

**Chapter 20 – Economic Development**  
**Article I – Economic Development Grants**

**Section 20-1. Economic Development Grant Incentive Program Fund (Grant Fund).** The Gadsden County Economic Development Grant Incentive Program Fund is established. This fund shall be a separate fund from the general funds of the County, funded through appropriations from general revenue and/or other funding as may be authorized by the Board in its sole discretion.

**Section 20-2. Purpose and Intent.** In order to support the need of private business to provide employment opportunities to the citizens of Gadsden County, and to assist in the maintenance of a stable economy, tax base, and standard of living, this Grant Fund program is created to achieve these ends by awarding reasonable financial incentives to attract, retain, and encourage the expansion of select businesses which provide employment opportunities that meet the thresholds outlined in this Article.

**Section 20-3. Eligibility.** The following thresholds must be met to grant incentives from the Grant Fund to an employer.

- (a) A minimum average wage of new or retained jobs must be, on average, one hundred (100) percent or more of the average hourly wage for industries within Gadsden County as determined by the State of Florida Incentives Average Wage Requirements as published by Enterprise Florida. The following shall apply to the determination of “average minimum wage”:
  - 1) Benefits cannot be counted as part of the wage.
  - 2) Positions must be classified into separate similar categories or divisions for wage determination. Categories shall be those used by the Florida Department of Economic Opportunity in their coding structure.
- (b) Jobs must be permanent, full-time positions with employer paid benefits in order to receive any credit for the award.
- (c) Job awards shall not be based on positions which are not considered in the average wage requirement.
- (d) The business considered as part of the Grant Fund, must be of one of the following classifications, as defined by the North American Industrial Classification System (NAICS) and as published by the U.S. Office of Management and Budget. These classifications include:
  - 1) Manufacturing (NAICS Codes 31-39)
  - 2) Wholesale Trade (NAICS Codes 41-43)
  - 3) Transportation and Warehousing (NAICS Codes 48-49)
  - 4) Information (NAICS Code 51)
  - 5) Professional, Scientific, and Technical Services (NAICS Code 54)

- (e) The Grant Fund shall not be used to entice a business to relocate from one geographic area of the County to another unless the location is necessary to accommodate an increase in the number of employees, square feet, or equipment. The increase in employees to meet this criteria for an in-county relocation must be, at minimum, twenty-five (25) percent greater than the pre-relocation employment number. The increase in square feet must be a minimum of 10,000 square feet to meet this criteria. The increase in equipment investment must be at minimum \$500.00 to meet this criteria.
- (f) New business must create a minimum of five (5) new jobs within the first year and these must be maintained for two additional years. Re-locating existing business must retain the number of jobs pursuant to Section 20-3(e) as a result of the expansion for three years after relocation.
- (g) The business location must be within the jurisdictional boundaries of Gadsden County.
- (h) A new business shall be defined as one that establishes five (5) or more new jobs not previously located within Gadsden County in the previous three (3) years, and one that employs five (5) or more full-time employees in Gadsden County, paying a wage as that meets the criteria in part (a) of this Section, and is clearly under separate ownership from any other business operation existing in Gadsden County.

**Section 20-4. Minimum Time Period.** The number of jobs and the average annual wage must be maintained in Gadsden County for a minimum period of three years in order to receive the full benefit. Any grant awarded shall be awarded on an annual basis in three (3) equal installments at the end of each calendar year in which the grant recipient is fully operational and has met the criteria of this Code at the end of the calendar year, where 33.33% of the award shall be granted each of the first three sequential years of operation provided the business is fully operational and has met the criteria of this Code.

**Section 20-5. Points Schedule for Grant Fund Award.** The Grant Fund Award shall be based upon the accumulation of project points, and is as follows:

**Table 20.1 Speculative Space:**

Project Criteria		Points
Facility Size	5,000 to 10,000 SF	1.0
	10,001 to 50,000 SF	2.0
	50,001 to 100,000 SF	3.0
	100,001 + SF	4.0
Facility Type	Office space	1.0
	Industrial/Manufacturing	2.0

Project Criteria		Points
Ownership Timeframe	Land owner has owned the vacant parcel for a minimum of 10 years.	1.0
Location	Location within a Florida Enterprise Zone, Community Redevelopment Area, or designated Brownfield Area.	1.0

**Table 20.2 New Business:**

Project Criteria		Points
Target Industry as noted in Section 20-3 of the Gadsden County Code of Ordinances		2.0
Facility Size	10,000 to 25,000 SF	0.5
	25,001 to 50,000 SF	1.0
	50,001 to 100,000 SF	1.5
	100,001 + SF	2.0
New Employment	5 to 10 employees	0.5
	11 to 20	1.0
	21 to 30	1.5
	Over 30	2.0
Wage Rates	100% to 114.9% of avg. wage	0.5
	115% to 119.9% of avg. wage	1.0
	120% to 124.9% of avg. wage	1.5
	125% and greater of avg. wage	2.0
Employee Benefit	Business offers tuition reimbursement to employees	1.0
Location	Location within a Florida Enterprise Zone, Community Redevelopment Area, or designated Brownfield Area.	2.0

*Note: Average wage rates are defined in 20-3(a).*

**Table 20.3 Expansion of an Existing Business**

<b>Project Criteria</b>		<b>Points</b>
Target industry as noted in Section 20-3 of the Gadsden County Code of Ordinances		2.0
New Employment	20% - 25% additional employees	1.0
	26% - 30% additional employees	1.5
	31% or greater additional employees	2.0
Location	Moving into existing speculative space.	2.0

**Section 20-6 Financial Award for Grant Fund.** The Grant Fund Award shall be allocated based upon the following point schedule.

**Table 20.4 Speculative Space**

<b>Point Total (Range)</b>	<b>Economic Development Grant Incentives</b>
3.0 – 4.9	<ul style="list-style-type: none"> <li>• Three years ad valorem tax refund<sup>1</sup></li> <li>• Financial incentive of up to \$50,000 paid over three years<sup>2</sup></li> </ul>
5.0 points or higher	<ul style="list-style-type: none"> <li>• Four years ad valorem tax refund<sup>1</sup></li> <li>• Financial incentive of up to \$100,000 paid over three years<sup>2</sup></li> </ul>

<sup>1</sup>Ad valorem tax refund shall be subject to section 196.1995, Florida Statutes, and Gadsden County Ordinance 2012-003 (currently codified at chapter 74, division 5 of this Code).

<sup>2</sup>Financial incentive shall be subject to availability of funds in the Grant Fund during the fiscal year in which the payment is to be made. The County shall have no obligation to make any payment under any grant award if funds are not appropriated or available in the Grant Fund in the budget adopted for any fiscal year.

**Table 20.5 New Business**

<b>Point Total (Range)</b>	<b>Economic Development Grant Incentives</b>
5.0 – 6.9	<ul style="list-style-type: none"> <li>• Three years ad valorem tax refund<sup>1</sup></li> <li>• Three years tangible business personal property tax refund<sup>1</sup></li> </ul>
7.0 points or higher	<ul style="list-style-type: none"> <li>• Four years ad valorem tax refund<sup>1</sup></li> <li>• Four years tangible business personal property tax refund<sup>1</sup></li> </ul>

<sup>1</sup>Tax refund shall be subject to section 196.1995, Florida Statutes, and Gadsden County Ordinance 2012-003 (currently codified at chapter 74, division 5 of this Code).

**Table 20.6 Expansion of an Existing Business**

<b>Point Total (Range)</b>	<b>Economic Development Grant Incentives</b>
3.0 – 4.5	<ul style="list-style-type: none"><li>• Three years ad valorem tax refund<sup>1</sup></li><li>• Three years tangible business personal property tax refund<sup>1</sup></li></ul>
5.0 points or higher	<ul style="list-style-type: none"><li>• Four years ad valorem tax refund<sup>1</sup></li><li>• Four years tangible business personal property tax refund<sup>1</sup></li></ul>

<sup>1</sup>Tax refund shall be subject to section 196.1995, Florida Statutes, and Gadsden County Ordinance 2012-003 (currently codified at chapter 74, division 5 of this Code).

**Section 20-7. Use of Funds.** The eligible activities or use of funds shall be limited to the following:

- (a) Reimbursement for the costs of construction of a new structure or renovation of an existing structure used in association with the normal business activities.
- (b) Reimbursement for the construction costs of completing the build-out of a speculative site.
- (c) Reimbursement for the payment of land or building lease rental fees for a period not to exceed one year.
- (d) Specialized job training conducted by a third party for new hires, and/or relocated employees resulting from expansion and relocation.
- (e) Loan interest pay-downs for the acquisition of land, a finished or speculative site with its existing improvements, or the loan interest for the construction of new buildings and improvements.

**Section 20-8. Required Information.** It shall be the responsibility of the applicant for Grant Fund monies to submit a grant application in a form approved by the County which sets forth in detail the requested incentives and includes detailed project information, information clearly showing that the applicant meets all eligibility requirements of this Code, and all information relevant to the request. This information shall include, but is not limited to:

- (a) Proof of eligibility;
- (b) Anticipated time frames;
- (c) Anticipated number of employees and hiring time frames;
- (d) Job titles and starting salaries with benefits described;
- (e) Job descriptions.

- (f) Copies of the Reemployment Tax Form RT-6, as filed quarterly with the Department of Revenue;
- (g) Such additional information as may be requested by the County and/or required under applicable federal, state, or local laws, ordinances, resolutions, requirements and policies.

**Section 20-9. Economic Development Grant Incentive Program Fund Agreement.** Any recipient of Grant Fund monies shall enter into an Agreement with the Board of County Commissioners outlining the parameters of the acceptance of the funds. Such Agreement shall be prepared by the County Attorney in consultation with County staff, and shall be approved by the Board of County Commissioners at a regularly scheduled public meeting. The Agreement shall at minimum include:

- (a) The application as an attachment to the Agreement;
- (b) Specific terms of the Agreement to include number of jobs, minimum wages, benefits offered to employees, hiring time-frame, use of funds if awarded, award payment schedule, and project development time-line;
- (c) Any penalty that may be incorporated for non-compliance with the terms of the Agreement, including, but not limited to, mandatory repayment of all or part of the award plus interest and/or penalties;
- (d) A contingency clause if the company is sold, merged, or dissolved during the negotiated term of the Agreement;
- (e) Each grantee shall, in addition to other requirements in the grant agreement, document the use of funds and certify that funds have been expended in accordance with the grant agreement; create and maintain records of new jobs created; and supply to the Board all records relating to the grant on an annual basis. For a period of five (5) years after execution of the grant agreement, the grantee must provide the Board with an annual status report of its business operations and must maintain all such records for five (5) years after termination of the grant.
- (f) Effective dates, which shall include the beginning parameter of becoming effective after the first year any tax would become due.

**Section 20-10. County Discretion and Funding Availability.** Nothing herein shall be construed to obligate the County to award any grant or incentive in any amount to any applicant. The award of any grant or incentive shall be at the Board of County Commissioners' sole and absolute discretion upon consideration of a complete application and shall not be effective until such time that the written agreement required by Section 20-9 has been executed by all parties. Any grant or incentive awarded shall be subject to, as applicable, Article VII, Section 3(c) of the Florida Constitution, Sections 125.045 and 196.1995, and Chapter 288, Florida Statutes, and

Ordinance No. 2012-003, and all other applicable federal, state, and local laws, ordinances, resolutions, requirements and policies, and shall be subject to availability of funds in the Grant Fund during the fiscal year in which any payment is to be made. The County shall have no obligation to make any payment under any grant award if funds are not appropriated or available in the Grant Fund in the budget adopted for any fiscal year.

**Section 20-11. Program Administration.** The Board of County Commissioners shall designate a Program Administrator, whose duties shall include the following:

- (a) Production and distribution of promotional materials.
- (b) Screening of applicants to determine eligibility.
- (c) Review and processing of applications.
- (d) Notification and communication to and with the applicant regarding current funding amounts available, process, and amount awarded if applicable.
- (e) Assist in the draft of the Agreement, as specified in Section 20-9.
- (f) Monitoring of the businesses that have received the award to insure funding is spent according to Section 20-7 and other parameters of the approved Agreement.
- (g) Preparation and processing of the Financial Reward Report as required by §125.045(5)(a).

**Section 20-12. Financial Reward Report.** A report shall be annually prepared by either the Program Administrator or the entity engaged in economic development activities on behalf of the county, which records any Grant Fund award which is greater than \$25,000 to any business. Such report shall be submitted to the Board of County Commissioners no later than November 1 of any calendar year, and shall report on the previous fiscal year.

By January 15 of any given year, the Board of County Commissioners shall submit such report to the Florida Office of Economic and Demographic Research, pursuant to §125.045(5)(a).

**Sections 20-13 – 20-39 Reserved.**