

Guidelines and Considerations for Penobscot County TIF District Funding Applications

Note: The following appendix is for informational purpose. You do not need to return the appendix with your application.

For questions and/or assistance preparing an application, contact Barbara Veilleux at Penobscot County UT Administration. Call (209)942-8566 or email bveilleux@penobscot-county.net.

The Penobscot County UT TIF Program has specific limitations regarding who may apply and what projects and costs are eligible for funding assistance. It is important to understand these guidelines prior to submitting an application. See below for details.

Public Program:

The Penobscot County Commissioners are entrusted by its citizens to be responsible stewards of the UT TIF program fund. Accountability and transparency are held in the highest regard/ As such:

- Applicants must be willing to make public all matters and materials provided as part of a UT TIF grant or loan request. Information relating to project design and implementation including perhaps competitive advantages, personal and business financial and tax data, is all subject to public review.
- The County will, under special and limited circumstances, take appropriate steps to protect personal and/or proprietary information relating to UT TIF funded projects.

Eligibility to Apply:

Key considerations for TIF grant award determinations include:

Project Location

- The proposed activity must take place within the Unorganized Territories of Penobscot County

Opportunity for economic impact

- Projects intended to create and/or retain jobs in the region and more specifically in the UT, are more likely to receive support through this program.

Level of matching funds secured by applicant

- The County will give priority to those applicants who provide at least 50% of any cash match required by the grantor.
- Projects proposing collaboration with additional partners and shared risk may be viewed more favorable.

Sustainability

- TIF grant funds are not intended to be utilized as a long-term subsidy. Awards will be made to those requests showing a need for an infusion of capital to complete an initiative and/or become self-sustaining.

Eligibility continued:

Individuals and/or organizations that have received or directly benefited from a previous TIF grant award remain eligible to apply for additional funding, though certain conditions may apply.

- For any individual or entity, the maximum lifetime (total) grant award limit of all funds obtained through this program is \$100,000.
- Individuals or entities may not be awarded funds through this program over consecutive years unless the secondary request is to implement activities previously examined using UT TIF planning grant funds. Generally, grantees will be required to wait at least two full calendar years from the time of their award before submitting a request for additional funding through this program.

Special considerations for large scale investment and/or job creation:

In keeping with the original intent of this program, project proposals which offer substantial capital investment and/or the strong potential for significant job creation within the Unorganized Territories may be eligible for additional support through this program. These exceptional cases may be considered from time to time on an individual basis, but potential applicants must contact the TIF Administrator or the Penobscot County Administrator to discuss prior to submitting an application. Awards and funding levels will be at the sole discretion of the County Commissioners.

Grantee Obligations:

Successful applicants are not required to accept grant funds awarded to them. The county allows applicants up to six months from time of notice of award to accept that award. If the award is not accepted within that timeframe, the application and award notice will be considered void. Those who do not choose to accept a grant award will be required to first agree to specific terms outlined in a grant contract with the county. Each grant contract is unique to the project funded, but several requirements are inclusive to all grant contracts. Please consider the following:

GRANT PERIOD

The grant period for all TIF grants will be no less than one year from the time of receipt of an award. Any awards where grant funds are invested in tangible property, the grant term shall be 4 years in length.

REPORTING

All grantees will be required to maintain regular communication with the county. Grantees are typically required to submit progress reports and verification of expenditures at least four (4) times per year during the grant period. The TIF Grant Administrator will work closely with grantees to ensure this occurs.

VERIFICATION OF EMPLOYMENT

Grantees will be required to provide evidence of the creation and/or retention of any jobs proposed in the grant application materials. This should include details about the type of job, the frequency and duration (part-time, full-time, long term, temporary or seasonal) and wage levels or compensation package.

DEFAULT AND REPAYMENT

Grantees who do not meet the requirements outlined in the grant contract will be required to repay all or a portion of the funds awarded to them. Each case will be considered on an individual basis, however; Upon the sale, transfer or dissolution of a grant project prior to the end date of the grant period, the grantee will be held liable for up to the full amount of the initial award amount.

Funding for Economic Development Planning

TIF funds may be directed from time to time to support consultant costs relating to certain economic development planning activities that assess opportunities for construction of new revenue-generating facilities within the Unorganized Territory.

Consultant costs should be associated with planning studies or feasibility analyses to support economic development programs that will expand commercial and revenue generating projects within the Unorganized Territory. Areas of planning focus may include, but are not limited to, feasibility and analysis for a multi-purpose commercial facility for conference center(s) or tourism facilities, commercial buildings to attract new enterprise, energy development facilities and transportation infrastructure.

Other allowable uses of the Economic Development Fund:

- (1) Costs related to environmental improvements.
 - (a) Milfoil and/or other invasive species mitigation to protect water quality of recreational waterways.
 - (b) Mitigation and remediation of septic waste or other contaminants affecting water quality of recreational waterways
 - (c) Erosion control as appropriate to protect integrity of recreational waterways and other recreational trails.
- (2) Costs related to education and training.
 - (a) Support education and training funds through a scholarship program for UT residents to attend Maine institutions of higher learning or to online learning entities when in-state options are not available.
 - (b) Provide skilled development training programs for jobs created or retained within the UT.
 - (c) Expand rural broadband access to UT residents to improve access to training and educational opportunities.
- (3) Costs related to child care.
 - (a) Quality child care costs, including finance costs and construction, staffing, training, certification, transportation and accreditations costs.
- (4) Costs related to transit service
 - (a) Capital and annual costs to provide transit services to UT residents, by adding bus or other transportation service, signage and shelters.
- (5) Costs related to recreational trails.
 - (a) Costs associated with new or existing recreational trails determined by the department to have significant potential to promote economic development, including but not limited to, costs for multiple projects and project phases that may include planning, design, construction, maintenance, grooming and improvements with respect to new or existing recreational trails within the UT. This may include bridges and dams that are part of the trail corridor, used all or in part for all-terrain vehicles, snowmobiles, hiking, bicycling, cross-country skiing or other related uses. The County Commissioners will make final decisions on requesting proposals for use of funds in this activity.

Capital Project Funding

As authorized by the TIF and supporting documents, grant funding will be made available for qualifying capital projects in the UTs. .

Allowable uses of the Capital Project Fund:

Public and/or commercial improvements within the District resulting from the planning and feasibility activities described in item 4. Expenditures may include capital costs, financing costs, real property assembly costs and professional service costs.

All projects must meet statutory requirements of 30-A §5225, Specifically:

Costs of improvements made within the tax increment financing district, including but not limited to:

- (1) Capital costs, including but not limited to:
 - (a) The acquisition or construction of land, improvements, public ways, buildings, structures fixtures and equipment for public, new or existing recreational trail or commercial use
 - (b) Demolition, alteration, remodeling, repair or reconstruction of existing buildings, structures and fixtures.
 - (c) Site preparation and finishing work; and
 - (d) All fees and expenses that are eligible to be included in the capital cost of such improvements, including, but not limited to, licensing and permitting expenses and planning, engineering, architectural, testing, legal and accounting expenses.
 - (e) Financing costs, including, but not limited to, closing costs, issuance costs and interest paid to holders of evidences of indebtedness issued to pay for project costs and any premium paid over the principal amount of that indebtedness because of the redemption of the obligations before maturity.

Match for Economic Development Grant Programs

Available funds will be utilized as match for federal and state economic development grant programs for purposes identified as authorized project costs in 30-A MRSA §5225.

Municipal Investments Within the District

Capital costs, including

- Acquisition or construction of land, improvements, public ways, buildings, structures, fixtures and equipment for public, new or existing recreational trail or commercial use.
- Demolition, alteration, remodeling, repair or reconstruction of existing buildings, structures and fixtures.
- Site preparation and finishing work
- All fees and expenses that are eligible to be included in the capital cost of such improvements, including, but not limited to, licensing and permitting expenses and planning, engineering, architectural, testing, legal and accounting expenses.
- Financing costs, including, but not limited to, closing costs, issuance costs and interest paid to holders of evidences of indebtedness issued to pay for project costs and any premium paid of the principal amount of that indebtedness because of the redemption of the obligations before maturity.

Professional, administrative and Organizational costs including

- Professional service costs including, but not limited to licensing, architectural, planning, engineering, consulting and legal expenses.
- Reasonable charges for time spent by County officials and employees in connection with the implementation of the development program-includes consulting services directly related to district implementation.
- Organizational costs associated with the establishment and any amendment of the TIF district.

Investments made necessary by the District

Public Safety Costs including

- The cost reasonably related to the construction, alteration or expansion of any public safety facilities required due to improvements or activities within the district.
- The cost of improving public safety within the UT including, but not limited to, fire protection equipment, such as a fire engine, 4x4 wild land fire pumper, Universal Terrain Vehicle system including 4x4, side by side UTV vehicle, wild land fire personal protective equipment/training and attach pumper, all made necessary by increased opportunity for development.
- Capital costs to enhance County emergency radio communications and cell service to support the District. Investment may need to be outside of the UT. If investments benefit areas outside the UT, costs paid with UT revenues will be pro-rated.
- Public safety equipment made necessary by anticipated development within the County UT investment area of the District.

Adverse Impact Mitigation

- Costs of funding to mitigate adverse impact of the District, in any; may include, but is not limited to, noise barriers, wildlife habitat or environmental impacts of either the Project or anticipated development within the County UT investment area of the District.

Investments related to economic development

Costs of Funding Economic Development Programs, Events and Marketing of the UT as a Business Location.

- Economic development planning
- A UT pro-rated share of a county wide project to digitize county maps to support economic development investment and environmental improvements. Such funding will be limited to costs related to the UT. In the case of county-wide expenditures, costs will be limited to an UT pro-rated share of expenditures.

Economic Development Program Support

- Pro-rated share of dues to organizations that provide economic development support to the UT, such as the Eastern Maine Development Corporation. Such funding will be limited to costs related to the UT and may include additional economic development services and contracts.
- Pro-rated costs of staff salary or consultant fees to oversee the TIF program and to promote economic development within the UT.

Costs Related to Environmental Improvements

- Milfoil and/or other invasive species mitigation to protect water quality of recreational waterways.
- Mitigation and remediation of septic waste or other contaminants affecting water quality of recreational waterways.

- Erosion control as appropriate to protect integrity of recreational waterways and other recreational trails.

Costs Related to Funding Economic Development

- Funding to establish permanent economic development revolving loan funds, investment funds and/or grants to support commercial activities.

Costs Related to Education and Training

- Support education and training funds through a scholarship program for UT residents to attend Maine institutions of higher learning or to online learning entities when in-state options are not available.
- Provide skilled development training programs for jobs created or retained within the UT.
- Expand rural broadband access to UT residents to improve access to training and educational opportunities.

Costs Related to Child Care

- Quality child care costs, including finance costs and construction, staffing, training, certification, transportation and accreditation costs.

Costs Related to Transit Service

- Capital and annual costs to provide transit services to UT residents, by adding bus or other transportation service, signage and shelters.

Costs Related to Recreational Trails

- Costs associated with new or existing recreational trails determined by the department to have significant potential to promote economic development, including but not limited to, costs for multiple projects and project phases that may include planning, design, construction, maintenance, grooming and improvements with respect to new or existing recreational trails within the UT. This may include bridges and dams that are part of the trail corridor, used all or in part for all-terrain vehicles, snowmobiles, hiking, bicycling, cross-country skiing or other related uses.

TIF Revenues to be Used as Match for Applicable State and Federal Economic Development Grant Programs.

- To be used for purposes identified as authorized project costs in 30-A MRSA §5225.