



# **Railway Crossing Assistance Grant & Loan Program Guidelines**

6/28/2021

## **Purpose:**

The New Kent County Railway Crossing Assistance Grant and Loan program is provided by the New Kent County Economic Development Authority to assist local businesses with the cost of railway crossing signage and pavement markings.

## **Eligibility Criteria:**

- Must have a railway that crosses a private driveway/road with an average annual daily traffic (AADT) volume of more than 100 trips.
- Business shall be locally or regionally owned (Corporately-owned national chains are not eligible). Not for Profit Corporations and entities are also eligible for the program.
- Must be up to date on local taxes and have a current New Kent County business license (if required).
- Operational since June 1, 2019.
- Applicant shall agree to accept all liability and responsibility for ongoing maintenance.

## **Grant Amount:**

Eligible applicant may receive up to a \$10,000 grant award, and up to a \$10,000 loan. The terms of the loan shall involve 60 monthly installments with 0% interest. A promissory note and performance agreement/waiver shall be executive prior to the issuance of funding.

**Eligible Uses:**

Funds will be used to purchase and install railway crossing signage and pavement markings.

**Process:**

- This is a one-time grant cycle with applications being accepted on Monday July 19, 2021 through 2 pm on Friday, August 13, 2021.
- The Economic Development Authority will select the award recipients and notify the County Administrator.
- A letter of acceptance will be sent to all award recipients with the following documents that must be completed and signed prior to the issuance of an award:
  1. Grant agreement/ Liability Waiver
  2. Promissory Note (if applicable)
- The County will provide applicant with a list of vendors for the improvements.
- The applicant will submit a quote/work order for the proposed work.
- The Economic Development Authority will review the proposed work and if approved will issue payment to the applicant.
- The applicant shall notify in writing the Economic Development Authority when the work has been completed.
- For loan awards the payment schedule will begin as stated in the promissory note.
- On-going maintenance of the crossing equipment will be the responsibility of the recipient.



# Railway Crossing Assistance Grant & Loan Program Guidelines

## Application Form

Date Submitted: \_\_\_\_\_

To be eligible to register your business for the Economic Development Authority's Railway Crossing Assistance Grant & Loan Program your business must operate in New Kent County, Virginia, be current on all taxes and fees, including but not limited to real estate taxes, tangible personal property taxes, meals tax, utility fees and all businesses shall have a valid business license, certificate of zoning and shall be in compliance with the reporting of business property with the Commissioner of Revenue to meet the eligibility criteria. Please read the entire document to gain a full understanding of the requirements prior to submitting an application. Should you have any questions please email them to rahathaway@newkent-va.us.

Business Name: \_\_\_\_\_

Contact Name & Title: \_\_\_\_\_

Business Inception Date: \_\_\_\_\_

Physical Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Is there a private railway crossing on the property? (Yes or No) \_\_\_\_\_

Is the average annual daily traffic count greater than 100 trips? (Yes or No) \_\_\_\_\_

Are you interested in a grant and loan or grant only? \_\_\_\_\_  
(Program offers up to a \$10,000 grant and up to a \$10,000 loan)

Does this business have a current New Kent County Business License? (Yes or No) \_\_\_\_\_

Is this business current on all real estate taxes? (Yes or No) \_\_\_\_\_

Is this business current on all tangible personal property taxes? (Yes or No) \_\_\_\_\_

Upon receipt of an application, the information provided on the application will be verified with the Treasurer, Commissioner of Revenue and the Zoning Administrator for New Kent County. In the event that a business is not in full compliance with any of the aforementioned offices/department the applicant will be notified in writing within two (2) business days of receipt of the application (unless an application is received within 2 business days of the end of the application period). It shall be the sole responsibility of the business owner or their agent to correct any noted discrepancies and then report back to the County Administrator with written confirmation of the corrective actions that were taken to resolve the issue.

### **Terms and Conditions**

1. The submission of an application for the Grant/Loan constitutes an unconditional agreement to, and acceptance of, these Terms and Conditions. The Applicant is responsible for ensuring his or her familiarity with the Terms and Conditions.
2. By submitting an application, the Applicant certifies that it is not under any agreement or restriction that prohibits or restricts its ability to disclose or submit the materials included in the application or otherwise to apply for the Grant.
3. Applicants acknowledge and agree that information (excluding proprietary financial and employee information) submitted by Applicants may be used in the promotion of the program and will be displayed on public webpage(s) showcasing selected businesses.
4. The Applicant acknowledges and agrees that the information provided herein may be subject to disclosure, including under the Virginia Freedom of Information Act, Va. Code §§ 2.2-3700, et seq.
5. The Applicant gives permission and waives the confidentiality of any confidential tax information concerning the Applicants tax payment status, licensing status and business revenue information, so that the New Kent County Department of Economic Development may verify the tax payment status, licensing status and business revenues of the Applicant.
6. The Applicant hereby acknowledges and certifies that the information and representations set forth by the Applicant in the application are true and accurate in all respects as of the date of the submission of the application. The Applicant acknowledges that the Economic Development Authority of New Kent County will make evaluations and grant and loan awards in reliance on the information provided by the Applicant, and that the information and representations set forth by the Applicant are material to the award of the Grant.
7. The Applicant hereby acknowledges that the New Kent County Economic Development Authority has established certain criteria for qualified Applicants and applications, and that Applicants and applications that do not satisfy the established criteria shall not be considered. The criteria for qualified Applicants and applications are set out within. Applicant acknowledges and agrees that the determination of whether an Applicant or application satisfies the criteria for qualified Applicants and applications is solely in the discretion of the New Kent County Economic Development Authority. The Applicant acknowledges that all grant and loan award decisions are final and are not subject to appeal.

8. The Applicant acknowledges and agrees that in the event the Applicant is awarded a Grant, the Applicant will use the Grant proceeds for the purposes described in the application.

9. The Applicant acknowledges that the information and representations in the application may be verified by New Kent County and/or the New Kent County Economic Development Authority. If an application contains inaccurate or incomplete information, or misrepresentations, the application may be rejected.

10. In consideration of the time, expertise and other resources provided by New Kent County and the New Kent County Economic Development Authority, the Applicant, to the full extent permitted by law, by submitting an application voluntarily releases New Kent County and the New Kent County Economic Development Authority from any and all claims, actions, damages, costs or liabilities of any kind relating to or arising from or in connection with the awarding, advertising, receipt, and/or use or misuse of any funding or participation in any related activities.

11. The Applicant covenants to save, defend, hold harmless and indemnify New Kent County and the New Kent County Economic Development Authority and all of its officers, departments, agencies, agent, and employees (Collectively the "County") from and against any and all claims, losses, damages, injuries, fines, penalties, costs (including court costs and attorney's fees, charges, liability, or exposure), however caused, resulting from, arising out of, or in any way connected with this application.

I certify that I have read and understand and am authorized to complete and submit this application on behalf of the Applicant and agree to the terms and conditions contained below. I verify that the statements contained herein are true, accurate and complete.

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Signature

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Date

**All applications must be delivered to the following address:**

**New Kent County Visitors and Commerce Center  
Attn: New Kent Economic Development Department  
7324 Vineyards Parkway, New Kent, VA 23124**

**Applications will be received beginning July 19, 2021 through 2:00 p.m. on  
Friday, August 13, 2021.**

**No exceptions to the acceptance period listed above will be made.**