

3:30 P.M.
REGULAR MEETING AGENDA
WESTMORELAND COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY
FOR
MONDAY, SEPTEMBER 19, 2022

1. Roll Call:

Bruce J. Corna _____
Daniel Howard, Jr. _____
Denny Kennedy _____
Terry Painter _____
Tony Pauly _____

Vikki Ridenour _____
Edward Sobota _____
Thomas Sochacki _____
John P. Kline _____

Also present: James J. Conte, Esquire _____
Rebecca S. Lewis _____

2. Review of Minutes:

- a. Motion to waive formal reading and for acceptance of the Minutes of the Reorganizational Meeting, January 18, 2022 (attached as Exhibit A).

Motion by: _____ Seconded by: _____
Approved: _____ Not approved: _____
Comments:

3. Treasurer's Report:

- a. Motion to approve report of Treasurer (attached as Exhibit B).

Motion by: _____ Seconded by: _____
Approved: _____ Not approved: _____
Comments:

- b. Motion to approve Annual Audit Report from Horner, Wible & Terek, PC, covering the year 2021 (attached as Exhibit C.)

Motion by: _____ Seconded by: _____
Approved: _____ Not approved: _____
Comments: _____

- c. Motion to recommend and request reappointment of Terry Painter and Anton Pauly as members of the Authority for five (5) year terms effective November 30, 2022.

Motion by: _____ Seconded by: _____
Approved: _____ Not approved: _____
Comments: _____

4. Report of the Assistant Secretary.

- a. Attached are copies of the Department of Community and Economic Development 2021 Mid-Year Allocation Report (attached as Exhibit D) and Allocation Bulletin #43 (attached as Exhibit E).

5. New Business.

6. Adjournment.

- a. Motion to adjourn: _____ Seconded by: _____
Vote: _____ Adjournment at _____ p.m.

**WESTMORELAND COUNTY INDUSTRIAL
DEVELOPMENT AUTHORITY**

**MINUTES OF THE REORGANIZATION MEETING
Tuesday, January 18, 2022**

1. The meeting opened with role call and those attending were:

Bruce J. Corna (by phone)	Tony Pauly
Daniel Howard (by phone)	Vicki Ridenour
Dennis Kennedy	Edward Sobota
John Kline	Tom Sochacki
Terry Painter	

Also in attendance were the Solicitor, James J. Conte, and Rebecca S. Lewis.

2. **Election of Officers.**

The Solicitor, James J. Conte, at the request of the Board, presided as Chairman, pro tem, for the sole and exclusive purpose of accepting nominations for and election of officers.

- a. Mr. Conte invited nominations for Bruce J. Corna as Chairman.
- b. Mr. Conte invited nominations for Daniel Howard as Vice Chairman.
- c. Mr. Conte invited nominations for Anton Pauly as Secretary.
- d. Mr. Conte invited nominations for Victoria Ridenour as Treasurer.
- e. Mr. Conte invited nominations for Edward Sobota as Assistant Treasurer.

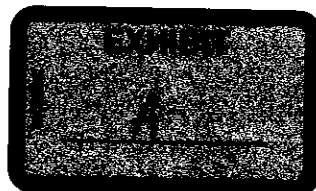
The motion made by Ed Sobota, second by Tom Sochacki, to nominate the slate of officers for the offices indicated was unanimously approved. There were no other nominations. The Board unanimously elected the persons nominated for the offices indicated with a 9-0 vote.

- f. Mr. Conte asked for a motion for the appointment of Rebecca Lewis as Assistant Secretary.

The motion made by Vikki Ridenour, second by Tom Sochacki, to appoint Rebecca Lewis as Assistant Secretary was unanimously approved.

Immediately thereafter, Mr. Corna assumed the Chair and presided over the balance of the Reorganizational Meeting.

3. **Schedule of Meetings for 2022.** Today's meeting and all other meetings for the year 2022 were advertised in the Tribune Review on November 30, 2021. A copy of the proof of advertising was attached to the Agenda as Exhibit A. Vikki Ridenour moved for approval of the meeting dates for 2022 as advertised in the Tribune Review on November 30, 2021, second by Tony Pauly; approved unanimously by 9-0 vote.



4. **Minutes.** The minutes of the meeting held October 18, 2021, were reviewed by all members in attendance. Terry Painter moved for approval of the minutes and waiving formal reading, second by Dennis Kennedy; approved unanimously by 9-0 vote.

5. **Report of Treasurer.** An outline of the balance in the checking account was attached to the Agenda indicating that there was a balance on hand on October 1, 2021 of \$5,485.40; one (1) deposit from Redstone Presbyterian Senior Care as an application fee of \$2,500; and six (6) disbursements, being a transfer fee of \$15.00 (Redstone) and checks payable to Trib Total Media (\$475.00) for advertising the audit report; Economic Growth Connection (\$144.80) for cost of domain registration; Economic Growth Connection (\$97.50) for website invoice from Chroma Marketing Essentials; Hempfield Mini Storage (\$908.21) for file storage for 2020; and The Cincinnati Insurance Company (\$500.00); and that the current balance as of December 31, 2021, and the date of this meeting is \$5,844.49. Tony Pauly moved for acceptance of the Report of Treasurer, second by Terry Painter; approved unanimously by 9-0 vote.

During the Report of the Treasurer, discussion was had among the Board for a spring clean-up of the files located at Hempfield Mini Storage. It was decided that this item should be placed on the agenda for the next meeting to decide the dates and parameters for the clean-up.

6. **Report of Solicitor.**

a. **Reappointment/appointment.** Mr. Conte reported that Victoria Ridenour and Thomas Sochacki have been recommended for reappointed by the Westmoreland County Commissioners for a five (5) year term. Mr. Conte explained that an email from Vera Spina indicated that this matter, although requested in October, 2021, has yet to be discussed by the Westmoreland County Commissioners, and that the matter will be placed on the January 27, 2022, agenda for discussion. Mr. Conte further explained that Section 379 of the Economic Development Financing Law provides that "Members shall hold office until their successors have been appointed..."

b. **Elections and Appointments.**

i. Mr. Corna called for a motion to appoint the bank depository. A motion was made by Terry Painter to appoint Commercial Bank & Trust of PA; second by Tom Sochacki. There being no other recommendations, the appointment of Commercial Bank & Trust of PA, designation of signatories and required forms of resolutions, was unanimously approved by 9-0 vote.

ii. Mr. Corna called for a motion to approve corporate authorization resolution designating the Chairman, Treasurer, Assistant Treasurer, and Assistant Secretary as authorized signatories for the powers described [(1),(2),(3),(4),(5)] with 2 signatures required. If a new signature card is required by Commercial Bank & Trust of PA, Mr. Conte will circulate it among the corporate officers. A motion was made by John Kline; second by Terry Painter; approved unanimously by 9-0 vote.

iii. Mr. Corna called for a motion to appoint the auditor. A motion was made by Ed Sobota to appoint Horner, Wible & Terek, P.C.; second by Denny Kennedy. There being no other recommendations, the appointment of Horner, Wible & Terek, P.C. approved unanimously by 9-0 vote.

iv. Mr. Corna called for confirmation of the appointment of James J. Conte, Esquire, as Solicitor. A motion was made by Tom Sochacki to confirm; second by Denny Kennedy; approved unanimously by 9-0 vote.

v. Mr. Corna asked for a motion to appoint bond counsel and Dan Howard made a motion to appoint James H. Webster of Clark Hill, PLC; second by Tony Pauly. The appointment of James H. Webster was unanimously approved by 9-0 vote.

vi. Insurance and/or Bond carrier. Mr. Corna advised that the current carrier is The Cincinnati Insurance Company. Upon motion of Tony Pauly and second by Denny Kennedy, The Cincinnati Insurance Company was unanimously approved by 9-0 vote to continue as the insurer and bond carrier for Westmoreland County Industrial Development Authority.

c. **Yearly Conflict of Interest Resolution** – A copy of the Yearly Conflict of Interest Resolution was circulated with the packet of information provided to all Authority members. Upon motion of Vikki Ridenour, second by Tom Sochacki, the Yearly Conflict of Interest Resolution was unanimously approved by 9-0 vote. Each of the Authority members in attendance signed off on the Yearly Conflict of Interest Resolution. The Solicitor will forward the Yearly Conflict of Interest Resolution to members who were absent or attending by phone.

d. **Yearly Suspected Misconduct and Dishonesty Resolution** – A copy of the Yearly Suspected Misconduct and Dishonesty Resolution was circulated with the packet of information provided to all the Authority members. Upon motion of Tom Sochacki, second by Ed Sobota, the Yearly Suspected Misconduct and Dishonesty Resolution was unanimously approved by 9-0 vote. Each of the Authority members in attendance executed the Yearly Suspected Misconduct and Dishonesty Resolution. The Solicitor will forward the Yearly Suspected Misconduct and Dishonesty Resolution to members who were absent or attending by phone.

e. **Ratification Motion** – Upon motion of Tom Sochacki, second by Ed Sobota, a motion to approve and ratify all decision and actions of the Board, Solicitor, Bond Counsel and Auditors for the year 2021, was unanimously approved, vote 9-0.

7. **Report of Assistant Secretary.**

a. A Statement of Financial Interest/Ethics Statement was circulated to each of the Authority members with the Agenda and packet of information. It was requested that each of the Authority members complete the Statement of Financial Interest/Ethics Statement. The Statement is required to be submitted to the Westmoreland County Commissioners' Office by May 1, 2022. Statement of Financial Interest/Ethics Statements were completed and received at

the meeting from James Conte, Rebecca Lewis, Dennis Kennedy, John Kline, Terry Painter, Anton Pauly, Victoria Ridenour, Edward Sobota, Thomas Sochacki. Bruce Corna and Dan Howard will forward by mail or email.

b. Annual Post-Issuance Compliance Fee statements for the year 2021 were sent to the following: Adelphoi USA, Inc.; CSE Corporation/Chattan Highland Group, LLC; EA Fischione; Excela Health; Westmoreland Cultural Trust for a total of \$1,250.00.

c. Annual Post-Issuance Certificates for the year ending 2021 were sent to the following: Adelphoi USA, Inc.; CSE Corporation/Chattan Highland Group, LLC; EA Fischione; Excela Health; Redstone Presbyterian SeniorCare; Westmoreland Cultural Trust.

8. **Reimbursements.**

Payment in the amount of \$271.00 was advanced by James J. Conte to pay the cost of publication of the 2022 WCIDA meeting dates in the Tribute Review. Motion was made by Terry Painter, second by Tom Sochacki to reimburse \$271.00 to James J. Conte; and was unanimously approved by 9-0 vote.

9. **New Business.**

No new business.

10. **Adjournment.**

Upon motion by Terry Painter, seconded by all, a motion to adjourn was unanimously approved. Adjournment occurred at 3:51 pm.

Respectfully submitted,

Rebecca S. Lewis
Assistant Secretary

REPORT OF THE TREASURER

Balance on hand as of January 1, 2022

\$5,844.89

Deposits:

02/01/22	Adelphoi – annual fee	\$250.00
02/09/22	Excelsa Health – annual fee	\$250.00
02/14/22	EA Fischione – annual fee	\$250.00
03/14/22	Westmoreland Cultural Trust – annual fee	\$250.00

Total Deposits:

\$1,000.00

Disbursements:

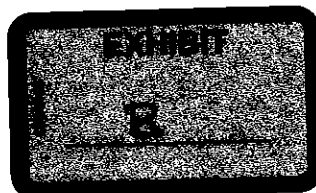
Date	Check	Payee	
01/20/22	1015	James J. Conte – reimburse Trib Total Media advertising costs	\$ 271.00
02/10/22	1016	Cincinnati Insurance Co.	\$ 975.00
02/23/22		Commercial Bank – service charge for deposit slips	\$ 17.75
05/02/22	1017	James J. Conte – reimburse costs – insurance	\$ 57.67
08/08/22	1018	James J. Conte – reimburse costs – GoTo Meeting	\$ 152.64
09/07/22	1019	Horner, Wible & Terek – Audit fee	\$1,800.00

Total Disbursements:

-\$3,274.06

Balance on hand as of September 15, 2022

\$3,570.83





HORNER, WIBLE & TEREK, PC

CERTIFIED PUBLIC ACCOUNTANTS

500 Rugh Street, Greensburg, PA 15601
724-837-7141, 724-837-7172 Fax
hwt@hwtcpa.com

Barbara A. Terek, CPA
Matthew D. Horner, CPA
Robert K. Bulloch, CPA

August 1, 2022

To the Board of Directors
Westmoreland County Industrial Development Authority
Greensburg, PA 15601

We have audited the Statement of Cash Receipts and Disbursements of Westmoreland County Industrial Development Authority, for the year ended December 31, 2021. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated August 1, 2022. Professional standards also require that we communicate to you the following information related to our audit:

Significant Audit Findings

Qualitative Aspects of Accounting Practices

The Board of Directors is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by Westmoreland County Industrial Development Authority are described in Note (1) to the financial statement. No new accounting policies were adopted and the application of existing policies was not changed during 2021. We noted no transactions entered into by Westmoreland County Industrial Development Authority during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

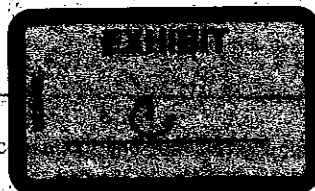
The financial statement disclosures are neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with the Board of Directors in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. There were no such misstatements noted during the audit.



Disagreements with Management

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated August 1, 2022.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to Westmoreland County Industrial Development Authority's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as Westmoreland County Industrial Development Authority's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Restriction on Use

This information is intended solely for the use of Board of Directors of Westmoreland County Industrial Development Authority and is not intended to be, and should not be, used by anyone other than these specified parties.

Very truly yours,

Horner, Wible & Terek, PC

Horner, Wible & Terek, PC

WESTMORELAND COUNTY INDUSTRIAL
DEVELOPMENT AUTHORITY

GREENSBURG, PENNSYLVANIA

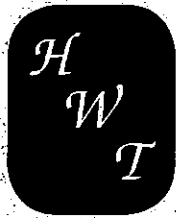
STATEMENT OF CASH RECEIPTS AND DISBURSEMENTS

Year Ended December 31, 2021

WESTMORELAND COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY
GREENSBURG, PENNSYLVANIA

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HORNER, WIBLE & TEREK, PC

CERTIFIED PUBLIC ACCOUNTANTS

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Barbara A. Terek, CPA
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Robert K. Bulloch, CPA

Independent Auditor's Report

Board of Directors
Westmoreland County Industrial Development Authority
Ligonier, Pennsylvania

Opinion

We have audited the accompanying cash receipts and disbursements of the Westmoreland County Industrial Development Authority for the year ended December 31, 2021, and the related notes to the financial statements.

In our opinion, the financial statements referred to above present fairly, in all material respects, the cash receipts and disbursements of the Westmoreland County Industrial Development Authority for the year ended December 31, 2021, in accordance with the cash basis of accounting described in Note 1.

Basis for Opinion

We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of Westmoreland County Industrial Development Authority and to meet our other ethical responsibilities in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Basis of Accounting

We draw attention to Note 1 of the financial statements, which describes the basis of accounting. The financial statements are prepared on the cash basis of accounting, which is a basis of accounting other than accounting principles generally accepted in the United States of America. Our opinion is not modified with respect to that matter.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of this financial statement in accordance with the cash basis of accounting as described in Note 1; this includes determining that the cash basis of accounting is an acceptable basis for the preparation of the financial statement in the circumstances. Management is also responsible for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of the financial statement that is free from material misstatement, whether due to fraud or error.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of Westmoreland County Industrial Development Authority's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgement, there are conditions or events, considered in the aggregate, that raise substantial doubt about Westmoreland County Industrial Development Authority's ability to continue as a going concern for a reasonable period of time.

We are required to communicate those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control related matters that we identified during the audit.

Horner, Wible & Terek, PC

Horner, Wible & Terek, PC
August 1, 2022

WESTMORELAND COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY
STATEMENT OF CASH RECEIPTS AND DISBURSEMENTS
For the Year Ended December 31, 2021

CASH RECEIPTS

Annual Compliance Fees	\$	1,750	
Application Fees		<u>2,500</u>	
 Total Cash Receipts	 \$		 4,250

CASH DISBURSEMENTS

Advertising Expense		637	
Professional Fees		1,540	
Storage Fees		2,206	
Insurance Expense		1,950	
Office Expense		<u>257</u>	
 Total Cash Disbursements			 <u>6,590</u>

INCREASE IN CASH			(2,340)
BEGINNING CASH - January 1, 2021			<u>8,185</u>
ENDING CASH - December 31, 2021	\$		<u><u>5,845</u></u>

WESTMORELAND COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY
NOTES TO THE FINANCIAL STATEMENTS

NOTE (1) NATURE OF THE ORGANIZATION

The Westmoreland County Industrial Development Authority was formed under the Industrial Development Authority Law, Act of August 23, 1967, P.L. 251. The Authority was approved by the Westmoreland County Board of Commissioners on November 30, 1967, while its Articles of Incorporation were approved by the Commonwealth on January 22, 1968 and amended on April 28, 2016.

A. NATURE OF OPERATIONS

The principal business activity of the Westmoreland County Industrial Development Authority (the "Authority") is the furtherance of the industrial development in Westmoreland County by conducting activities to promote, attract, stimulate, develop, and expand business, industry, and commerce and to facilitate the redevelopment and revitalization of areas within the County of Westmoreland and the Commonwealth of Pennsylvania so as to benefit the residents and populous of the Westmoreland County.

B. BASIS OF ACCOUNTING

The Statement of Cash Receipts and Disbursements is a summary of the cash activity of the Authority and has been prepared on the cash basis of accounting, which is a comprehensive basis of accounting other than generally accepted accounting principles. Under that basis, the only asset recognized is cash, and no liabilities are recognized. All transactions are recognized as either cash receipts or disbursements, and noncash transactions are not recorded. The cash basis differs from generally accepted accounting principles primarily because accounts receivable from customers, inventory, fixed assets, accounts payable to vendors, and long-term debt are not included in the financial statements. Further, certain revenues are recognized when received rather than when earned and certain expenses are recognized when paid rather than when the obligation is incurred.

NOTE (2) OTHER MATTERS

Tax Exempt Obligations

The Authority issues tax-exempt obligation debt through various lending and financial institutions to provide below-market interest financing to private and public sector entities for eligible projects. The debt is secured by the property financed or the future revenues of the entity benefiting from the financing and is solely funded from the payments received from that entity. Neither the Authority, the Commonwealth of Pennsylvania, nor any political subdivision thereof, is obligated in any manner for the repayments of the debt. Accordingly, the debt is not reported as a liability in the accompanying financial statement.

WESTMORELAND COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY
NOTES TO THE FINANCIAL STATEMENTS "CONTINUED"

NOTE (2) OTHER MATTERS "Continued"

Lease Purchase/Installment Sale Agreements

In some transactions, the Authority holds legal title on deeds for properties in Westmoreland County in which non-recourse mortgage interests are conveyed for the purpose of securing debt for eligible projects. However, the Authority is without possession or control and equitable title resides with a lessee under a form of lease-purchase agreement or with the beneficial interest owner under a form of installment sale agreement. Where there are legal proceedings against or by the lessee or beneficial interest owner, the Authority may be named as a party as the record title holder of the property.

Upon satisfaction of the mortgage interest via the monthly lease payments or installment sale payments by the lessee or beneficial interest owner, title to the property is transferred from the Authority to the lessee or beneficial interest owner by quit claim deed.

Pennsylvania Economic Development Financing Authority

The Authority may also act as an Application Agent for financing through the Pennsylvania Economic Development Financing Authority (PEDFA). In those instances, the Authority does not take title to property nor does it assume or incur any liability for the financing through PEDFA.

Economic Growth Connection of Westmoreland

On June 19, 2013, Westmoreland County Industrial Development Authority entered into a cooperation agreement with Economic Growth Connection of Westmoreland (EGCW), a nonprofit industrial development corporation, organized and existing under the laws of the Commonwealth of Pennsylvania.

Under the agreement, the Authority and EGCW agree to cooperate with each other and to assist each other in the promotion, attraction, stimulation, development and expansion of business, industry and commerce and the redevelopment and revitalization of areas within Westmoreland County. EGCW will utilize its staff to assist the Authority in servicing initial inquiries from potential clients and assisting with applications for assistance through various financing programs and services available through the Authority. EGCW and the Authority shall be entitled to reimbursement for any and all personnel services on a case by case basis as may be negotiated by them in good faith. Two transactions occurred between the parties during 2021 for reimbursements from WCIDA to EGCW for office expenses.

WESTMORELAND COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY
NOTES TO THE FINANCIAL STATEMENTS "CONTINUED"

NOTE (2) OTHER MATTERS "Continued"

Westmoreland County Industrial Development Corporation

In June 2018, the Authority entered into an Inducement Resolution with Westmoreland County Industrial Development Corporation (WCIDC) for the development of a tax increment financing plan to provide financing for a portion of the costs of site development and infrastructure improvements at the Waltz Mill Redevelopment site in Sewickley Township, Westmoreland County, Pennsylvania.

On November 19, 2018, the Authority adopted a resolution for the Waltz Mill Redevelopment TIF Plan. The Authority has worked with the WCIDC to develop a financing plan to provide financing for the elimination and the development or spread of blight within specified tax increment districts, including a TIF District located in the Township of Sewickley, the Yough School District and Westmoreland County.

The TIF Plan is subject to the taxing bodies adopting legislation authorizing participation in the TIF Plan pursuant to an intergovernmental cooperation agreement by and among the Authority and each taxing body. Westmoreland County Industrial Development Authority authorized the issuance of its tax increment financing note in an aggregate principal amount not to exceed \$2,500,000, in order to pay a portion of the costs of the TIP Plan including related financing costs. The Note will be secured by the TIF Revenues generated from the TIF District, as provided in the cooperation agreement and the TIF Plan, and any other sources of security as shall be acceptable.

At December 31, 2021, transactions have not yet taken place regarding the issuance of the bonds.

NOTE (3) SUBSEQUENT EVENTS

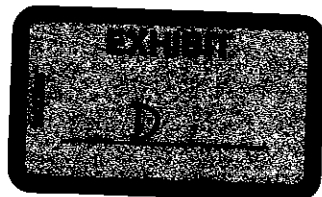
Subsequent events were evaluated through August 1, 2022, which is the date the financial statements were available to be issued.

Department of Community
and
Economic Development

2021 Mid-Year Allocation Report

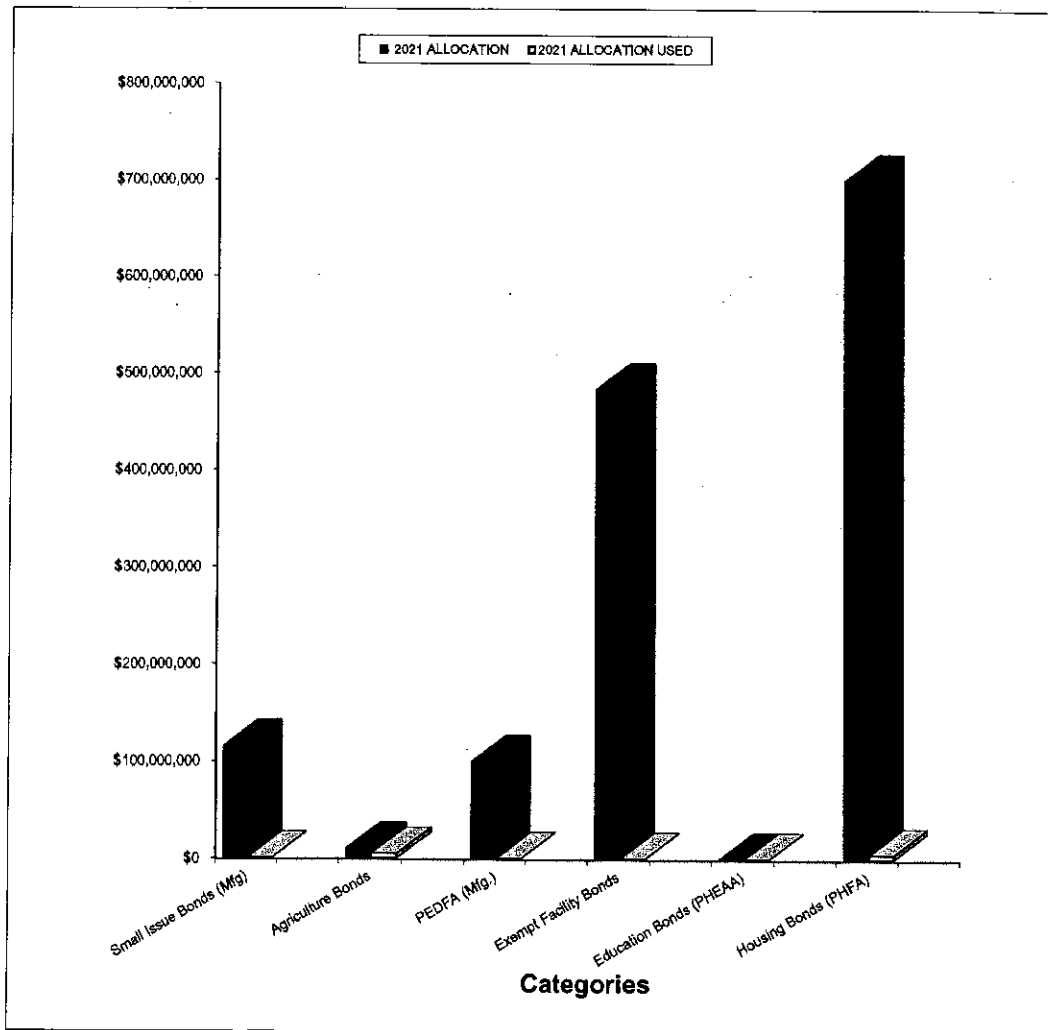
Tom Wolf, Governor
Dennis M. Davin, Secretary

Prepared By:
Center for Private Financing
Business Financing and Workforce Development
Commonwealth Keystone Building, 16th Floor
602 North Street
Harrisburg, PA 17120



2021
MID - YEAR ALLOCATION REPORT TABLE
TOTAL ALLOCATION USAGE
January - June 30, 2021

CATEGORY	2021 ALLOCATION	2021 ALLOCATION USED
Small Issue Bonds (Mfg)	\$115,000,000	\$0
Agriculture Bonds	\$10,000,000	\$4,777,000
PEDFA (Mfg.)	\$100,000,000	\$0
Exempt Facility Bonds	\$483,217,945	\$0
Education Bonds (PHEAA)	\$0	\$0
Housing Bonds (PHFA)	\$700,000,845	\$4,740,943
TOTAL	\$1,408,218,790	\$9,517,943



CURRENT ALLOCATION OVERVIEW

The first half of 2021 has been challenging as the nation continues to struggle to recover from the COVID-19 pandemic. Shutdowns and various restrictions on many business activities have had a negative impact on expansion, renovations, and land and building purchases. These effects have caused the demand for tax-exempt manufacturing allocation to drop significantly since the beginning of the pandemic, and in Pennsylvania this lack of demand has negatively impacted the Industrial Development Bond Program and to a lesser extent PEDFA. There were zero manufacturing projects done from January through June 30, 2021. We anticipate that slow recovery in the manufacturing sector will impact demand for this category of allocation for some time.

PEDFA exempt facility allocation has not suffered to the extent the manufacturing industry has. Larger solid waste projects have continued to move forward to successful financing. PEDFA has closed two exempt facility projects in 2021 thus far using a total of \$375 million in carryforward allocation. PEDFA has committed to two additional projects that may close by year end depending on market conditions which will also use carryforward.

The Pennsylvania Department of Agriculture's Next Generation Farmer Loan Program continues to use allocation so far this year. There are now nine new farmers in the agriculture trade. There were two projects in Chester County, six in Lancaster County, and one in Lebanon County.

PHEAA has been active this year issuing \$69,600,000 in carryforward. Depending on market conditions, there may be another issuance by year end. PHEAA has \$30.4 million of remaining carryforward to use.

PHFA's single family and multifamily projects have increased this year. PHFA converted \$200 million into MCC Certificates and issued two single family projects totaling \$266,285,062. These consisted mainly of carryforward with the exception of \$4,740,943 of 2021 allocation. PHFA also was busy with multifamily projects providing allocation for six new projects totaling \$81,172,000. All of this allocation was carryforward. As a result, PHFA has exhausted a great amount of carryforward allocation. However, PHFA still retains about \$200 million in carryforward and \$695,259,902 remaining in 2021 allocation to use for projects

Allocation Bulletin #43

January 19, 2022

2022 Initial Tax-Exempt Bond Allocation

The Pennsylvania Department of Community and Economic Development (DCED) has assigned the 2021 tax-exempt allocation as follows:

Small Issue	\$115,000,000
Small Issue (PEDFA)	\$100,000,000
Agriculture Bonds	\$15,000,000
Exempt Facility Bonds	\$430,296,000
Education (PHEAA)	\$70,000,000
Housing (PHFA)	<u>\$700,001,000</u>
	\$1,430,297,000

Preliminary and Final Allocation Requests

When submitting an 8038 when allocation is used the FAR is what gets attached to the 8038 and sent to the IRS NOT the PAR. The PAR is a preliminary approval that expires after 90 days if the project has not funded and received an FAR. Please attach the correct documents so that an amended 8038 does not need to be filed with the IRS.

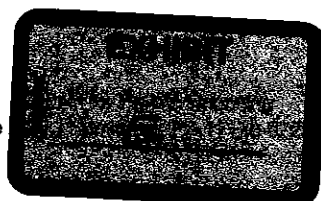
TEFRA Approval Changes

The IRS has provided new public approval (TEFRA) regulations that affect the TEFRA approval process IDAs are accustomed to. The TEFRA regulations affect issuers and borrowers who are required under the tax rules to obtain approval and hold a public hearing before issuing their bonds. Please make yourself familiar with these changes as they went into effect April 1, 2019. You may reference:

<https://www.federalregister.gov/documents/2018/12/31/2018-28371/public-approval-of-tax-exempt-private-activity-bonds>

Small-Issue Manufacturing Policies

- In order to distribute the small-issue manufacturing allocation to the Industrial Development Authorities (IDAs) this calendar year, the following DCED policies will be followed:



- Allocation will be granted to **complete** projects, generally on a first-come-first-served basis. Complete projects are those that meet the application and allocation guidelines including clearances by the Pennsylvania Department of Revenue (taxes) and Pennsylvania Department of Labor and Industry (Pennsylvania Contractor Responsibility).

In the event allocation is in high demand and declining in availability, a county will not be able to receive more than 15% of the total IDA Small Issue allocation between January 1, 2022 and July 1, 2022. This means that no individual county will be able to issue more than \$17,250,000 in tax-exempt bonds requiring allocation during this timeframe no matter how many IDA issuers are in that particular county. If IDA small-issue manufacturing allocation is still available after July 1, 2022, applications will be processed on a first completed basis without any further restriction. We understand that there may be situations where exceptions to this policy will need to be made on a case-by-case basis and recommend you contact us at 717-783-1109.

- Preliminary and final allocations will only be approved for amounts in multiples of \$1,000. Please notify all borrowers and bond counsels that allocation projects must close in \$1,000 multiples. **If we receive a Final Allocation Request for an amount that is not in \$1,000 multiples, we will round down in approving the final allocation approval.**
- For the viability of the project, bond closings are **NOT** to be scheduled prior to receiving project approval. Projects requiring volume cap may **NOT** close prior to the receipt of a PAR approval.
- **All projects being issued by an IDA and when an IDA takes on debt are both required to** get approval from the Secretary of DCED under the Economic Development Financing Law.
- Preliminary allocations for small issue and exempt facility projects are valid for a period of 90 calendar days, starting the date of the approval. **A one-time only 30-day extension may be requested** and is at the sole discretion of the agency.
- Our office must receive Final Allocation Requests (FAR) for small issue and exempt facility projects **within 15 calendar days of closing**. It is the IDA's responsibility to submit this request in a timely manner. If the FAR is not received in 15 calendar days, then it is at the discretion of the agency if the IDA will be suspended from receiving further allocation for the year. Please call our office to confirm the FAR

has been received.

- Please note that all IDA applications, IDA PARs, and IDA FARs should be sent directly to the Center for Private Financing office to the Attention of Gail Boppe. **DO NOT send applications to the Customer Service Center or submit them online.**
- Only one copy of an application is needed for an IDA project. Duplicates are not necessary and are discarded. The only time a duplicate copy of an application is necessary is when submitting Next Generation Farmer Loan applications. A separate copy must go to the Department of Agriculture, Attn: Phillip Stober.

If at any time during the year you have any questions concerning the availability of small issue manufacturing allocation, it is important that you call Gail Boppe, Program Manager for the IDA Bond program, at 717-783-1109.

Jurisdiction Projects.

An IDA may finance a project within its (geographic) jurisdiction or outside its jurisdiction without receiving the consent of the most active IDA where the project is located as long as the IDA submits the proper TEFRA documentation. This includes the public notice proof of publication, hearing minutes, and highest elected official approval and adheres to Section 147(f)(2) of the Internal Revenue Code of 1986, as amended [26 U.S.C. §147(f)(2)].

TEFRA documentation for multi-county projects should include the TEFRA information for each county. Keep in mind a host approval is needed, as well as the highest elected official approval from the township or county the project is located.

Bond Counsel Opinion

ALL tax-exempt project applications are to be accompanied by a preliminary bond counsel opinion, regardless of project amount.

Increase in Capital Expenditure Limit for Tax-Exempt Bonds

As a reminder, keep-in-mind the capital expenditure limitation on the use of small issue industrial development bonds was increased in 2006 from \$10 million to \$20 million. However, the single bond issue limit remains \$10 million.

Draw-Down Financings

Please refer to IRS Notice 2010-81. Allocation must be used in the year the funds are used. Separate PARs and FARs will be necessary for each draw.

Exempt Facilities

ALL exempt facility projects needing allocation are required to contact the Center for Private Financing prior to submitting an application and requesting allocation to discuss how we can assist with a smooth transaction.

All exempt facility projects that require more than **\$20 million** of allocation must be financed through PEDFA.

2021 Industrial Development Authority Yearly Audit Reports

Each Industrial Development Authority is required to submit an annual audit report to the Department. The 2021 IDA audit report is due by July 31, 2022. The report is required whether or not there was any activity during the year (consult the Pennsylvania Economic Development Financing law for further explanation and requirements). Failure to submit this report with an audit will result in a temporary suspension of receiving the Secretary's approval to issue bonds. If multiple years of reports have not been filed, we require the three most recent years of reports to become current.

2021 Annual Allocation Report

A copy of Pennsylvania's 2021 Allocation Report that provides a breakdown of the use of allocation during the previous year is attached for reference purposes.

To Contact Our Office

If you have any questions regarding the information in this bulletin, please contact Gail Boppe, Program Manager at 717-783-1109 or via email at gboppe@pa.gov.