Title: RESOLUTION AUTHORIZING ASHTABULA COUNTY BOARD OF COMMISSIONERS AND ACDES TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND (WPCLF) AGREEMENT ON BEHALF OF ASHTABULA COUNTY FOR CONSTRUCTION OF COFFEE CREEK WASTEWATER TREATMENT PLANT IMPROVEMENTS AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN, ACDES**



\_\_\_\_\_  
**David Thomas, Ashtabula County  
Auditor**

Date: July 10, 2023