



SMALL BUSINESS
DEVELOPMENT
CENTERS
of Ohio

The Resource for Growing Business

Start Up Business Guide



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DAUCH COLLEGE OF BUSINESS AND ECONOMICS

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Welcome to the Ohio Small Business Development Center (SBDC). The SBDC is partially funded by the Ohio Department of Development and the U.S. Small Business Administration.

The SBDC can provide you with many FREE resources for starting and successfully operating your small business. These resources include educational programs, one-on-one counseling and mentoring services provided by our staff counselors and small business owner volunteer counselors, and resource materials such as this Start Up Business Guide, business planning guides and other valuable tools.

This Start Up Business Guide will give you the basic information you need to make decisions and get your business started right. If you have questions after reading this guide, please call the SBDC at 419-207-5568 or 1-877-289-1468. Remember, we're here to provide you with information and assistance. We look forward to working with you!

NAME registration

If you wish to do business in the State of Ohio under any name other than your legal name, then you must register this business name with the Ohio Secretary of State's office. First, you must contact the Secretary of State's office to make sure the name you wish to use is not already being used by someone else.

There are three types of business name registrations: trade name, fictitious name and corporate name. A trade name offers protection from anyone else who also wants to register under that same business name. The cost is \$50. A fictitious name registers your business name, but does not offer any protection. If you are not concerned about someone else using the same name for their business, then you may want to register as a fictitious name. The cost is \$50. The registration for a trade or fictitious name is effective for five years and can be renewed for \$25.

A corporate name is protected much like the trade name and only can be used upon incorporation. The name must include "Company," "Co.," "Corporation," "Corp.," "Incorporated," or "Inc." The corporate name is effective as long as the corporation remains in good standing. To register any of these three types of names call the Ohio Secretary of State's office at 1-877-767-3453, (e-mail www.state.oh.us) Ohio Secretary of State, 30 East Broad Street, 14th Floor, Columbus, OH 43266-0418.

DO I NEED A license?

The following is a list of the approximately 40 trades and professions that require special licensing to do business within the State of Ohio:

Accountants	Dispensing Opticians	Physicians' Assistants
Ambulance Services	Embalmers	Precious Metal Dealers
Architects	Emergency Medical Service	Private Investigators
Athletic Agents'	Funeral Directors	Prof. Engineers/Surveyors
Attorneys	Grist millers	Psychologists
Auctioneers	Hearing Aid Dealers	Radiation
Therapy Technologists	Innkeepers	Radiographers
Audiologists	Junk Yards	Real Estate Appraisers
Barbers	Motor Vehicle Salvage	Real Estate Brokers
Broiler Operators	Nuclear Med. Technologists	Respiratory Care
Cemetery Registrars	Nurses	Sanitarians
Chiropractors	Nursing Home Administrators	Secondhand Dealers
Commission Merchants	Occupational Therapists	Security Services
Cosmetologists	Optometrists	Social Workers
Counselors	Pawn Brokers	Speech Pathologists
Debt Pooling Comps.	Pharmacists	Steam Engineers
Dental Hygienists	Physical Therapists	Veterinarians
Dentists	Physicians	X-ray Machine Operators
Dieticians		

Certain kinds of businesses may require additional licenses, as with the sale of alcohol and cigarettes. If you have any questions regarding a special permit, tax or other licensing requirements for your business, consult your city licensing office and the Ohio First Stop Business Connection Center at 1-800-248-4040 or <http://www.ohiosbdc.org>.

SALES TAX issues

□ Vendor' License

The regular vendor's license notifies the state treasurer's office that Your business will need to collect and remit sales tax for the retail sales of tangible property. You can obtain a vendor's license from the county auditor's office for the county in which your business is located. The fee is \$25.

If you are going to sell goods at locations away from a fixed place of Business, at short-term fairs, trade shows and other special events, you May obtain a transient vendor's license for \$25. Contact the Ohio Department of Taxation at 1-800-282-1780 (e-mail www.state.oh.us/tax) or the county in which your business resides to see if you fall within a business classification that must collect and remit sales tax.

□ Service Vendor's License

The State of Ohio now requires many service businesses to collect and remit sales tax on the services that the businesses provide. The businesses required to get a service vendor's license are as follows:

- ◆ automatic data processing & computer services
- ◆ information services (including 1-900 services)
- ◆ building maintenance and janitorial services
- ◆ exterminating services
- ◆ employment services
- ◆ employment placement services
- ◆ landscaping service
- ◆ security services

Contact the Ohio Department of Taxation at 1-800-282-1780 or the county In which your business resides to see if you fall within a business classification that must collect and remit sales tax.

□ Certificate of Exemption

A common misconception about sales tax is that you must have a vendor's license to purchase goods wholesale (without paying sales tax). What you actually need to purchase goods for the purpose of reselling is a certificate of exemption that can be obtained in most office supply stores. If you are selling to a business that is not the end user of the product and will resell

the item, then that business does not pay you sales tax; instead, they must provide you with a certificate of exemption that you keep on file.



ZONING _____

If you will be starting a business in your home or any other out-of-the-ordinary location, check with the city or township to determine if the neighborhood zoning laws allow for the type of business in that location.

HEALTH Department _____

If you will be doing any food preparation or handling of food items, check with the county health department to determine if your business needs any special health permits or inspections.

BUSINESS Entities _____

❑ **Sole Proprietorship**

A sole proprietorship is a business operated and owned by a single person where this person is legally and financially liable for all activities which occur within the business.

A sole proprietorship is formed by simply: registering the business name (if applicable); getting a business bank account; obtaining any necessary licensing and permits; and taking care of your taxes. The taxation details for a sole proprietorship are as follows:

◆ **Social Security and Medicare Taxes**

Are paid through self-employment tax due annually (Schedule SE Form). Payments for this tax are due in estimated quarterly installments to the Federal Government (Schedule ES Form). For more information, call The IRS at 1-800-829-1040.

◆ **Federal Income Tax**

Is figured on a Schedule C Form to be filed with your Form 1040 at the end of the year. For more information, call the IRS at 1-800-829-1040.

◆ **State Income Tax**

Is figured by the amount of profit found on the Form 1040 of the Federal

Income Tax. File a Form IT-1040 with the Ohio Department of Taxation or call (216) 787-3135 for more information.

- ♦ **Local / Municipal Income Tax**

May be due for your business. Contact your local tax department for more information.

You may use your social security number for the transactions of the business and as a Tax ID Number (it is not necessary for you to obtain a separate Tax ID Number unless you have employees). It is optional to have workers' Compensation for yourself. If you would like Workers' Compensation, call 1-800-644-6292.

- **Partnership**

It takes two or more people to form a partnership. There are two types of Partnerships: General and Limited. When starting either type of partnership you will need the following: a Tax ID Number, which can be obtained by filing a SS-4 Form with the IRS, call 1-800-TAX-FORM (1-800-829-3676); a business bank account; and the following tax filings:

- ♦ The partnership itself does not pay income taxes, but does file an annual Form 1065 for **Federal Income Tax** for informational purposes only. For more information, call the IRS at 1-800-829-1040.
- ♦ The partnership pays **Local / Municipal Income Tax** on behalf of the partners and each partner gets credit for the amount paid on their individual returns on Schedule E. Contact your local tax department for more information.
- ♦ The partners must pay **Federal and State Income Taxes** based on the profits of the business on their own individual returns. See the **Sole Proprietorship** section on page 5 of this guide for tax information.

Issues specific to the two types of partnership are the following:

- **General Partnership**

In a general partnership, all partners are personally liable for the activities of the business and have the right to be involved in the management and operations of the business. Each partner contributes to the start up of the business. A partnership does not necessarily need a written agreement, but one is recommended.



❑ **Limited Partnership**

A limited partnership can be created when you have two classes of partners – general partners, who are responsible for the management and operations of the business, and limited partners, who are passive investors and do not participate in the management of the business. A limited partner’s liability is limited to the amount of his/her investment, whereas the general partners are fully liable for the activities of the business. The investment of the limited partners cannot be bought and sold without first considering the federal and state securities laws on limited partnership interests. Contact an attorney regarding these securities laws.

❑ **Corporation**

An individual or group of people can form a corporation. The advantage of a corporation is that if managed appropriately, a corporation offers personal liability protection to the involved party/parties.

A corporation is created by filing the Articles of Incorporation and Appointment of Statutory Agent, along with an \$85 filing fee, with the Secretary of State of Ohio’s office at (614) 466-3910 or 1-877-767-3453. There are certain formalities for creation of the Articles of Incorporation and with maintaining a corporation such as rights of owners, adoption of by-laws, annual shareholder and board of directors meetings, etc. It is for this reason that it is recommended that you hire an attorney for assistance with filing and understanding what is necessary for your business. Expect to pay \$500 - \$1,000 for this legal service.

You will need a Tax ID Number, which can be obtained by filing a SS-4 Form with the IRS at 1-800-TAX-FORM (1-800-829-3676). The corporation must also maintain its own bank account, separate from your own personal account.

If you are incorporated, even as a one-person operation, you are considered an employee. All employee requirements and payroll taxes apply. Please see the **Employees** section on page 9 of this guide for tax and workers’ compensation information.

There are two ways a corporation’s taxes can be handled: as a regular corporation (commonly known as C-corporation) or as a sub-chapter S-corporation.

❑ **C-Corporation Taxes**

In a C-corporation, the corporation pays income tax based on the profits of the business and then the shareholders are taxed on the dividends they receive from the corporation. For the owner/shareholder this double taxation is often a concern.

The taxation details for a C-corporation are as follows:

- ♦ For **Federal Income Tax**, file FORM 1120, 1120A or 1120EZ for Federal Income Tax, due annually. File estimated payments on FORM 8109, worksheet 1120W, due quarterly. Call the IRS at 1-800-829-1040.
- ♦ **Corporate Franchise Tax** (State of Ohio income tax) is filed on FORM FT-1120, 1/3 due January 31, 1/3 due March 31, 1/3 due May 31. Call the State of Ohio at 1-800-282-1780.
- ♦ Corporation pays **Local/Municipal Income Tax** based on net profits of the business. Contact your local tax department for more information.
- ♦ Shareholders pay **Income Tax** on the dividends from the leftover profits of the business on their own individual tax returns.

□ **Sub-Chapter S-Corporation Taxes**

You can elect S-corporation status within 90 days of forming the corporation by filing FORM 2553 with the IRS. If you do not file for S-corporation status, you will be taxed as a regular C-corporation. Unlike the C-corporation, S-corporation income profits and losses are based on to the shareholder. Profits are taxed only at the shareholder level; the corporation pays no income taxes (single taxation). There are other restrictions with an S-corporation such as a maximum number of shareholders and the way your health care costs can be deducted, so you should consult an accountant and attorney before selecting S-corporation status. The taxation details for an S-corporation are as follows:

- ♦ For **Federal Income Tax**, file FORM 1120S for informational purposes only, due annually. Contact the IRS at 1-800-829-1040.
- ♦ **Corporate Franchise Tax** (State of Ohio income tax) is filed for informational purposes only on FORM IT-1040 annually. Call the State of Ohio at 1-800-282-1780.
- ♦ Corporation pays **Local/Municipal Income Tax** based on net profits of the business and the shareholder gets credit for his/her individual income tax return. File Schedule E. Contact your local tax department for more information.

- ♦ Shareholders pay **Income Tax** on the dividends from the leftover profits of the business on their own individual income tax returns.

□ **Limited Liability Company (LLC)**

A LLC is a hybrid of a partnership and a corporation. You may form a LLC with one person. The liability protection is similar to a corporation and the taxes are similar to a partnership. A LLC can be created by filing the Article of Organization and Appointment of Statutory Agent, along with an \$85 filing fee, with the Secretary of State of Ohio's office, at (614) 466-3910. There are certain formalities of the Articles of Organization and with maintaining a LLC, and it is recommended that you hire an attorney for assistance with filing and understanding what is necessary for your business. Expect to pay \$500 - \$1,000 for this legal service.

When starting a LLC you will need a Tax ID Number, which can be obtained by filing a SS-4 Form with the IRS at 1-800-TAX-FORM (1-800-829-3676). See **Partnership** section on page 6, Worker's Compensation coverage may be required for all parties of a LLC depending on the Bureau of Worker's Compensation's four factor test. Contact the Bureau for information at 1-800-644-6292.



EMPLOYEES

If you are hiring anyone to work for you as an employee, then you need to take care of payroll taxes and workers' compensation for those employees. If you are incorporated, then all involved parties are considered to be employees (including yourself).

□ **Tax Responsibilities for Employers**

- ♦ **Federal Withholding Income Tax** is the tax withheld for Social Security and Medicare. Employees file FORM W-4 to determine the amount of withholding. The business must file FORM 941 (quarterly deposits of annual withholding) and FORM 8109 (Federal Tax Deposit Coupons), with each deposit due on the 15th of following month. Call The IRS at 1-800-829-1040 for forms, an application and more information.

- ♦ **Employer's Match to Federal Withholding Income Tax.** Employers must match a portion of the income withheld from the employee's paycheck for Social Security and Medicare. File FORM

941 (quarterly deposits of annual withholding match). In general, you must deposit income tax withheld and both the employer and employee social security and Medicare Taxes (minus any advance EIC payments) by mailing or delivering a check, money order or cash to a financial institution that is an authorized depository for Federal taxes. However, some taxpayers are required to deposit using the Electronic Federal Tax Deposit System (EFTPS) (www.eftpssouth.com). For additional information, refer to employment taxes for business at www.irs.gov. Call the IRS at 1-800-829-1040 for forms, application, and more information.

- ♦ **State Withholding Income Tax** is the portion of the employee's paycheck that the employer must withhold for state withholding income tax. To apply to be a withholding agent with the State of Ohio, file FORM IT-1. The business files FORM IT-941 annually for tracking the withholding and FORM IT-501 quarterly or monthly for depositing the withholding tax. For forms and more information, contact the Ohio Department of Taxation at 1-800-282-1780.

- ♦ **Local/Municipal Withholding Income Tax** is withheld from the employee's paycheck depending on the laws of the school district of the employee's residence. Employees must furnish the employer with FORM IT-4 to determine amount of withholding tax. If applicable, Employers must register as a withholding agent on FORM IT-1S and Deposit the employee's withholding tax. Contact your local tax Department for information.

- ♦ **Federal Unemployment Tax** must be filed annually by the employer of FORM 940. Deposits to the IRS should be made on FORM 8109. These deposits should be made quarterly on FORM 941 if greater than \$100. Call the IRS at 1-800-829-1040.

- ♦ **State Unemployment Tax** is paid by all employers to the State of Ohio Unemployment Insurance Fund. Initial payments should be paid on FORM UCO-1 and all later payments should be paid quarterly on FORM UCO-2E or UCO-2R. For information contact the State of Ohio at (419) 245-2996.

□ **Other Employer Responsibilities**

- ♦ **Workers' Compensation** is the state insurance fund for all employees paid by all employers. The employer's premium is based on number of employees, risk on the job and total payroll. There is a \$10 application fee. Premiums are due twice a year. Contact the Bureau of Workers' Compensation for more information at 1-800-644-6292 (e-mail www.bwc.state.oh.us).

- ♦ If you have employees, you must give them a **Summary of the Total Dollars Withheld** for the prior year on a FORM W-2 by January 31. You must also submit FORM W-2 for each employee and FORM W-3 for all employees to the Social Security Administration By February 28. Call the IRS for more information at 1-800-829-1040.
- ♦ You must keep a record of your **Employees' Eligibility** for work in the United States with a FORM I-9 from the U.S. Department of Justice's Immigration and Naturalization Service. Call (216) 522-4770 or (513) 287-6080 for more information.
- ♦ Other responsibilities such as **Disability Policies, Family and Medical Leave Policies, COBRA and New Hire Background Checks** depend on the number of employees. Check with the Ohio One Stop Business Permit Center at 1-800-248-4040 or with the specific regulatory agencies for more information regarding compliance.

EMPLOYEE VS. INDEPENDENT Contractor _____

There are 20 guidelines that the IRS looks at when determining the status of an employee versus an independent contractor. Basically, if you are working with someone on a contractual basis, where that person can hire additional help, can make his/her own hours, set his/her own schedule and determines his/her own profitability on the job, then he/she is an independent contractor.

If you set the hours, give specific instruction, have control over the technique for the job and supply the tools for the job, then the relationship is employee / Employer. An independent contractor handles his/her own taxes, workers' compensation, etc. It is your responsibility to issue a FORM 1099 to the independent contractor by January 31 and to the IRS by February 28 stating the total dollars paid to the independent contractor for the year. Call the IRS at 1-800-829-1040 (e-mail www.irs.gov) for more information.

TANGIBLE PERSONAL PROPERTY Tax _____

Tangible Personal Property Tax is paid on the tangible assets of the business (not land, buildings, licensed motor vehicle or aircraft, jigs, dies or drawings used in business). The first \$10,000 is exempt, but you must file for informational purposes even if you do not owe any money. If your assets exceed \$10,000, you pay a percentage in tax to the State. Unincorporated businesses

and single-county corporations file FORM 920 with the County Auditor. Multi-county corporations file with the State on FORM 930. Contact your Business' County Auditor for more information.

REAL PROPERTY Tax

All businesses that own buildings, land and improvements must remit to the County Administration **Real Property Tax** that may be levied by the school district, municipality or other taxing jurisdiction. Contact the County Auditor's office.



FINANCING YOUR Business

You will need to research and list all costs associated with getting your business started and keeping it running until you are turning a profit. Some of the major sources of funding are the following:

- ❑ **Banks** – primary source for lending money. Talk to the lending officer in your bank for information about obtaining a business loan. You will most likely be required to write a business plan. See **Business Planning** section on page 14 for more information.
- ❑ **Loan guarantees** – you may be eligible for a loan guarantee through a variety of resources if you are not able to get a loan through primary resources. Contact the Small Business Administration at (216) 522-4180 or SBDC at 1-877-289-1468 (www.ohiosbdc.org) for more information.
- ❑ **Friends and family** – may be a good source of funding for your business. Be careful of the amount of control they are seeking and the nature of your relationship regarding paying them back.
- ❑ **Local government/enterprise groups, etc** – check with your local Department of Economic Development for possibilities of start up business lending.
- ❑ **Grants** – money given typically for businesses in medical or educational research. Some non-profit businesses may also be able to obtain funding

through grants. Finding the grant is the challenge!

INSURANCE

You will need to insure your business and its assets. Some possible types of coverage are business property, business interruption, computer equipment, vehicles, liability, employee dishonesty, burglary and personal life and health. Contact your personal insurance agent to obtain a quote or a recommendation.

MARKETING

The first step to getting into business is deciding on a business. You will need to do extensive research on the demographics of your market before you start your business. The who, what, where, when, and how of your customers need to be answered before you can know for sure if there is sufficient demand for your products or services. You should identify your competitors and their strengths and weaknesses. You need to fully understand the industry segment that will be using your products or services. Other marketing decisions you will need to make include customers, industry research, the internet and analysis of your competition. For more information, call the SBDC at 1-877-289-1468.

BUSINESS Planning

Once you have gathered all of the necessary information for your business, you should write a business plan. A business plan is the basic road map for your business and includes topics such as a description of product/services, management and financial issues of your business.

If you are writing the plan with the intention of getting a bank loan, you must also include how much of a loan you need, for what purpose and when you will be paying the loan back. There are many business planning guides in libraries and bookstores and in software programs to help you with writing your plan. Or, call the SBDC for a business planning guide.

CHOOSING PROFESSIONAL Advisors

When starting your business, you may want to consider hiring professional help such as attorneys, accountants, marketing consultants, insurance agents, etc. The best method of locating these necessary professionals is through referrals from other business owners, friends, your banker, other professionals or a small business or trade organization. Or, call the SBDC at 1-877-289-1468.

SOURCES OF START UP Assistance

Small Business Development Center at AU	(877) 289-1468 (419) 207-5568
Manufacturing Competitiveness Initiative at AU	(419) 289-5295
First Stop Business Connection Center	(800) 248-4040
“Starting Your Business in Ohio” packet	www.ohiosbdc.org
Small Business Administration (SBA)	(216) 522-4180
Cleveland	
Columbus	(614) 469-6860
Service Corps. Of Retired Executives (SCORE)	(419) 522-3211
Mansfield	
Lake Erie Manufacturing SBDC	(419) 535-6000
Toledo	
International Trade Assistance Center (ITAC)	(419) 521-2651
Braintree Business Incubator (Mansfield)	(419) 525-1614
Bureau of Worker’s Compensation	(800) 686-1553
Columbus	
Minority Contractors and Business Assistance	(419) 242-7304
Akron	
Enterprise Works	(800) 867-2997
Bureau of Vocational Rehab. Svcs. (Ontario)	(419) 747-3040
U.S. Patent Information	(614) 469-6955
Columbus	
Copyrights, Library of Congress	(202) 707-2905
Washington D.C.	

Call any of these facilities for lists of other organizations that may be helpful for your start up business needs.



BUSINESS PLAN FORMAT

Cover Sheet – Identify the business. Identify location, phone number, etc.

Statement of Purpose – Money need justification

I. The Business

- A. Description of Business
- B. The Market
- C. Competition
- D. Location of the Business
- E. Management – include resumes
- F. Personnel
- G. Application & Requirements of Loan
- H. Summary

II. Financial Data

- A. Sources and Applications of Funding
- B. Capital Equipment List
- C. Income and Cash Flow Forecasting

III. Supporting Documents

- A. Required Documents
 1. Resumes
 2. Quotes or estimates from suppliers
 3. References or letters of support from creditable people who know you.
- B. Desirable Documents
 1. Credit information – personal credit
 2. Letters of intent from prospective customers.
 3. Leases or rental requirements.
 4. Legal documents pertaining to the business.
 5. Marketing data – demographics, etc.
 6. Physical layout of business space.

Special Thanks to Our Regional Partners

Ashland Area Chamber of Commerce (419-281-4584)
www.ashlandohio.com

Ashland Area Economic Development Council (419-289-3200)
www.ashlanded.com

Bucyrus Chamber of Commerce (419-562-4811)
www.bucyrusohio.com

Galion Chamber of Commerce (419-468-7737)
www.galionchamber.org

Huron County Development Council (419-663-4232)
www.hcdc.net

Mansfield-Richland Chamber of Commerce (419-522-3211)
www.mrachamber.com

Marion Area Chamber of Commerce (740-382-2181)
www.marion.net/chamber

Morrow County Chamber of Commerce (419-663-4233)
www.morrowcochamber.com/

Morrow County Development Office (419-947-7535)
www.morrowcounty.info/morrowecondev.htm

Mt. Vernon-Knox Area Chamber of Commerce (740-393-1111)
www.knoxchamber.com

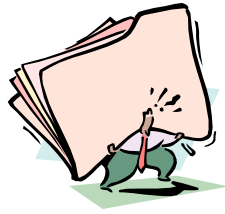
Norwalk Chamber of Commerce (419-668-4155)
www.norwalkareachamber.com

Richland Economic Development Corp. (419-522-7332)
www.redec.org/

Tiffin Chamber of Commerce (419-447-4141)
www.senecacounty.com

Upper Sandusky Chamber of Commerce (419-294-3349)
www.uppersanduskychamber.com

Willard Area Economic Development Council (419-933-2591)
www.willardohio.com/dev.htm



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Special arrangements for the handicapped will be made if requested in advance.

All services are provided on a non-discriminatory basis.

Host Organization
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