

VILLAGE OF TURTLE LAKE

**ECONOMIC DEVELOPMENT
INITIATIVE**

2020 – 2022 Housing Incentive Plan

Housing Incentive Plan

PURPOSE: This Housing Incentive Plan is intended to promote the overall economic development of the Village of Turtle Lake, Wisconsin (the "Village") by stimulating the construction and sale of new residential housing, thereby bringing new residents to the Village.

OPERATION OF THE HOUSING INCENTIVE PLAN: The governing body of the Village has approved, the payment of Rebates to Qualified Residents of the Village upon the completion of eligible Property within the Village limits. Applications for Rebates are to be made during the Application Period to the Village Administrator using the form attached hereto as Exhibit B. Upon approval of such application by the Village Administrator, the Village and the Qualified Resident will enter into a Rebate Agreement in substantially the form attached hereto as Exhibit C specifying the Rebate Period, the amount of the Rebate, and the conditions of the Rebate payments, all in accordance with the provisions of this Plan. Qualified Residents will be required to provide the Village with a completed Form W9 at the time the application is filed, and the Village shall file Form 1099-G with the Internal Revenue Service and the Wisconsin Department of Revenue in connection with each Rebate payment.

At the end of the Application Period, the governing body of the Village will review the Plan and determine its continuation. In the event the Plan is discontinued or modified for subsequent years, those Qualified Residents approved during the Application Period may continue to receive the Rebate payments specified in the Rebate Agreement for the full term of the Rebate Period, provided the conditions of the Plan continue to be met.

A Qualified Resident may assign its interest in the Rebate Agreement upon sale of the Property to another Qualified Resident during the Rebate Period, provided the conditions of the Plan continue to be met. The participating Qualified Resident is responsible for passing on the conditions of and general information on the Plan to any subsequent owner of the Property.

DEFINITIONS: As used in this Plan, the following terms have the following respective meanings:

- A. Application Period - means the period beginning January 1, 2020 and ending December 31, 2022.

- B. Rebate - means an annual economic development Rebate payable by the Village to the Qualified Resident, in a predetermined amount as set forth in the Rebate Agreement, for the duration of the Rebate Period. The amount of the Rebate shall be determined in accordance with the formula set forth on Exhibit A hereto; provided, however, that the amount of the Rebate shall never exceed the actual

amount of ad valorem property taxes levied against the Property by the Village in the calendar year for which the Rebate is paid.

- C. Rebate Agreement - means the written agreement between the Village and the Qualified Resident with respect to the amount and duration of the Rebate.
- D. Rebate Period - means a 3-year period commencing the later of (1) the calendar year after the year in which the certificate of occupancy is received for the Property or (2) calendar year 2020.
- E. Plan - shall mean the Housing Incentive Plan approved by the governing body of the Village of Turtle Lake, Wisconsin in effect at the time the Rebate Agreement is executed.
- F. Property - means any free-standing, single-family residence, and associated real property and appurtenances, within the Village limits, for which a certificate of occupancy is issued within the Application Period; provided, however, in the case of a single-family residence which is owned by the commercial builder of such residence and is being offered for sale, the certificate of occupancy may have been issued at any time after January 1, 2020, unless a special exception is made.
- G. Qualified Resident - means the record owner of the Property, which may be the commercial builder of the subject residence or the resident owner of the subject residence. Owners of record who rent the Property to unrelated third-parties are not eligible for the Rebate.

ADDITIONAL CRITERIA FOR DETERMINATION OF ELIGIBILITY:

- A. Any Property that is delinquent in any tax payment and/or special assessment with respect to any real property within the Village shall not be eligible for any Rebate payment for the year of the delinquency. Delinquency is defined as: "Any tax and/or special assessment that are not paid by the scheduled due dates and has entered into a period where interest is assigned as a penalty by the county for unpaid condition." Rebates will not be payable for any year until all tax payments and special assessments for such year have been paid in full.
- B. Property must have a minimum appraised value of \$100,000, as determined by the Village Assessor as of January 1 of the first year of the Rebate Period.
- C. The Property must conform with all codes, rules, and regulations in effect at the time any improvements are made, and for the length of the Rebate Period.

D. The Property may not be occupied by or rented to a third-party unrelated to the Owner, nor may it be used for business or commercial purposes (other than listed for sale by the commercial builder of the Property).

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EXHIBIT A
Rebate Calculation Table

The following table illustrates the method by which the Village shall determine the amount of any Rebate:

Year	Rebate Calculation
1	100% of the assessed Value of the Property as of January 1, times the Village Mill levy. "Base Amount."
2	75% of the Base Amount
3	50% of the Base Amount

ESTIMATED REBATE / BUDGET EFFECT

Estimated Total Mill levy of 2.218%

Assessed Value	Total Expected Taxes	Village Portion (41%)
\$100,000	\$2,218	\$910
\$150,000	\$3,327	\$1,364
\$175,000	\$3,881	\$1,591
\$200,000	\$4,426	\$1,819
\$225,000	\$4,990	\$2,046

EXHIBIT B
APPLICATION FOR ECONOMIC DEVELOPMENT REBATE
2020-2022 HOUSING INCENTIVE PLAN

Owner's Name: _____ Day Phone: _____

(Please Print) Owner's Mailing Address: _____

Village: _____ Zip _____ E-mail Address: _____

May we use this for correspondence? ____ Yes ____

No Address of Property:

Parcel Identification Number:

_____ (Take from your tax statement or call County Appraiser's Office)

Legal Description of Property:

Estimated Start Date of Construction: ____/____/____

Estimated Date of Completion: ____/____/____

Date of Certificate of Occupancy: ____/____/____ (attach copy)

Permitted Value for the Property _____

I have read and do hereby agree to comply with all conditions of the Village of Turtle Lake, Wisconsin 2020-2025 Housing Incentive Plan.

Signature of Applicant _____

Date Signed _____

APPROVED: _____

Village Administrator

Date

Attachment: Form W9

EXHIBIT C
FORM OF REBATE AGREEMENT

THIS REBATE AGREEMENT is dated as of _____ by and between the Village of Turtle Lake, Wisconsin, a municipal corporation (the "Village") and _____ (the "Owner").

SECTION 1

RECITALS

- A. The Village has established its 2020-2022 Housing Incentive Plan for the purpose of stimulating the overall economic development of the Village by encouraging the construction and sale of new residential housing within the Village and thereby bringing new residents to the Village.
- B. The Owner is a Qualified Resident owning Property (as such terms are defined in the Plan) and has applied to the Village for participation in the 2020-2022 Housing Incentive Plan.
- C. The parties hereto enter into this Rebate Agreement to make and confirm certain commitments to each other with respect to certain real property and incentives for the mutual economic benefit and well-being of the parties and the residents and inhabitants of the Village.

SECTION 2

DEFINITIONS

In addition to words and terms defined elsewhere herein, the following words and terms in this Rebate Agreement shall have the meanings hereinafter set forth. Unless the context shall otherwise indicate, words importing the singular number shall include the plural and vice versa, and words importing persons shall include firms, associations and corporations, including public bodies, as well as natural persons.

- A. Rebate - means an annual economic development Rebate payable by the Village to the Owner, in the amounts set forth on Exhibit A hereto, for the duration of the Rebate Period; provided, however, that the amount of the Rebate shall never exceed the actual amount of ad valorem property taxes levied against the Property by the Village in the calendar year for which the Rebate is paid.
- B. Rebate Agreement - means this agreement between the Village and the Owner.

- C. Rebate Period - means a 3-year period set forth on Exhibit A hereto.
- D. Plan - shall mean the Housing Incentive Plan approved by the governing body of the Village of Turtle Lake, Wisconsin in effect as of the date hereof.
- E. Property - means the free-standing, single-family residence, and associated real property and appurtenances, described on Exhibit B hereto.

SECTION 3

REPRESENTATIONS AND WARRANTIES

A. Representations of the Village.

1. The Village of Turtle Lake is authorized to enter into and perform obligations, agreements and undertakings such as those set forth in this Rebate Agreement.
2. This Rebate Agreement constitutes a legal, valid and binding obligation of the Village enforceable in accordance with its terms.

B. Representations of the Owner.

1. The Owner acknowledges receipt of a complete copy of the Plan and agrees to comply with its terms and conditions.
2. The Property is a free-standing, single-family residence owned by the Owner. The Owner is either the commercial builder of the Property and has the property listed for sale, or occupies the Property as a single-family residence. The Property is not occupied or rented to a third-party unrelated to the Owner, nor is it used for business or commercial purposes.
3. The Owner is not delinquent in any tax payment and/or special assessment for real property located within the Village.
4. The Owner agrees to comply with all codes, rules and regulations in effect in the Village with respect to the Property throughout the Rebate Period.
5. The appraised value of the Property, as determined by the Village Assessor County appraiser, is at least \$100,000 as of the date hereof.
6. If the Property is sold within the Rebate Period, the Owner agrees to pass on all information concerning compliance with the Plan to the subsequent owners.

7. The Owner acknowledges and agrees that the Plan is subject to the laws of the State of Wisconsin. If the laws of the State of Wisconsin prohibit the continuation of the Plan, then the Village will terminate the Plan, which may result in the termination of any Rebate payments that would otherwise be made pursuant to the Plan and this Rebate Agreement.

SECTION 4

REBATE PAYMENTS

- A. The Village agrees to make annual Rebate payments as set forth on Exhibit A hereto, provided the Owner has been in compliance with the terms and conditions of the Plan and this Rebate Agreement for the calendar year in question. Such Rebate payments will be paid by check payable to the Owner or assigns within 60 days of receipt of the notice required by Section 4(B) hereof. Form 1099-G will be filed with the Internal Revenue Service and the Wisconsin Department of Revenue with respect to each Rebate payment made.
- B. The Owner agrees to notify the Village when all conditions of the Plan and this Rebate Agreement, including payment of all ad valorem taxes and special assessments, are satisfied for a given calendar year and request payment of the Rebate for such year.

SECTION 5

MISCELLANEOUS

- A. This Rebate Agreement may be amended only with the prior written consent of the Village and the Owner. This Rebate Agreement may be assigned by the Owner to a subsequent owner of the Property without the consent of the Village, provided such subsequent owner is a Qualified Resident within the meaning of the Plan. The Owner agrees to provide the Village with written notice of such assignment.
- B. This Rebate Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute one and the same instrument, and any of the parties hereto may execute this Amendment by signing any such counterpart.
- C. The parties hereto agree that this Rebate Agreement shall be governed and construed in accordance with the laws of the State of Wisconsin.

- D. In the event any part or parts of this Rebate Agreement are found to be void, the remaining provisions of this Rebate Agreement shall nevertheless be binding with the same effect as though the void parts were deleted.
- E. REBATE PAYMENTS MAY OR MAY NOT HAVE TAX IMPLICATIONS FOR THE OWNER AND ITS ASSIGNS. EACH RECIPIENT OF REBATE PAYMENTS SHOULD SEEK THE ADVICE OF TAX PROFESSIONALS WITH RESPECT TO THE TREATMENT OF SUCH REBATE PAYMENTS FOR STATE AND FEDERAL INCOME TAX PURPOSES.

IN WITNESS WHEREOF, the Village and the Owner have caused this Rebate Agreement to be duly executed by their duly authorized representatives.

VILLAGE OF TURTLE LAKE, WISCONSIN

By: _____

Village Administrator

OWNER _____

Name:

Title:

EXHIBIT A

Rebate Calculation Table

Year	Rebate Calculation
202____	100% of the Assessed Value of the Property as of January 1, times the Village Mill levy. "Base Amount." \$_____
202____	75% of the Base Amount =\$_____
202____	50% of the Base Amount =\$_____

EXHIBIT B TO REBATE AGREEMENT

Description of the Property

Address:

Legal Description:

Parcel Identification No.:

ASSIGNMENT OF REBATE AGREEMENT

_____, as owner of the foregoing Rebate Agreement, do hereby assign its right, title and interest in such Rebate Agreement to _____, the current owner of record of the Property.

Name:

Title:

Date:

The undersigned hereby accepts the assignment of the foregoing Rebate Agreement and agrees to comply with all terms and conditions of such Rebate Agreement and Plan.

Name:

Title:

Date:

ACKNOWLEDGED:

VILLAGE OF TURTLE LAKE, WISCONSIN

By: _____

Title:

Date:

RESOLUTION NO. 2019-06

A RESOLUTION OF THE VILLAGE OF TURTLE LAKE, WISCONSIN ESTABLISHING INCENTIVES FOR RESIDENTS TO CONSTRUCT NEW SINGLE-FAMILY HOUSING IN THE VILLAGE OF TURTLE LAKE.

Whereas, the Village Board of Turtle Lake, Wisconsin recognizes that a considerable percentage of the community's existing housing stock is aging, and that many of the Village's workers have to commute due to lack of housing stock; and

Whereas, the Village Board has performed its due diligence by investigating the conditions of the community's housing stock by conducting a housing survey and Village Staff has researched different ways to incentivize residents to construct new single-family residences; and

Whereas, the Village Board seeks to stimulate housing growth as noted in the Village's Comprehensive Plan and Community Action Plan, and recognizes the importance of continued housing expansion in the Village of Turtle Lake.

BE IT RESOLVED BY THE VILLAGE BOARD OF THE VILLAGE OF TURTLE LAKE, WISCONSIN THAT:

Section 1. The Village of Turtle Lake shall implement a formal Housing Incentive Program, which will be overseen by the Village Administrator.

Section 2. The Village of Turtle Lake will offer a three (3) year, descending Village portion of property tax abatement, based on the assessed value of the qualifying property hereby defined as a single-family residence. The first year shall be 100% of the Village portion, then 75% in the second year and 50% in the third year.

Section 3. The Village tax rebate is transferable to new owners during the term of the rebate program.

Section 4. For individuals to participate in the program, the applicant must be listed as one of the official legal owners of the property on which improvements are being made.

Section 5. The tax abatement will be paid in the form of a refund. The anticipated refund will be paid by the Village Clerk-Treasurer no later than July 31st of each eligible year.

Section 6. To be eligible for the Housing Incentive Program, a resident must complete an application and submit it with the building permit to the Village Hall.

Section 7. Unless modified by the Village Board of Turtle Lake, Wisconsin, this Housing Incentive Program will commence on January 1, 2020 and expire on December 31, 2022. All new single-family residences constructed within the Village limits of the Village of Turtle Lake between these dates shall be eligible to apply for the program.

Section 8. This resolution shall be in full force and effect from and after the above listed program dates.

ADOPTED by the Village Board of the Village of Turtle Lake, Wisconsin, on this 16th day of December, 2019.

Signed: _____

Andy Koenig, President

Attest: _____ Ardith, Village Clerk