

CITY OF GRAND RAPIDS, MINNESOTA

RESOLUTION NO. _____

RESOLUTION APPROVING THE LOAN OF A MINNESOTA INVESTMENT FUND GRANT TO ASV HOLDINGS, INC. AND THE EXECUTION OF RELATED DOCUMENTS

WHEREAS, ASV Holdings, Inc., a Delaware corporation, or an affiliate thereof or an entity related thereto (the “Borrower”), owns and operates a facility (the “Facility”) located at 840 Lily Lane in the City of Grand Rapids, Minnesota (the “City”); and

WHEREAS, the Borrower has requested financial assistance to help purchase machinery and equipment needed for the construction and equipping of an expansion of the Facility (the “Project”); and

WHEREAS, the Grand Rapids Economic Development Authority (the “Authority”) submitted application for a grant from the Minnesota Investment Fund Program administered by the Minnesota Department of Employment and Economic Development (“DEED”); and

WHEREAS, the Authority will enter into a Grant Agreement with DEED to obtain grant funds in the amount of \$450,000 and loan such grant funds to the Borrower for the Project; and

WHEREAS, there has been presented before the City Council a Loan Agreement – Minnesota Investment Fund (the “Loan Agreement”), proposed to be entered into between the Authority and the Borrower, providing for the loan of the grant funds in the amount of \$450,000 to the Borrower (the “Loan”), which constitutes a “business subsidy” exceeding \$150,000 within the meaning of Minnesota Statutes, Section 116J.993 to 116J.995, as amended (the “Business Subsidy Act”); and

WHEREAS, a “business subsidy agreement” as required under the Business Subsidy Act is included as one section of the Loan Agreement, and on August 11, 2022, the Authority will conduct a duly noticed public hearing regarding the Loan and the business subsidy agreement; and

WHEREAS, the City finds and determines that the business subsidy to the Borrower is for a public purpose and is in the public interest because it will further the objectives of the Project, will facilitate the expansion of a successful business and the creation of new jobs in the City, and will increase the tax base.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Grand Rapids, Minnesota, that:

1. The City Council approves the business subsidy agreement contained within the Loan Agreement, subject to modifications that do not alter the substance of the transaction and that are approved by the President and Executive Director of the Authority, provided that execution of the documents by those officials shall be conclusive evidence of their approval.

Adopted by the City Council of the City of Grand Rapids, Minnesota this 8th day of August, 2022.

Mayor

ATTEST:

City Clerk