13 Residents in attendence

Town of Clifton

Final minutes and record of the

December 20, 2022

Public Hearing/Special Town Meeting

6PM

**Called to order**: Geoff Johnson called the Public Hearing to order at 6:04PM Gerald second that, all in favor 5/0

Stephan Wagner of Rudman & Winchell presented a summary of the proposed Amendment II to the “Town of Clifton Pisgah Mountain Wind Omnibus Municipal Development and Tax Increment Financing District Development Program”, pursuant to Title 30-A Chapter 206 of the Maine revised Statues Sections 5221 through 5235, as amended. Mr. Wagner explained the Pisgah Mountain Wind Omnibus Municipal Development and Tax Increment Financing District would add an eligible project cost for public safety. Mr. Wagner stated a copy of the proposed amended Development Program has been on file at the Town Office.

Stephen asked if there were any questions from those present

Questions:

Q. John Williams - Has the town had any economic development in the past several years?

A. Stephen Wagner – stated the roads throughout the district were improved with TIF funds and it is fair to say infrastructure improvements directly and indirectly facilitate economic development.

A. Geoff Johnson - stated that the TIF enabled the Wind Project and this has brought economic development.

Q. Eileen Williams – How are the percentages used again?

A. Stephen Wagner – Stephen explained this question referred to the proposed language for project cost 12. There are two significant limitations on how TIF funds may be applied to costs related to public safety for economic development. First, the costs of operation or construction must be deemed important for attraction and/or retention of economic development investment, the need for which is related to economic development. Stephen explained the Town Meeting should make factual findings, supported by evidence in the form of analysis, data, or testimony, which links the public safety cost to economic development. If any portion of the costs does not bear a relationship to economic development, i.e. supporting non-commercial or non-business related endeavors, TIF revenues should not be applied to that portion of costs. Second, TIF expenditures on this cost cannot exceed 15% of the captured assessed value of the district.

Q. Cindy Grant – Based on figures and percentages, who will do this? Will the town have to hire someone?

A. Geoff Johnson – stated no

A. Stephen Wagner – Stated that as long as the Town Meeting made factual findings to support its conclusions that the prerequisites of this cost that we just discussed are met, the Town would be authorized to expend the funds for this project costs. While a report from an accountant or economic development expert would be ideal and highly persuasive authority that is not in his opinion strictly necessary.

Q. John Williams II – John referenced 30-A.M.R.S. 5225 (1) (C) (9) and asked how spending TIF monies on the cost for contracting public safety services is authorized without any physical facilities.

A. Stephan Wagner – In my opinion, the cost is authorized, so long as the factual findings previously discussed are made and supported by some evidence. He explained he based this conclusion in part on discussion with the development program officer for DECD, who advised that costs for “fire protection services”, which I explained had increased dramatically, could be authorized by this statue if the development program was amended and the conditions we just discussed were met. Stephen emphasized it is factually specific inquiry and noted the draft uses the language proposed by DECD to ensure the statue is closely followed.

Q. John Williams II – Have any other towns used TIF funds for this?

A. Stephen Wagner – This is a new allowance and I am not aware of any examples right now.

Stephen Wagner asked if there were any more questions, hearing none, motion to adjourn the public hearing was made by Geoff second by Lee 5/0

Voted and approved at the January 11th, 2023 Select Board Meeting

Motion by Gerald Folster

Second Lee Bryant

Motion passed 5/0