

FARGO TAX EXEMPT REVIEW COMMITTEE
Tuesday, May 25, 2020 – 1:00 p.m.
City Commission Chambers, Fargo City Hall

AGENDA

- 1. Approve Tax Exempt Review Committee Meeting Minutes of 4/27/21**
 - a. April 27, 2021 [Page 1-2]
- 2. Application for New Industry Expansion for Standard Industries**
 - a. Application for 5 Year Exemption [Page 3-10]
- 3. CASH-WA (Former Food Services of America) PILOT Discussion**
[Page 11-15]
- 4. Discuss Tax Policy Draft**

TAX EXEMPT REVIEW COMMITTEE
Fargo, North Dakota

Regular Meeting**Tuesday, April 27, 2021**

The April meeting of the Tax Exempt Review Committee of the City of Fargo, North Dakota was held in the City Commission Room at City Hall at 1:00 p.m., Tuesday, April 27, 2021.

The committee members present or absent are:

Present: Dave Piepkorn, Mayor Tim Mahoney, Bruce Grubb, Jim Buus, Jessica Eberling, John Cosgriff, Jackie Gapp, Mike Splonskowski, Erik Johnson, Jim Gilmour, Joe Raso

Absent: Levi Bachmeier, Kent Costin

Commissioner Piepkorn called the meeting to order at 1:00 p.m.

A motion was made by Jim Buus to approve the minutes from March 23, 2021. John Cosgriff seconded, motion carried.

Application for TIF for Drekker Brewing

Jim Gilmour stated that the City Commission approved a change where the TIF's would begin with the Tax Exempt Review Committee. The role of the committee will be to look at the financial request that is made and decide if it is acceptable.

Mark Bjornstad, President and Co-Owner of Drekker Brewing Company did a brief presentation of the project and their vision. The new building would be a Food Hall, Community Market, Event Space, Conference Center, Experience Focused Lodging and Residential Living that would connect to the current Drekker Brewing Building. It will be a 100,000 square foot building that will allow for market space, event space, pop-ups and studios. It will have 375 + parking spaces and provide a Campus Community. It will have a \$17 million annual economic impact with \$1 million+ in annual sales tax.

Jim Gilmour stated that the current parcels are valued at \$309,000 and there may be another valued at \$200,000, around a half million dollars and 1.4% of that a few thousand dollars in property tax. When this is complete it is expected to be a \$15 million increase in value, property taxes after the TIF expires in ten years would be around \$208,000 a year.

Matt Schnackenberg from PFM Financial Advisors, LLC stated that on policy 6, the reimbursement for the land acquisition is limited and comes in a little bit under what they are requesting, but he still assumed the full \$1.5 million for his analysis. This request was a little different in that there will be an operator of the project and they will be leasing it and paying lease payments to the developer. The lease payments are what will be the revenue of the TIF project. The developer is putting down twenty percent, with a twenty year loan.

Mayor Tim Mahoney moved to approve, Jessica Eberling seconded, motion carried.

Review of Tax Exemption Policy

Jim Gilmour stated that the current goals and objectives of Fargo's current tax policy are (1) Low Income Housing, (2) Remodeling/Improvement of Current Structures, (3) New Single Family Housing, (4) Economic

Development + Job Creation, (5) NDSU Area Housing & Redevelopment, (6) Downtown Redevelopment, (7) Brownfield Redevelopment and (8) Public-Private Partnership TIF Districts.

Jim is suggesting that the new format for the policy be the following: (1) Support for affordable housing, (2) Encourage remodeling and expansion of older structures to encourage infill redevelopment, (3) Encourage the construction of new single-family and owner-occupied housing, (4) Encourage economic development , creating new jobs and capital investment, (5) Encourage redevelopment of new housing adjacent to NDSU, (6) Encourage downtown redevelopment, especially new housing, (7) Encourage redevelopment of brownfield sites and (8) Public-private partnerships with public amenities.

Today, Jim wanted to focus on (2) Encourage remodeling and expansion of older structures to encourage infill redevelopment and (3) Encourage the construction of new single-family and owner-occupied housing. Right now for any housing in town there is either a three or a five year exemption for remodeling, between 25-39 years it is a three year exemption, anything over 40 years is a five year exemption, state law does allow for anything over 25 years to qualify for the five year exemption. As a way to encourage even more remodeling, we would like to give anything over 25 years the five year exemption. The other change would be with commercial, currently anything downtown is five year. We are looking to go five year city wide to encourage older buildings to remodel, also to include building additions. Is there a limit, where we would want to put a cap on it?

Dave Piepkorn stated that adding the addition could be complicated.

The Mayor suggested that anything over 100% of the present value would be looked at by this committee.

Jim asked the committee to make a motion to go to City Commission with these changes, but limit additions to no more than 100% of the existing value of the building.

Mayor Tim Mahoney moved to approve, Jim Buus seconded, motion carried.

The meeting was adjourned at 2:05 pm.

Gate Keepers

Jim Gilmore

Ryan Aashien

Application For Property Tax Incentives For New or Expanding Businesses

N.D.C.C. Chapter 40-57.1

Project Operator's Application To Fargo / Cass
City or County

-2 Meeting Process -

File with the City Auditor for a project located within a city; County Auditor for locations outside of city limits.

A representative of each affected school district and township is included as a non-voting member in the negotiations and deliberation of this application.

This application is a public record

Identification Of Project Operator

1. Name of project operator of new or expanding business Standard Industries, Inc.
2. Address of project 5650 13th Ave. N
City Fargo, ND County Cass
3. Mailing address of project operator 4230 14th Ave. N
City Fargo State ND Zip 58102
4. Type of ownership of project
☐ Partnership ☐ Subchapter S corporation ☐ Individual proprietorship
☒ Corporation ☐ Cooperative ☐ Limited liability company
5. Federal Identification No. or Social Security No. #45-0335399
6. North Dakota Sales and Use Tax Permit No. 64090 00
7. If a corporation, specify the state and date of incorporation North Dakota - 11-07-91
8. Name and title of individual to contact Mike Lepine
Mailing address 4230 14th Ave. N
City, State, Zip Fargo ND 58102 Phone No. 701-282-7550

Project Operator's Application For Tax Incentives

9. Indicate the tax incentives applied for and terms. Be specific.

☒ **Property Tax Exemption**

5 Number of years
100% Percent of exemption

☐ **Payments In Lieu of Taxes**

Beginning year _____ Ending year _____
Amount of annual payments (attach schedule if payments will vary)

10. Which of the following would better describe the project for which this application is being made:

☒ New business project

☐ Expansion of a existing business project

Description of Project Property

11. Legal description of project real property

Lot one, in Block One, of Commerce on 22nd Addition to
the City of Fargo, situate in the County of Cass in the
State of North Dakota.

12. Will the project property be owned or leased by the project operator? ☐ Owned ☒ Leased

If the answer to 12 is leased, will the benefit of any incentive granted accrue to the project operator?

☒ Yes ☐ No

☒ If the property will be leased, attach a copy of the lease or other agreement establishing the project operator's benefits.

13. Will the project be located in a new structure or an existing facility? ☒ New construction ☐ Existing facility

If existing facility, when was it constructed? N/A

If new construction, complete the following:

a. Estimated date of commencement of construction of the project covered by this application 7-19-21

b. Description of project to be constructed including size, type and quality of construction

Construct A New Office/Manufacturing Building in the North
Fargo Industrial Park. Standard Industries, Inc. will move their
operations to the new facility. 120,000 Total Sq. Ft. Valor Contracting (Builder)

☒ c. Projected number of construction employees during the project construction _____

14. Approximate date of commencement of this project's operations 10-01-22

15. Estimated market value of the property used for this project:

a. Land.....\$ 1,290,000

b. Existing buildings and structures for which an exemption is claimed.....\$ 0

c. Newly constructed buildings and structures when completed.....\$ 5,907,000

d. Total.....\$ 7,197,000

e. Machinery and equipment.....\$ 1,200,000

16. Estimate taxable valuation of the property eligible for exemption by multiplying the market values by 5 percent:

a. Land (not eligible).....

b. Eligible existing buildings and structures.....\$ 0

c. Newly constructed buildings and structures when completed.....\$ 295,350

d. Total taxable valuation of property eligible for exemption (Add lines b and c).....\$ 295,350

☒ e. Enter the consolidated mill rate for the appropriate taxing district..... 277.19

☒ f. Annual amount of the tax exemption (Line d multiplied by line e).....\$ 81,868

Description of Project Business

Note: "project" means a newly established business or the expansion portion of an existing business. Do not include any established part of an existing business.

17. Type of business to be engaged in: ☐ Ag processing ☒ Manufacturing ☐ Retailing
☐ Wholesaling ☐ Warehousing ☐ Services

18. Describe in detail the activities to be engaged in by the project operator, including a description of any products to be manufactured, produced, assembled or stored (attach additional sheets if necessary).

- See Attached -

19. Indicate the type of machinery and equipment that will be installed

Metal fabrication equipment - Tube Laser, Fiber Laser, machining centers - mill & Lathe, press brake.

20. For the project only, indicate the projected annual revenue, expense, and net income (before tax) from either the new business or the expansion itself for each year of the requested exemption.

	New/Expansion Project only Year 1	New/Expansion Project only Year 2	New/Expansion Project only Year 3	New/Expansion Project only Year 4	New/Expansion Project only Year 5
Year (12 mo. periods)					
Annual revenue	7,500,000	8,300,000	9,100,000	10,000,000	11,000,000
Annual expense	7,348,000	8,007,000	8,709,000	9,400,000	10,100,000
Net income	152,000	293,000	400,000	600,000	900,000

21. Projected number and salary of persons to be employed by the project for the first five years:

Current positions & positions added the initial year of project

# Current Positions	New Positions Under \$13.00	New Positions \$13.01-\$15.00	New Positions \$15.01-\$20.00	New Positions \$20.01-\$28.00	New Positions \$28.01-\$35.00	New Positions Over \$35.00
38				7	5	

Year	(Before project)	Year 1	Year 2	Year 3	Year 4	Year 5
No. of Employees	(1) 38	50	56	64	72	80
	(2) -	-	-	-	-	-
Estimated payroll	(1) 1,700,000	2,300,000	2,600,000	3,000,000	3,375,000	3,750,000
	(2) -	-	-	-	-	-

(1) - full time
(2) - part time

Previous Business Activity

22. Is the project operator succeeding someone else in this or a similar business? ☐ Yes ☒ No
23. Has the project operator conducted this business at this or any other location either in or outside of the state?
☐ Yes ☒ No
24. Has the project operator or any officers of the project received any prior property tax incentives? ☐ Yes ☒ No
- If the answer to 22, 23, or 24 is yes, give details including locations, dates, and name of former business (attach additional sheets if necessary).
- _____
- _____

Business Competition

25. Is any similar business being conducted by other operators in the municipality? ☐ Yes ☒ No

If YES, give name and location of competing business or businesses

Percentage of Gross Revenue Received Where Underlying Business Has ANY Local Competition %

Property Tax Liability Disclosure Statement

26. Does the project operator own real property in North Dakota which has delinquent property tax levied against it? ☐ Yes ☒ No
27. Does the project operator own a greater than 50% interest in a business that has delinquent property tax levied against any of its North Dakota real property? ☐ Yes ☒ No

If the answer to 26 or 27 is Yes, list and explain

Use Only When Reapplying

28. The project operator is reapplying for property tax incentives for the following reason(s):
- ☐ To present additional facts or circumstances which were not presented at the time of the original application
- ☐ To request continuation of the present property tax incentives because the project has:
- ☐ moved to a new location
 - ☐ had a change in project operation or additional capital investment of more than twenty percent
 - ☐ had a change in project operators
- ☐ To request an additional annual exemption for the year of _____ on structures owned by a governmental entity and leased to the project operator. (See N.D.C.C. § 40-57.1-04.1)

Notice to Competitors of Hearing

Prior to the hearing, the applicant must present to the governing body of the county or city a copy of the affidavit of publication giving notice to competitors unless the municipality has otherwise determined there are no competitors.

I, Michael Lepine, do hereby certify that the answers to the above questions and all of the information contained in this application, including attachments hereto, are true and correct to the best of my knowledge and belief and that no relevant fact pertaining to the ownership or operation of the project has been omitted.

Michael Lepine
Signature

President
Title

4/25/21
Date

PRIVACY ACT NOTIFICATION

In compliance with the Privacy Act of 1974, disclosure of a social security number or Federal Employer Identification Number (FEIN) on this form is required under N.D.C.C. §§ 40-57.1-03, 40-57.1-07, and 57-01-15, and will be used for tax reporting, identification, and administration of North Dakota tax laws. Disclosure is mandatory. Failure to provide the social security number or FEIN may delay or prevent the processing of this form.

Certification of Governing Body (To be completed by the Auditor of the City or County)

The municipality shall, after granting any property tax incentives, certify the findings to the State Tax Commissioner and Director of Tax Equalization by submitting a copy of the project operator's application with the attachments. The governing body, on the _____ day of _____, 20____, granted the following:

☐ **Property Tax Exemption**

_____ Number of years

_____ Percent of exemption

☐ **Payments in lieu of taxes**

_____ Beginning year _____ Ending year

_____ Amount of annual payments (Attach schedule if payments will vary)

Auditor

Nature of Business/Structure/Evolution:

Lepine Holdings, LLC (LH) was organized in the State of ND in 2015 as an LLC and is owned 100% by Michael J. Lepine. The entity was formed to hold title to commercial property that is leased to related parties operating as Standard Industries, Inc. and Alloway Standard, Inc.

Standard Industries, Inc. (SII) is organized in the State of ND as a C-Corporation. The company is currently owned 100% by Michael J. Lepine. SII is a family-owned company that was established after WW II in Fargo, ND. In 1976, Mike's dad (Jim) acquired the company from his father & uncle and operated the company for roughly forty years. Jim was a very astute businessman and grew the company once he gained control. Mike bought out his father in 2016 and is in full control of the business operations. SII operates as a metal fabrication business and provides a variety of stainless steel, precision steel, and aluminum products to their clientele in primarily MN and ND. They work closely with some larger industrial type companies (i.e. American Crystal Sugar / True North / Cargill / Minn-Dak) and have enjoyed long-lasting relationships. At the same time, they provide various other products for job-shop based orders.

Alloway Standard, Inc. (ASI) used to operate separately but is now wholly owned by Standard Industries, Inc. and is a division within SII. All assets, business operations and financials flow through SII. In 2003, Jim and his son Mike purchased the Alloway Sugarbeet Equipment line from Woods Equipment Co., with the idea to be more diversified, grow the company's sugarbeet heritage and continue the success of the agricultural equipment line. ASI manufactures and sells cultivators, seedbedders, shredders, defoliators, sugarbeet harvesters for: organic crops, corn, cotton, sweet potatoes, vegetables, hemp, edible beans, sugarbeets, and potatoes.



February 23, 2021

Robert Arends
Standard Industries Inc
4230 14th Ave N
Fargo, ND 58102-2841

Dear Robert:

Thank you for your application for primary-sector certification by the North Dakota Department of Commerce, Economic Development & Finance Division. We have reviewed your application and determined that ED&F can certify your company, **Standard Industries Inc**, as primary sector and a new wealth creator in the economy of North Dakota. This certification is valid for **four years** from today's date (expires 2/22/2025).

Most of North Dakota's economic development programs, tools and incentives are targeted toward primary-sector clients. You may be requested to provide a copy of this primary-sector certification letter when you apply for certain economic development incentive and funding programs.

This certification does not guarantee the receipt of any North Dakota business incentive. For example, there are additional qualification criteria for the Seed Capital Investment and Agricultural Business Investment personal income tax credits, and it is critical that investments **NOT** be made prior to the business receiving certification for these two credits. If you are pursuing certification for investment tax credits and need to know the criteria required for qualification, contact Joe Cicha 701-328-7283.

This certification is not the application process for the North Dakota New Jobs Training Program administered by Job Service North Dakota. To apply for the North Dakota New Jobs Training Program, you must contact Job Service North Dakota for the required application forms. Application forms for other programs that require primary sector certification are available from the agency administering the program.

Also, companies and individuals pursuing the investment tax credit incentive are reminded there is a cap on available dollars. Please visit with the ND Office of the Tax Commissioner regarding the remaining balance for investment tax credits. The credits are available on a first-come-first-serve basis until the law-defined cap is met.

North Dakota appreciates your contribution to the citizens and economy of our state. If there is anything further we can do to assist your company, please contact us at 701-328-5300.

Sincerely,

A handwritten signature in black ink, appearing to read "Joshua Teigen", is written over a horizontal line.

Joshua Teigen, Director
Economic Development & Finance Division

Exemption Evaluation Calculator 2020				96.8				110.6					
Standard Industries Inc.				Points				Points					
Project Type Code (Ctrl-C to view)				1		38.0		1		38.0			
Current Number Of Employees		Year 1		38				Year 3		38			
Hourly Salary Without Benefits		# Jobs						# Jobs					
Under \$13.00													
\$13.01-\$15.00													
\$15.01-\$20.00													
\$20.01-\$28.00		7		Pts. For # Jobs->		6.0		18		Pts. For # Jobs->		20.0	
\$28.01-\$35.00		5		Pts. For \$ Jobs->		12.8		8		Pts. For \$ Jobs->		12.6	
Over \$35.00													
TOTAL # OF JOBS CREATED		12						26					
% GI w/ Local Competition (not downtown)						25.0		0%		25.0			
Value of Proposed Buildings				\$ 5,907,000		15.0		\$ 5,907,000		15.0			
Downtown Location (Y/N)				N		0.0		N		0.0			
Exemption Needed (Y/N)								0					
Startup Firm (Y/N)				N		0.0		N		0.0			
Has Const Started or Has Bldg Been Occupied If Existing (Y/N)				N		0.0		N		0.0			
Number of Years (Exemption)				5				5					
Building Age (if substantial renovation)						0.0				0.0			
RECOMMENDATION IS TO				REVIEW				APPROVE					
Description				Manufacturing				Manufacturing					
Estimated New Annual Payroll				\$682,240				\$1,431,040					
Estimated Annual Real Estate Tax				\$81,868				\$81,868					
Estimated PV of Exemption				\$354,446				\$354,446					
Payroll / PV of Exemption				1.9				4.0					
Property Value / # of Jobs				\$ 492,250				\$ 227,192					
Total Value Of Benefit				\$ 409,340				\$ 409,340					

RECEIVED

APR 9 2015

FARGO ASSESSOR

Application For Property Tax Incentives For New or Expanding Businesses

N.D.C.C. Chapter 40-57.1

Project Operator's Application To Fargo
City or County

File with the City Auditor for a project located within a city; County Auditor for locations outside of city limits.

A representative of each affected school district and township is included as a non-voting member in the negotiations and deliberation of this application.

This application is a public record

Identification Of Project Operator

1. Name of project operator of new or expanding business Food Services of America, Inc.
2. Address of project 4101 15th Avenue NW
City Fargo County Cass
3. Mailing address of project operator 4101 15th Avenue NW
City Fargo State ND Zip 58102
4. Type of ownership of project
☐ Partnership ☐ Subchapter S corporation ☐ Individual proprietorship
☒ Corporation ☐ Cooperative ☐ Limited liability company
5. Federal Identification No. or Social Security No. 41-0826179
6. North Dakota Sales and Use Tax Permit No. 012883 00
7. If a corporation, specify the state and date of incorporation Delaware 1/2/1931
8. Name and title of individual to contact Kathleen Intolubbe
 Mailing address 16100 N 71st Street, Suite 500
 City, State, Zip Scottsdale, AZ 85254-2125 Phone No. 480-927-4538

Project Operator's Application For Tax Incentives

9. Indicate the tax incentives applied for and terms. Be specific.

<input checked="" type="checkbox"/> Property Tax Exemption <u>10</u> Number of years <u>100%</u> Percent of exemption	<input type="checkbox"/> Payments In Lieu of Taxes <u> </u> Beginning year <u> </u> Ending year <u> </u> Amount of annual payments (attach schedule if payments will vary)
------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------
10. Which of the following would better describe the project for which this application is being made:
☐ New business project ☒ Expansion of a existing business project

11. Legal description of project real property

Lot 5, Block 17 of the Replat of Lot 9, Block 15; Block 16; and Lots 2, 3, 4, and 5, Block 17, Industrial Subdivision No. 3 to the City of Fargo, Cass County, ND

12. Will the project property be owned or leased by the project operator? ☒ Owned ☐ Leased

If the answer to 12 is leased, will the benefit of any incentive granted accrue to the project operator?

☐ Yes ☐ No

If the property will be leased, attach a copy of the lease or other agreement establishing the project operator's benefits.

13. Will the project be located in a new structure or an existing facility? ☒ New construction ☒ Existing facility

If existing facility, when was it constructed? 1989 - Expansion of existing facility

If new construction, complete the following:

a. Estimated date of commencement of construction of the project covered by this application April 2015

b. Description of project to be constructed including size, type and quality of construction

Expansion of the current food service distribution facility by 47,014 additional square feet of building and over 183,000 of site paving for business vehicles and associate parking. All construction is extremely high quality as it is all controlled environment condition space. Facility will be designed for efficiency of

c. Projected number of construction employees during the project construction 200

14. Approximate date of commencement of this project's operations February 201615. Estimated market value of the property used for this project:

a. Land \$ 675,369

b. Existing buildings and structures for which an exemption is claimed..... \$ 0

c. Newly constructed buildings and structures when completed \$ 10,400,000

d. Total \$ 11,075,369

e. Machinery and equipment \$ 1,450,000

16. Estimate taxable valuation of the property eligible for exemption by multiplying the market values by 5 percent:

a. Land (not eligible)

b. Eligible existing buildings and structures..... \$ 0

c. Newly constructed buildings and structures when completed..... \$ 520,000

d. Total taxable valuation of property eligible for exemption (Add lines b and c)..... \$ 520,000

e. Enter the consolidated mill rate for the appropriate taxing district 266.25

f. Annual amount of the tax exemption (Line d multiplied by line e) \$ 138,450.00

Note: "project" means a newly established business or the expansion portion of an existing business. Do not include any established part of an existing business.

17. Type of business to be engaged in: ☐ Ag processing ☐ Manufacturing ☐ Retailing
☒ Wholesaling ☒ Warehousing ☒ Services

18. Describe in detail the activities to be engaged in by the project operator, including a description of any products to be manufactured, produced, assembled or stored (attach additional sheets if necessary).

We are expanding our Distribution Center to provide more product offerings and to better service our customer's needs
 through our customized distribution services. Food Services of America is one of the nation's largest food service distributors and includes two North Dakota locations (Fargo & Minot) that provide a broad array of foodservice solutions to a wide spectrum of customers. FSA brings the financial strength, stability and technology to reliably serve our customers for the long term. Our people and processes offer the flexibility to evolve as your business grows and market conditions change.

19. Indicate the type of machinery and equipment that will be installed

We will install refrigeration equipment, storage racking, dock levelers, roll-up doors, special fast acting cold storage doors and miscellaneous heating, air conditioning and ventilation systems in our offices and storage areas.

20. For the project only, indicate the projected annual revenue, expense, and net income (before tax) from either the new business or the expansion itself for each year of the requested exemption.

Year (12 mo. periods)	New/Expansion Project only Year 1	New/Expansion Project only Year 2	New/Expansion Project only Year 3	New/Expansion Project only Year 4	New/Expansion Project only Year 5
Annual revenue	<u>9,950,000</u>	<u>19,950,000</u>	<u>29,950,000</u>	<u>40,950,000</u>	<u>52,110,000</u>
Annual expense	<u>10,116,900</u>	<u>19,869,203</u>	<u>29,641,405</u>	<u>40,392,608</u>	<u>51,300,450</u>
Net income	<u>-166,900</u>	<u>80,797</u>	<u>308,595</u>	<u>557,392</u>	<u>809,550</u>

21. Projected annual average number of persons to be employed by the project itself at the project location for each year for the first five years and the estimated annual payroll.

Year	Company-wide (before project)	New/ Expansion Project only Year 1	New/ Expansion Project only Year 2	New/ Expansion Project only Year 3	New/ Expansion Project only Year 4	New/ Expansion Project only Year 5
No. of Employees	(1) <u>178</u>	<u>5</u>	<u>12</u>	<u>17</u>	<u>24</u>	<u>27</u>
	(2) _____	_____	_____	_____	_____	_____
Estimated payroll	(1) <u>8,000,000</u>	<u>191,000</u>	<u>495,000</u>	<u>681,000</u>	<u>982,000</u>	<u>1,091,000</u>
	(2) _____	_____	_____	_____	_____	_____

(1) - full time
 (2) - part time

22. Is the project operator succeeding someone else in this or a similar business? ☐ Yes ☒ No
23. Has the project operator conducted this business at this or any other location either in or outside of the state?
☒ Yes ☐ No
24. Has the project operator or any officers of the project received any prior property tax incentives? ☒ Yes ☐ No
- If the answer to 22, 23, or 24 is yes, give details including locations, dates, and name of former business (attach additional sheets if necessary).

~~Food Services of America has operated at 4101 15th Avenue NW Fargo, ND 58102 at the current facility since 1989 when the facility was constructed and at that time we received property tax incentives.~~

Business Competition

25. Is any similar business being conducted by other operators in the municipality? ☒ Yes ☐ No
- If YES, give name and location of competing business or businesses

Sysco North Dakota 3225 12th Avenue N Fargo

Property Tax Liability Disclosure Statement

26. Does the project operator own real property in North Dakota which has delinquent property tax levied against it? ☐ Yes ☒ No
27. Does the project operator own a greater than 50% interest in a business that has delinquent property tax levied against any of its North Dakota real property? ☐ Yes ☒ No

If the answer to 26 or 27 is Yes, list and explain

Use Only When Reapplying

28. The project operator is reapplying for property tax incentives for the following reason(s):
- ☐ To present additional facts or circumstances which were not presented at the time of the original application
 - ☐ To request continuation of the present property tax incentives because the project has:
 - ☐ moved to a new location
 - ☐ had a change in project operation or additional capital investment of more than twenty percent
 - ☐ had a change in project operators
 - ☐ To request an additional annual exemption for the year of _____ on structures owned by a governmental entity and leased to the project operator. (See N.D.C.C. § 40-57.1-04.1)

Notice to Competitors of Hearing

Prior to the hearing, the applicant must present to the governing body of the county or city a copy of the affidavit of publication giving notice to competitors unless the municipality has otherwise determined there are no competitors.

I, Kathleen Entolubbe, do hereby certify that the answers to the above questions and all of the information contained in this application, including attachments hereto, are true and correct to the best of my knowledge and belief and that no relevant fact pertaining to the ownership or operation of the project has been omitted.

Kathleen Entolubbe
Signature

V.P. of Tax Services
Title

4/3/15
Date

PRIVACY ACT NOTIFICATION

Page 15

In compliance with the Privacy Act of 1974, disclosure of a social security number or Federal Employer Identification Number (FEIN) on this form is required under N.D.C.C. §§ 40-57.1-03, 40-57.1-07, and 57-01-15, and will be used for tax reporting, identification, and administration of North Dakota tax laws. Disclosure is mandatory. Failure to provide the social security number or FEIN may delay or prevent the processing of this form.

Certification of Governing Body (To be completed by the Auditor of the City or County)

The municipality shall, after granting any property tax incentives, certify the findings to the State Tax Commissioner and Director of Tax Equalization by submitting a copy of the project operator's application with the attachments. The governing body, on the ____ day of _____, 20____, granted the following:

☐ **Property Tax Exemption**

____ Number of years

____ Percent of exemption

☐ **Payments in lieu of taxes**

____ Beginning year ____ Ending year

____ Amount of annual payments (Attach schedule if payments will vary)

Auditor