



**Tourism and Occupancy Tax Coordination Committee
Warren County Tourism Department
AGENDA
July 29, 2021**

Committee Members: GERAGHTY, Merlino, Braymer, Wild, Hogan, Beaty, Strough

- I. Committee meeting called to order by Chairman Geraghty
 - II. Motion to approve minutes of July 20, 2021 Tourism and Occupancy Tax Coordination Committee Meeting.
 - III. Action Agenda/New Business Items: None
 - IV. Discussion Items:
 - a. Report on revenues by Treasurer, Mike Swan
 - b. Occupancy Tax Grant application: NY Ski Educational Foundation
 - c. Granicus Short-Term Rental Compliance
 - d. Draft – Evaluation Strategy, Grading Criteria and Scoring Sheet
 - e. Draft – Occupancy Tax Grant Application
 - V. Referrals/Pending Items:
 - a. County Attorney directed to prepare an updated municipal agreement and occupancy tax spending guidelines to be presented at the next Committee for review.
(06.22.21)
 - VI. Privilege of the floor and public comment
(Please allow for 15-second delay on live stream meetings).
 - VII. Motion to adjourn
-

SUMMARY – NY SKI FOUNDATION

REQUEST AMOUNT: \$15,000

REASON: Requesting funding in support of their 2021/22 ski racing season that runs from Dec. 21-March 2022. They typically race at Gore, Echo/Wild Air. Have been racing at Gore Mountain since 1984. The funding would be used to improve their racer/visitor experience by adding a live timing screen to provide seamless results, decreasing the need for volunteers, margins of error, and waste generated at events. It would create an immediate satisfaction for the racers, guests and visitors and enhance the events as a whole.

Currently have 28 events scheduled from Dec. 18 through March 27th. Athletes and families come from NY, NJ, New England and Canada.

This is the first time they are requesting funding from Warren County & have in the past, been previously funded \$7,000 in support of the warming chalet at the top of Burnt Ridge Quad Gore.

ECONOMIC IMPACT (followed over Gore, Belleayre and Whiteface):

- In the 2020-21 abridged COVID-affected season, NYSEF held 16 events, with 882 athletes, averaging close to \$270,000 in economic impact to the Gore region.
- NYSEF has a average TOTAL economic impact of at least \$7.7M per year – **Gore region = \$2.3M**
- Races total \$3.8 M (**Gore is 31% = \$1,178,000**)
- Out of town athletes & family spending on training weekends: \$986,000 (**Gore has a high percentage out of town athletes, accounting for 40% of NYSEF athletes for training weekends = \$395,000**)
- In addition, many NYSEF families have invested in 2'd homes, and bought a local hotel and restaurant.

MARKETING: NYSEF's marketing objectives are to increase brand awareness, engage and expand their community, showcase the NYSEF experience and cultivate the NYSEF culture to engage & expand the community while generating new leads and opportunities. Average reach: 15,000-20,000 annually

STRATEGY: Will primarily use social media marketing platform to build trust with high quality leads and provide compelling content regarding events, accomplishments of current athletes, alumni and stakeholders and increase athlete participation.

@NYSEFSNOWSPORTS, @NYSEFATGORE, @NYSEFSNOWSPORTS, @NYSEFALUMNIANDFRIENDS, #MOTIVATIONMONDAY, #TIPSTUESDAY, #WINTERTERMWEDNESDAY, #THROWBACKTHURSDAY, #FREERIDEFRIDAY, #SKINNYKISATURDAY, eblasts via Tapestry, TeamSnap, local and regional press.



MEMO

TO: OCCUPANCY TAX & TOURISM COMMITTEE

FROM: KRISTEN HANIFIN, TOURISM DEVELOPMENT AND EVENT COORDINATOR

RE: REVISIONS TO OCCUPANCY TAX APPLICATION AND SCORING CRITERIA

7/19/2021

Thank you all for submitting your suggestions over the last two weeks. Please note, some comments and suggestions were received after the 7/9 deadline and the **1.9 Draft Versions** have JUST been completed. I received excellent comments and suggestions to improve the final documents and have highlighted the major changes on both the Application and the Scoring Criteria. Please see the most notable changes below:

APPLICATION

1. Pg. 2 - Added a new Emergency Services form. This was done as a result of a suggestions to speak with County EMS to create a more streamlined communication approach to manage our events and ensure that all of our EMS (Police, Fire, EMT) were fully aware of major (and minor) events that would impact things like traffic flow, crowds, motorized events like motorcycle/car rallies, road races, etc. It will greatly improve overall county-wide public safety as a whole.
2. P.3 - This is a significant change in the schedule, as a result of several comments/suggestions received and this change will ensure not only a longer Committee evaluation review time period, but allow for more internal "investment value" Committee discussion, as well as provide more time to our event manager to better budget and plan their events with more lead time. Since we are so late in the summer season, winter events should/would have traditionally been awarded by now and those currently pending should be reviewed and awarded. New events for Oct-May should fill out the new forms, but follow an abridged time schedule this year so that they are submitted by Oct. 1, 2021 and awarded by Nov. 1, 2022 (these are for Oct 21 through May 2022 ONLY!). In 2022, these Off-Peak requests would revert back to a Round 2 timeline and moving forward, awarding funds 6 months in advance of the events should be the recommended timeline.
3. P. 5 – Per discussion with Legal, added new language for insurance requirements.
4. P. 7 – Per Legal, added new FOIL language which outlines that all applications are subject to FOIL, and we must ask if there are "trade secrets or proprietary information" up front in case it needs to be redacted. These also fall under the same as a competitive bid process rules and can be further explained by the County Attorney as to what is permissible to release under the Public Meetings Law and what is not.



5. P. 9 – language added per Legal to match contract language.
6. Pg 10 – added Appendix F
7. Pg. 13 – Modified “Eligible and Ineligible Criteria” expenditures after further discussion with Legal and what are considered “requirements” under contract by the County. This list reflects a fairer and more accurate listing of expenditures that should be permitted and not, under the Occupancy Tax legislative guidelines and contracts.
8. P. 16 – Wrote out the questions, per suggestions. Keeps the application more uniform and streamlined.
9. Pg. 19 – Added new Appendix F – Emergency Services request – (this was addressed in #1).

EVALUATION & SCORING

1. Section 1.3 – Scoring – new total score 100 not 165.
2. Edited under ECONOMIC IMPACT to have reviewers select an “OR” option for A-D, then an “AND” option E through H.
3. Updated SCORING sheet to reflect the above.

We greatly appreciate everyone’s comments and input, including those from the Tourism and Occupancy Tax Committee, Board of Supervisors, Tourism Department, County Administrator, Finance, EMS, Hospitality Committee, several local large and small event managers and other hospitality partners who provided us with great insights and collaboration. Thank you.

We hope that these documents will help streamline the process and create a stronger tourism development and investments strategy around our local events.



**Warren County Occupancy Tax
Grant Funding
(Special Events and Activities)**

Application 2021-22

To be completed by those requesting special event or activity funding

DRAFT



Thank you for applying for a Warren County Occupancy Tax Funding Grant. We look forward to partnering with your organization and working collaboratively to help drive tourism to our beautiful destination. We hope you find this information helpful and please feel free to reach out to us with any questions you may have or for additional guidance. Contained in this packet, please find the following:

1. Checklist
2. Application Rules and Guidelines
3. Application
4. Appendices –
 - a. Appendix A – Logo Usage Requirements & Agreement Form
 - b. Appendix B – Eligible and Ineligible uses of Occupancy Tax Funding
 - c. Appendix C – Economic Impact Visitor Survey – Visitor Questionnaire
 - d. Appendix D – Marketing/Advertising Plan Form
 - e. Appendix E – Event Budget Form
 - f. Appendix F – Emergency Services Form

To ensure that your application complies with all requirements, please review the application rules, eligibility, guidelines and deadlines carefully, complete all sections and submit supporting documentation, as requested. Please note that all applications are subject to FOIL (Freedom of Information Law) requirements.

Incomplete applications and those that do not include the supporting documentation will not be reviewed for consideration, regardless of previous awards.

APPLICATION CHECKLIST

- A COMPLETE, signed application which includes a brief one-page detail of your event
- A comprehensive budget which includes ALL sources of income and expenditures
- A comprehensive and detailed marketing plan
- IRS letter or documentation indicating 501-c-3 (non-profit) or 501-c-6 (not-for-profit) status (if applicable)
- A signed logo usage agreement

POST EVENT CHECKLIST (these will be required to receive grant reimbursement)

- A complete and properly executed County Voucher
- A one-two page Performance (post event) Report
- A complete budget indicating final expenditures from the event with all applicable receipts
- A final marketing plan with copies of all advertisements and promotions where Visit Lake George logo and name was used, applicable invoices, indicating marketing and promotional opportunities related to the event.

For any questions related to the occupancy tax application, requirements or process, please contact Kristen Hanifin, Tourism Development and Events Coordinator at 518-761-6369 or email hanifink@warrencountyny.gov

Rules and Guidelines

I. Background

Warren County currently collects a 4% occupancy tax on all overnight tourism accommodations in the County. This tax is levied on customers of hotels, motels, bed & breakfasts, inns, housekeeping cottages with four or more units and tourism facilities (i.e. campgrounds with onsite RV rentals) as well as short-term (STR) vacation rentals.

The purpose of this tax, as outlined by Occupancy Tax law under [Occupancy Tax Information and Forms](#) is to promote and increase tourism in Warren County and its municipalities “through the promotion of tourist activities, conventions, trade shows, special events and other directly related and supporting activities.”

II. Applicant Eligibility

Eligible applicants may be an individual, non-profit organization, or for-profit business requesting funding in support of a multi-day (more than one day) special event, sporting event, activity or tourism-related initiative which will produce a significant impact to overnight guest stays and visitations.

All non-profit applications are required to provide IRS 501-c-3, or 501-c-6 documentation indicating their non-profit status or not-for-profit status.

III. **Schedule**

ROUND 1 – Annual/Seasonal Awards

*Applications for events occurring June-September 2022 will be available **October 1, 2021***

*Applicant Q & A period: **October 4-22, 2021** (applicants can call 518-761-6369 or email hanifink@warrencountyny.gov with any questions about the application process)*

*Application due date: **October 27, 2021** (all applications **MUST** be received by 5pm COB. Late applications will not be accepted.)*

*Application committee review: **November 1-24, 2021***

*Applicant presentations (in person recommended, ZOOM option available) **Nov.29-Dec 3, 2021***

*Occupancy tax funding award **December 17, 2021 (TBD)** (for June-September 2022 – subject budget fund availability)*

ROUND 2 – “Off-Peak” Season Awards

*Application for Events occurring October through May will be available **December 3, 2021***

*Applicant Q & A period: **December 1-22, 2021** (applicants can call 518-761-6369 or email hanifink@warrencountyny.gov with any questions about the application process)*

*Application due date: **January 10, 2022** (all applications **MUST** be received by 5pm COB. Late applications will not be accepted.)*

*Application committee review: **January 14-February 4, 2022***

*Applicant presentations (in person recommended, ZOOM option available) **February 7-11, 2022***

*Final Awards **February 25, 2022** (for October 2021-May 2022 – subject to budget fund availability)*

**** (** the winter awards for November 2021-May 2022 will be awarded between August 2021 and October 2021 and will revert back to ROUND 2 schedule in 2022)**

IV. Rating Criteria and Evaluation

The Committee will consider the following when evaluating funding requests:

- The expected direct economic impact of the special event or activity on Warren County tourism.
- The impact of the special event or activity on the image and marketing of Warren County as a dynamic and unique destination, and potential for collaborative marketing opportunities.
- The prior success and managerial track record of the special event or activity.
- The completeness of the application information (including all reporting on prior year results for those who received county and local funding in previous years).
- The degree to which the special event or activity is supported by other community partners. Applications should reflect financial support from other local partners, as occupancy tax grants should not be the sole source of funding support for any special event or activity.
- The degree to which the special event or activity is likely to draw diverse overnight visitors to Warren County.
- The impact of the special event or activity will have on the quality of life of the region, including charitable partnership opportunities and philanthropic attributes.

V. Application Rules, Grant and Award Guidelines

Warren County Occupancy Tax Grant Funding requests are reimbursable only. If funding is requested prior to the special event or activity, grants will be evaluated/awarded by the Tourism/Occupancy Tax committee and may permit a portion of the expenditures to be dispersed with appropriate documentation. Funding is selective and based on the application your organization submits. Funding grant recipients are subject to county audit to ensure compliance of expenditures.

1. This application must be completed in its entirety in order for the special event or activity to be considered for funding. If any portion of the application is incomplete, it will not be reviewed or considered.
2. The applicant(s) must present reasonable evidence that the special event or activity will increase overnight visitations in Warren County and that the increase is consistent with the level of funding requested.
3. All applications MUST include a comprehensive budget (**APPENDIX E**) outlining event and marketing expenditures, revenue expected, detailed marketing plan (**APPENDIX D**), and IRS 501-c-3 or 501-c-6 designation (if applicable). Previously county-funded events must include past year's event "post-event report," history of local hotel usage, geographic data of attendees, (where attendees stayed, how many room nights used) broken down by property name, and total number of rooms attributed to the event.
4. All expenditures must adhere to the ELIGIBLE AND INELIGIBLE USES OF OCCUPANCY TAX FUNDING Guidelines as outlined in **Appendix B**. *If your special event or activity received occupancy tax funding in the current/prior year and your request is for an amount larger than that award amount, please explain specifically in your description, how the requested increase will result in positive economic impact to Warren County.*

VI. Funding Award Requirements

To be within occupancy tax grant guideline compliance, the County requires the following:

Event organizers are encouraged to keep track of overnight stays that are directly attributed to their event and work in collaboration with local hospitality partners to gather this data. This information will be required for the post-event report,



including determining what percentage of attendees were overnight and which visited beyond a 75-mile radius. Event managers may use the attached *Visitor Survey (Appendix C)* or a survey of their own to gather this quantitative data, including zip codes.

Active marketing campaigns for events are recommended to begin no less than 90 days prior to the event.

Warren County Tourism's website (www.visitlakegeorge.com) and logo **must** be listed on event websites, printed materials and on all social media, online, or television advertising to the event or activity receiving funding. Tag us on Facebook @thelakegeorgearea and on Instagram and Twitter @lakegeorgearea, #MYLGArea throughout the marketing campaign. Hyperlink your online advertising to the URL www.visitlakegeorge.com. Please be sure to adhere to all *Logo Usage Requirements (Appendix A)* and contact Warren County Tourism for specific questions or details.

Radio/television advertisements, (60 seconds or more), must recognize Warren County as an event sponsor and should be verbally recognized in advertisements "*brought to you in partnership by Warren County and Visit Lake George Area.*"

If awarded, recipients must acknowledge funding support and partnership from Warren County and are highly encouraged to extend invitation and include Warren County in future press/media events related to the event/activity supported.

All events producing programs, directories, magazines or publications used for the event must provide Warren County Tourism with one (1) full page of free advertising in the event publication and must provide required specifications within 60 days of special event or activity, or sooner for production.

If awarded, the recipient is **required to primarily target outside of Warren County** to encourage overnight visitations through their promotions.

If awarded, the recipient shall coordinate the issuance of all licenses and permits required and ensure that all applicable licenses and permits and insurance certificates have been issued and acquired and shall further ensure that all licensees or permittees have obtained required insurance coverage and submitted proof of such coverage at least ninety (90) days prior to the event. The recipient shall have the obligation of compliance with Federal, State and Local Laws in connection with the special event or activity occurring in connection therewith.

If awarded, the recipient must provide the County with the following to receive funding and reimbursement:

- a. A General Liability Insurance certificate naming the County as an additional insured (90) ninety days before the contract date. **Additional insurance will be required for aircraft liability and will be determined by County Attorney's office.** The wording on the certificate should read as follows:

"Warren County, its Board, Officers and Employees are named as additional insured on a primary, non-contributory basis."

- b. The recipient agrees, shall provide and maintain, or cause to be provided and maintained, a comprehensive general liability event insurance naming the county as additional insured in the amount of not less **than One Million Dollars (\$1,000,000) per occurrence (\$2,000,000 aggregate)** for personal injury, death, or property damage arising out of the event or event activities or event organizer acts or omissions. This is the minimum standard requirement and is subject to determination by County Attorney.



- c. The recipient shall further require all participating organizations, clubs, and other entities to likewise provide insurance coverage naming the event organizer and the county as additional insured. **The amount of coverage will be determined by each event on a case by case basis by the County Attorney.**
- d. Concessions selling alcoholic beverages shall provide an insurance policy specifically including coverage for liquor law liability in an amount of not less than **One Million Dollars (\$1,000,000)**. This is the minimum standard requirement and is subject to determination by County Attorney. Said certificate of insurance for liquor law liability shall be required only in the event that liquor is to be sold or otherwise dispensed during the event. Certificates and/or other evidence of such insurance, as may be required by the county, shall be delivered to the County Attorney's Office ninety (90) days prior to the commencement of the event, except that certificates and/or other evidence of insurance for third-party vendors or concession shall be delivered to the County Attorney three (3) days prior to the commencement of the event. All insurance policies issued hereunder that name the county as an additional insured under such policy must be an insurance policy from an A.M. Best rated secured New York State licensed insurer, and contain not less than a ten (10) day notice of cancellation clause.
- e. The recipient shall secure Workers Compensation insurance and Disability insurance for the benefit of such employees engaged under the event as are by law required to be insured by the event organizer under the provisions of the Workers' Compensation Law and New York State Disability Law. Proof of Workers Compensation and Disability insurance shall be in the form(s) approved by the Workers' Compensation Board. The event organizer is to provide the county, upon request and prior to the event commencing, with Certificates of Insurance evidencing that the above requirements have been met. In addition to the foregoing, the county may, at any time, request a copy of the insurance policies providing the coverage required herein and the SPONSOR shall, within ten (10) days, furnish copies of said policies
- f. Warren County reserves the right to conduct a full audit on all occupancy tax grant recipients to ensure compliance with all Occupancy Tax Grant Funding policies, procedures and regulations.

VII. Post Event Performance Report (these are requirements for award reimbursement)

Within 60 days of the final day of the event/activity supported, organizers are required to provide the following information for reimbursement:

1. A complete and properly executed County Voucher.
2. A one-two page summary detailing the success of the special event/activity, number of attendees, number of room nights, hotels used and future plans/dates for next year's event, including quantitative results. Event manager must use reasonable efforts to collect zip codes/track geographic, demographic data of attendees.
3. Receipts for all event-related bills (please note, these must fall under the ELIGIBLE USES OF OCCUPANCY TAX guidelines, as outlined in **Appendix B**. **INELIGIBLE USES will not** be reimbursed.
4. Summary of Visitors' Surveys conducted at the event/activity and one-page report summarizing details of surveys.
5. Final budget indicating all expenditures and revenues (**APPENDIX E – updated by applicant**).

Final marketing plan with back-up documentation such as copies of ads, screenshots of social media/website, invoices, insertion orders or other proof indicating marketing and promotional opportunities associated with the event. (**APPENDIX D – updated by applicant**).



APPLICATION FORM

INSTRUCTIONS: Please complete the ENTIRE application and include **ALL items on the page two check list**. Incomplete applications, areas left blank and applications that do not submit all required materials will be considered incomplete and **WILL NOT be reviewed or awarded**. All event budget, financial and marketing information will be used solely for application evaluation purposes by the Occupancy Tax and Tourism Committee and are subject to **Freedom of Information Law (Public Officers Law, Article 6) (FOIL)** requests. If you are submitting information which is considered proprietary "trade secrets" and is confidential to your organization, please indicate such on your application and indicate which sections should be redacted. Should the County receive a FOIL request for this information, we will contact the applicant regarding this matter.

Amount of Occupancy Tax Funding Requested: \$ _____

A. CONTACT INFORMATION

- 1.) Name of Applicant(s)/Organizer(s)/ Main Point of Contact _____
- 2.) Address: _____
- 3.) Email/Cell phone: _____
- 4.) Estimated Event Duration (including set-up/clean up times): _____
- 5.) Anticipated Number of Attendees _____
- 6.) Anticipated Number of employees/staff (inclusive of vendors and contractors): _____

B. EVENT INFORMATION

- 1.) Name of Event: _____
- 2.) Date & Time of Event: _____
 Peak Season (June-September) Off-Peak (October-May)
- 3.) Location of Event: _____
- 4.) Which category BEST describes your event (check one):
 High Impact: 6,000-14,999 estimated room nights and/or 15,000+ day visitors
 Medium Impact: 1000-5,999 estimated room nights and/or 5,000+ day visitors
 Low Impact: < 1000 estimated room nights and/or 2,500 +/- day visitors

5.) **Event Detail:** Please provide a brief one page detail of your event. (If this request is for an annual event and you have received Occupancy Tax grant funding in the past, please also provide history details from the previous year's event including total attendance, total room nights, any new initiatives that were used to increase visibility or attendance, including new marketing initiatives. If this application is for a new event, please include one page detail of the event, anticipated attendance and past history in other locations, including successes, if applicable.) Please feel free to attach a separate page, if you require more space.



3.) Does this event provide an opportunity for local discounted community tickets? YES, Price of tickets: \$ _____ NO

4.) Total Cost to be borne by the organizer for the event: \$ _____

5.) Total amount that the organizer has calculated that needs to be raised to fund/support the event that is currently not available or expected to be available is \$ _____

6) Budget (see Appendix E)

Anticipated Total Cost of the Event (attach COMPLETE budget showing anticipated expenditures and revenue. Please highlight the expenditure breakdown for which you are seeking funding. *Failure to provide a complete budget will result in the application being disqualified.* \$ _____

7.) Anticipated total revenue from the event: \$ _____

8.) Clearly identify the special event/activity objectives. (i.e.: *the purpose of this event is to create a unique car show which will attract car aficionados from across the Northeast. The purpose of this activity is to create a stronger cultural asset in the region.*) Attach additional pages if necessary

9.) Previously funded by Warren County Occupancy Tax? YES (amount & # of years): \$ _____ # of yrs. _____
 NO

10.) What other non-municipal sources of funding/sponsorships do you anticipate to fund/operate the event/activity?

11.) Previously funded by other local municipalities: YES (amount & # of years): \$ _____ #of yrs _____

Municipality? _____
 NO

12.) If the event receives Warren County Occupancy tax funding, is it willing to consider profit-sharing, and if yes at what threshold and what percentage point? _____

13.) Will the proceeds from the event benefit any other organization or does the event provide an opportunity to support a local charitable organization or group? YES (what %/\$ amount) _____ NO

14.) Please describe community benefit opportunity if answered YES to the previous question:



D. EVENT MARKETING & PROMOTION

1) Marketing Plan (See Appendix D)

Please attach a complete marketing plan and timeline for execution/campaigns to promote your event. Provide details such as how you plan to market your event (print, radio, social media, TV, public relations), where you will place your promotions and advertisements, and what types (posters, flyers, postcards, etc.). Please also include anticipated costs. **Failure to provide a complete marketing plan/timeline will result in the application being disqualified**

2.) When do you anticipate beginning promotion of your event? (pls note that all events awarded funding are highly encouraged to begin promotion of event no less than 90 days prior to event) _____

3.) What percentage of your marketing budget is being allocated to outside of Warren County? _____

4.) What geographic areas do you anticipate your marketing reaching (specify local, regional, state, national?)

5.) Who is your target audience and/or demographic?

6.) **PERMITS AND LICENSES** – please note that in certain cases and with county/municipal- owned properties, certain licenses and permits will be required.

7.) Do you need assistance with the permitting/licensing process? YES NO

8.) What permits and licenses are anticipated for your event? (if unsure, please email hanifink@warrencountyny.gov for further clarification)

9.) **SAFETY AND LAW ENFORCEMENT NEEDS (police, fire, EMT, Public Health, DPW, Office of Emergency Services). Please fill out Appendix F.**

Do you require these services? YES, if yes, what services and when? Explain. NO

10.) Have you consulted with the appropriate local agencies regarding the public safety impacts of your event? YES NO



AFFIRMATION

I have read the "Warren County Rules and Guidelines," agree to abide by them and attest that all information provided in the Warren County Funding Application is truthful and accurate.

Signature of Responsible Party

Date

Name

Title

Organization

DRAFT



APPENDIX A

LOGO USAGE REQUIREMENTS & LOGO USAGE AGREEMENT

The Warren County Tourism Logo must appear prominently in all advertising and publicity (both written and/or electronic) in order to receive Special Event Marketing Funding.



LOGO APPLICATION/PRINTING INSTRUCTIONS:

- **PRINT/WEB PLACEMENT:** Logo must be separated from other elements by a minimum of .25 inches. The logo must be easy to read by viewer.
- **ONE-COLOR PRINTING:** The entire logo prints 100% black with no screens. Alternatively, the logo may print reversed (knocked out) of any background color to white. No other colors allowed.
- **FOUR-COLOR PRINTING:**

Logo prints 100% with no screens. No color changes allowed.

Please contact Peter Girard at Girardp@warrencountyny.gov for specific logo files or for any placement questions.

AFFIRMATION

I, _____, as representative for _____ (organization), agree, that I will adhere to all logo guidelines, as designated by Warren County.

Signature

Date

APPENDIX B

ELIGIBLE AND INELIGIBLE USES OF OCCUPANCY TAX FUNDING FOR COUNTY WIDE EVENTS **

ELIGIBLE USES OF EXPENDITURES

- Paid advertisements: print, radio, television and Internet advertisements, email campaigns, social media campaigns promoting events, attractions, activities, packages, conventions, sporting events, tradeshow, encouraging overnight stays
- Outdoor signage/banners/billboards
- Posters/flyers/brochures
- Design, production and placement of out-of-county advertising
- Fireworks displays
- Event-related postage for direct mail campaigns
- Rental or fee of traveling/special exhibits
- Promotional items promoting the event
- Re-enactors, musicians, entertainers, umpires for games
- Maps, free guides tours of regional area, bicycle routes, snowmobile trails
- Hosting/bid fees
- Venue rental, EXCLUDING any and all county/municipal-owned properties
- Event-related rentals & expenditures (tents, chairs, tables, etc.)
- Portable toilets/handwashing stations/public health-related expenses
- Promotional videography, photography promoting the event
- Signage/advertising on trolley/bus promoting the event
- Advertising in trade journals
- Paid brochure distribution
- Production of promotional materials
- Hanging banner ads
- Public relations to promote event
- Insurance
- Event security/emergency Services
- Event-specific website design/development/updates
- Event-specific directional signage
- Event-specific logo design
- Event-specific external marketing services

INELIGIBLE USES OF EXPENDITURES

- Payroll/salaries
- Staff hotel/meals
- Staff travel expenditures
- Alcohol
- Staff mileage
- Annual operating, administrative, and maintenance costs
- Awards to participants
- Capital programs
- Set up/clean-up of event
- Volunteer stipends

**** Please note: This is not an all-inclusive list and expenditure approval is at the discretion of the Warren County Tourism and Occupancy Tax Committee, Legal and County Auditor.**



APPENDIX C
ECONOMIC IMPACT VISITOR SURVEY - Visitor Questionnaire

EVENT NAME: _____ EVENT DATE: _____

What is your zip code? _____

What was the PRIMARY reason for your trip to the Lake George Area?

- Special Event _____
 Vacation/Leisure
 Visit friends/relatives
 Business/Convention
 Sporting Event
 Other: _____

How did you travel to the Lake George Area?

- Car
 Bus tour/group
 Other: _____

How many nights did you stay in the Lake George Area? _____ Nights _____ Day Trip Only

Where are you staying while in the Lake George Area?

- Hotel/Motel
 Vacation Rental/Condo (STR)
 With Friends/relatives
 Bed & Breakfast
 Campground
 Other: _____

Name of Accommodation (if willing to provide)? _____

In addition to this event, what other activities did you participate in while in the Lake George Area?

- Shopping
 Dining
 Outdoor Recreation (hiking, biking, rafting, etc.)
 Beach
 Cultural & Arts
 Evening Activities (fireworks, etc.)
 Other: _____

Is this your first time coming to the Lake George Area? Yes, would you return? _____ No

How did you hear about the Lake George Area ?

- Event promotion/advertisement
 Friends/family
 VisitLakeGeorge.com
 Radio
 Hotel/motel/campground staff
 Other _____
 Lake George Area newsletter, Lake George Area social media, (website bullet above)

Thank you for participating in our survey!!!



APPENDIX D

MARKETING/ADVERTISING PLAN FORM *(required)*

Event Name: _____

Event Date (and rain date if any): _____

Event Type: _____

Special Comments: _____

Please fill in this form in detail with Estimates and submit at time of application. An updated and detailed Marketing plan form will be **REQUIRED** after the event as part of the **Post Event Final Report**. If you use your own spreadsheet, please follow the format below and answer all questions.

	<u>Estimated</u>	<u>Actual</u>
Print Ads	\$ _____	\$ _____ Newspaper (indicate which) _____
	\$ _____	\$ _____ Magazine (indicate which) _____
	\$ _____	\$ _____ Brochure (indicate distribution) _____
	\$ _____	\$ _____ Direct Mailer (indicate distribution) _____
	\$ _____	\$ _____ Other print advertising: _____
Digital Ads	\$ _____	\$ _____ Google Display/Search Engine Marketing
	\$ _____	\$ _____ Facebook
	\$ _____	\$ _____ Instagram
	\$ _____	\$ _____ Other social media _____
	\$ _____	\$ _____ Purchased email lists
	\$ _____	\$ _____ Other digital advertising _____
Billboards/Outdoor Advertising		
	\$ _____	\$ _____ Billboard/banner
	\$ _____	\$ _____ Poster
	\$ _____	\$ _____ Other Outdoor Advertising
Other Advertising Expenses		
	\$ _____	\$ _____ Radio, TV (indicate stations)
	\$ _____	\$ _____ Creative Design
	\$ _____	\$ _____ Other advertising expenses
TOTAL EVENT MARKETING/ADVERTISING EXPENSES	\$ _____ (estimated)	\$ _____ (actual)



- 1) When will your event marketing campaign begin/end? _____
- 2.) How do you plan to promote your event? What print, electronic and social media do you plan to use and how?

- 3) Where are you targeting your event marketing geographically? Where are your target audiences? (for example, do you plan to market your event to the Capital Region, New England, etc)

- 4) Who is the primary audience you are trying to attract with your event (i.e. families, auto enthusiasts, food/wine enthusiasts, cultural travelers, etc)

- 5) What opportunities do you foresee with your event to collaborate your marketing efforts with Warren County Tourism to help promote your event (i.e. joint press events, cross marketing on social media, etc).



APPENDIX F

Warren County Emergency Services Event Request

Welcome to the Lake George Area. We are thrilled you have selected our area for your event and would like to work collaboratively with you to ensure that your event is the safest it can be for you and your attendees. Please take a few moments to fill out the form below so that we may coordinate with you for any emergency services needs you may have. If you have specific questions regarding the safety of your event or emergency services options, please email EventsEMS@warrencountyny.gov

Name of Event: _____

Dates of Event: _____

Number of attendees expected (Adult/youth): _____

Host Municipality/Location: _____

Brief Description/nature of the event (type, motorized, non-motorized, specific location):

Main Organization Point of Contact:

Name: _____

Organization: _____

Phone: _____

Email: _____

What emergency services do you require (police, fire, EMT, emergency services, road closures, police details, etc.)?



Warren County Occupancy Tax Grant Funding

(Special Events or activities)

Evaluation Strategy, Grading Criteria and Scoring Sheet

For use by Tourism and Occupancy Tax Coordination Committee and Tourism Department Staff

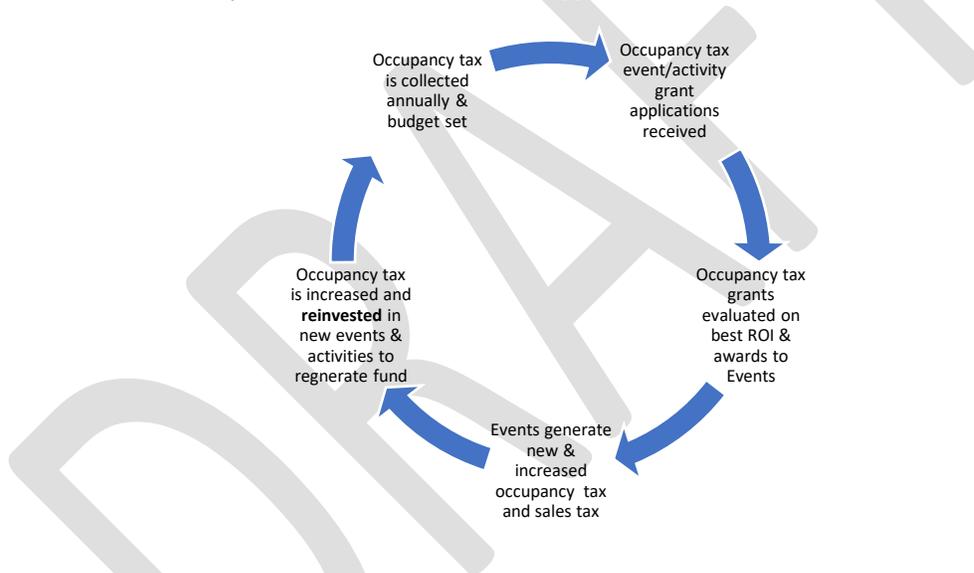
What is Occupancy Tax?

Occupancy tax is a 4% tax collected on all Warren County room rentals of hotels, motels, bed & breakfasts, inns, housekeeping cottages of 4 or more units, tourism facilities (i.e.: campgrounds with onsite RV rentals), as well as Short Term Rentals (STR R367 of 2018, Section 1).

A portion of the Occupancy tax collected in Warren County is appropriated for a grant program to support the region's special events, activities, organizations and tourism assets "through the promotion of tourist activities, conventions, trade shows, special events, and other directly related and supporting activities" as stated in Local Law No. 6 of 2015. (see Occupancy Tax law under Occupancy Tax Information and Forms at <http://warrencountyny.gov/treasurer>).

Historically, Warren County has sought to award grant funding to special events, non-profit groups, local attractions, organizations and tourism assets that demonstrated a significant potential to proactively increase tourism, visitations and overnight stays in the Lake George Area.

Grant allocations and funding decisions shall be viewed as "**investments**" which will pro-actively regenerate future occupancy tax collections, increasing revenue year after year to create a self-funding mechanism, consistently re-investing in itself and creating ROI "return on investment.". Programs, activities and events that can clearly demonstrate their value and benefit to the area shall be prioritized and supported at the county and municipal levels, where appropriate.



1.1 STRATEGY

With Occupancy Tax historically generating \$4- 4.9M annually in revenue and continued demand increasing year-to-year, the goal is to create a comprehensive strategy which will align and complement the overall tourism growth goals and objectives of Warren County by incorporating the following objectives: Driving overnight visitors, bolstering amenities that support visitation, increasing regional visibility, fostering strong community/hospitality and business partnerships, enhancing the local quality of life, increasing regional employment opportunities and developing a "self-funding" mechanism which will continually regenerate occupancy tax year over year. Three tenets are implemented under this strategy:

1. **Transparency of process** – Utilize a clear communication strategy for the award application process and produce a streamlined and equitable evaluation/decision-making process. Award funding allocations based on value (financial and in-kind), merit, regional economic benefits and opportunity for future occupancy tax growth.
2. **Accountability of investments** – Mandate that all applicants receiving funding provide a complete application, which will include: description of funding usage will ensure compliance with overall strategy and eligible expenditures, comprehensive



budgets for anticipated expenditures, complete marketing plans/timelines, detailed description of events/activities or programs and overall impact to the region economically, as well as added community, promotional/marketing benefits. Do not accept or review incomplete applications. Applicants may be invited to present their application formally in-person/virtually to the Tourism and Occupancy Tax Coordination Committee and answer Q & A.

3. **Evaluation of return on investment** – Mandate all occupancy tax awardees provide “post-event performance reports” within 60 days of the events to determine overall regional impact and ensure funding requests meet appropriate eligible and ineligible criteria. All occupancy tax recipients are subject to county audit. Post event performance reports shall include a one-page evaluation of the event, growth year-to-year (if annual event), final budget, final marketing plan/analysis, marketing reach/demographics, properties used in the region, number of room nights, zip code analysis of attendees, total number of attendees, locations where Lake George Area brand was used, displayed and/or mentioned and provide examples of funding support that helped expand the visibility and visitations of the Lake George Area.

To determine application and event/activity value, a comprehensive set of criteria has been developed to extensively evaluate the future “investment” of occupancy tax funding in events, activities and programs and require more accountability for funds expended. If the ultimate goal is to increase the occupancy tax fund year after year, ensuring that the investments are sound and vetted, this strategy will guarantee a stronger return on investment.

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1.2 APPLICATION EVALUATION CRITERIA

- The completeness of the application information (including all reporting on prior year results for those who received county and local funding in prior years).
 - The expected direct economic impact of the special events or activities on Warren County. The degree to which the special events or activities are likely to draw diverse overnight visitors to Warren County.
 - The impact of special events or activities on the image and marketing of Warren County as a dynamic and unique destination and potential for collaborative marketing opportunities.
 - The prior success and managerial track record of special events or activities.
 - The degree to which the special events, activities, organizations are supported by other community partners. Applications should reflect financial support from other local partners, as occupancy tax grants should not and cannot be the sole source of funding for any special events or activities.
 - The impact special events or activities will have on the quality of life of the region, including charitable partnership opportunities and philanthropic attributes.
1. **ECONOMIC IMPACT** – is this “investment” one which will generate future occupancy tax funding through the increase of overnight guests and increase sales tax revenue
 - a. High Impact vs Low Impact event: Does the event or activity draw a significant number of overnight guests and/or day trippers?
 - b. “Peak vs. Off Peak Season”– Given the seasonality of the Lake George Area and the desire to increase overnight guests and visitors year-round, heavier weights should be considered for organizers who produce events in the “off peak” season” October to May, with heavier emphasis on winter months (Dec-March) and who clearly demonstrate a significant return on investment.
 - c. Can the visitor/attendee numbers be quantified and if so, how is this demonstrated? Does the organizer indicate how they will collect the data (attendees, room nights, zip codes, properties used, survey?)
 - d. Are the expenditures within the guidelines for permissible expenses?
 - e. Is the event for profit or non-profit?
 2. **SOUNDNESS & FISCAL STABILITY OF THE EVENT** – does the budget submitted by the applicant provide clear delineations of expenses and revenues to support the event? How reliant is it on public versus private funding?
 - a. Does the event or activity also receive additional funding support from other municipalities and how much?
 - b. Does the event or activity actively seek community partnerships/sponsorships to provide financial support and what percentage?
 - c. Does the event or activity charge a fee and what percentage of that revenue is re-invested into the event year over year?
 - d. If it is an annual event or activity, has it added new components or marketing year over year to attract new visitors?
 - e. Does the event or activity demonstrate an effort to collaborate with the local businesses and hospitality partners (packages, incentives, deals, etc.)?
 - f. Is the event or activity a “good fit” for the community? Can it offer additional community or philanthropic benefits such as a fundraiser for a local charity, skills clinics to local residents, food drive for regional food bank, etc.?
 - g. Does the event or activity create a “domino economic effect” benefit to the community at large?
 3. **EVENT MARKETING** – does the marketing plan submitted by the applicant clearly outline defined strategies and opportunities for attracting overnight visitors and visitors from out of county and is the plan well thought out and comprehensive?
 - a. Does the marketing of the event or activity offer opportunities to align with current Warren County tourism marketing initiatives or does it provide a significant benefit by expanding the reach beyond the current county promotions?
 - b. Do the promotions clearly target overnight visitors?

- c. Does the event or activity provide co-marketing opportunities with Warren County tourism to increase brand awareness in unique ways through guerilla marketing tactics, brand activations or other opportunities?
- d. Does the event or activity add PR value and enhanced visibility to the region?
- e. Is the event or activity a "signature event" (annual/large scale/established/well attended and known) and does it provide opportunities for Warren County to co-brand?

1.3 SCORING

To assess the true impact and value of the event/activity requesting county funding support, the following criteria will be evaluated against the Occupancy tax funding applications. **MAX TOTAL POINTS: 100**

1. Completeness and comprehensiveness of application submissions. *Incomplete applications WILL NOT be reviewed or accepted.*
2. **ECONOMIC IMPACT:** Commitment to the overall economic impact of tourism development in Warren County. *Is this "investment" one which will regenerate future occupancy tax through increased overnight guests and increase sales tax? Does the event occur in peak or off-peak season? Is it an annual or multi-day event? (35 points)*

(Pick and/or options from to identify which kind of event this is)

- a. "Signature Event" (annual/large scale/established/well attended and known): 15,000+ estimated room nights and/20,000+ day visitors **(20 points); or**
 - b. High Impact Visitors: 6,000-14,999 estimated room nights and/or 15,000+ day visitors **(15 points); or**
 - c. Medium Impact Visitors: 1000-5,999 estimated room nights and/or 5,000+ day visitors **(10 points); or**
 - d. Low Impact Visitors: < 1000 estimated room nights and/or 2,500 +/- day visitors **(5 points)**
 - e. Is the event in a "non-peak" season (Oct-May)? **(5 points)**
 - f. Event demonstrates how it will quantify total number of attendees and overnight guests **(5 points)**
 - g. Is the event an multiple day event? **(3 points)**
 - h. Is the event non-profit? **(2 points)**
3. **SOUNDNESS & FISCAL STABILITY OF THE EVENT** – The applicant provided a comprehensive and detailed budget outlining all expenditures and income, has a clear event objective and identifies all external sources of income. **(MAX 35 points)**
 - a. Specific income/expenditures clearly identified on budget, including estimates **(10 points)**
 - b. No clear budget provided or detailed **(0 points)**
 - c. Requesting funding from other municipalities **(0 points)**
 - d. Receiving funding from community partners/sponsors **(5 points)**
 - e. Annual event with clear demonstration of adding new components to attract new visitors **(5 points)**
 - f. Event identifies opportunities for local hospitality partnerships (i.e.: hotel packages, incentives, "dine-around") **(5 points)**
 - g. Event provides philanthropic/community-oriented component (fundraiser for local charity, skills clinics for local residents, donations collected for regional food bank, etc.) **(5 points)**
 - h. Does the event allow for profit sharing? **(5 points)**
 4. **EVENT MARKETING** – The applicant provided a comprehensive marketing plan which outlines strategies and opportunities for attracting visitors from out of county and over 75-miles. Marketing plan is thorough and detailed, and outlines opportunities to reach new audiences, align with Warren County Tourism marketing initiatives and expand area reach and visibility. **(MAX 30 points)**
 - a. Provided clear, well defined marketing plan with clear strategies to reach and engage overnight visitors through all promotions **(10 points)**
 - b. No clear marketing/promotional plan provided **(0 points)**
 - c. Demonstrates marketing reach beyond Warren County **(5 points)**



- d. Demonstrates opportunities to expand/align event marketing reach above and beyond current county tourism initiatives to reach new audiences and visitors through brand activations, guerilla marketing or other means **(10 points)**
- e. Provides co-branding opportunities to increase regional visibility to new audiences **(5 points)**

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OCCUPANCY TAX APPLICATION SCORING SHEET

MAX TOTAL POINTS: 100

Please review criteria and apply weights to applicable criteria & points.

Do not add points if the application criteria does not apply. Use max points if meets/exceeds expectations. Use lower points than max if less than meets criteria. The final total score will be collectively decided by the Occupancy Tax Committee.

Please total each of the 3 sections and final total at the end.

1. Completeness and comprehensiveness of application. ALL APPLICATIONS MUST BE COMPLETE OR NOT ACCEPTED

2. **ECONOMIC IMPACT:** Commitment to the overall economic impact of tourism development in Warren County.

Is the event a:

“Signature Event” (annual/large scale/established/well attended and known): 15,000+ estimated room nights and/20,000+ day visitors _____ (max. 20pts); **or**

High Impact Visitors: 6,000-14,999 estimated room nights and/or 15,000+ day visitors _____ (max 15pts); **or**

Medium Impact Visitors: 1000-5,999 estimated room nights and/or 5,000+ day visitors _____ (max 10pts); **or**

Low Impact Visitors: < 1000 estimated room nights and/or 2,500 +/- day visitors _____ (max 5pts)

Is the event in a “non-peak” season (Oct-May)? _____ (max 5pts)

Event demonstrates how it will quantify total number of attendees and overnight guests _____ (max 5 points)

Is the event an annual/multi day event? _____ (max 3 points)

Is the event non-profit? _____ (max 2 points)

_____ (35 MAX)

3. **SOUNDNESS & FISCAL STABILITY OF THE EVENT** – The applicant provided a comprehensive and detailed budget outlining all expenditures and income, has a clear event objective and identifies all external sources of income

Did the applicant provide:

Specific income/expenditures clearly identified on budget, including estimates _____ (max 10 points)

No clear budget provided or detailed _____ (max 0 points)

Requesting Funding from other municipalities or ticket sales _____ (max 0 points)

Receiving funding from community partners/sponsors _____ (max 5 points)

Annual event with clear demonstration of adding new components to attract new visitors _____ (max 5 points)

Event identifies opportunities for local hospitality partnerships (i.e.: hotel packages, incentives, “dine-around”) _____ (max 5 points)

Event provides philanthropic/community-oriented component (fundraiser for local charity, skills clinics for local residents, donations collected for regional food bank, etc.) _____ (max 5 points)

Profit-sharing opportunities _____ (max 5 points)

_____ (35 MAX)



4. **EVENT MARKETING** – The applicant provided a comprehensive marketing plan which outlines strategies and opportunities for attracting visitors from out-of-county and over 75-miles and clearly identifies opportunities to reach new audiences, align with Warren County Tourism marketing initiatives and expand area reach and visibility.

Did the applicant:

Provide a clear, well defined marketing plan with clear strategies to reach and engage overnight visitors through all promotions _____ (max 10 points)

No clear marketing/promotional plan provided _____ (max 0 points)

Outline clear marketing and promotional strategies _____ (max 5 points)

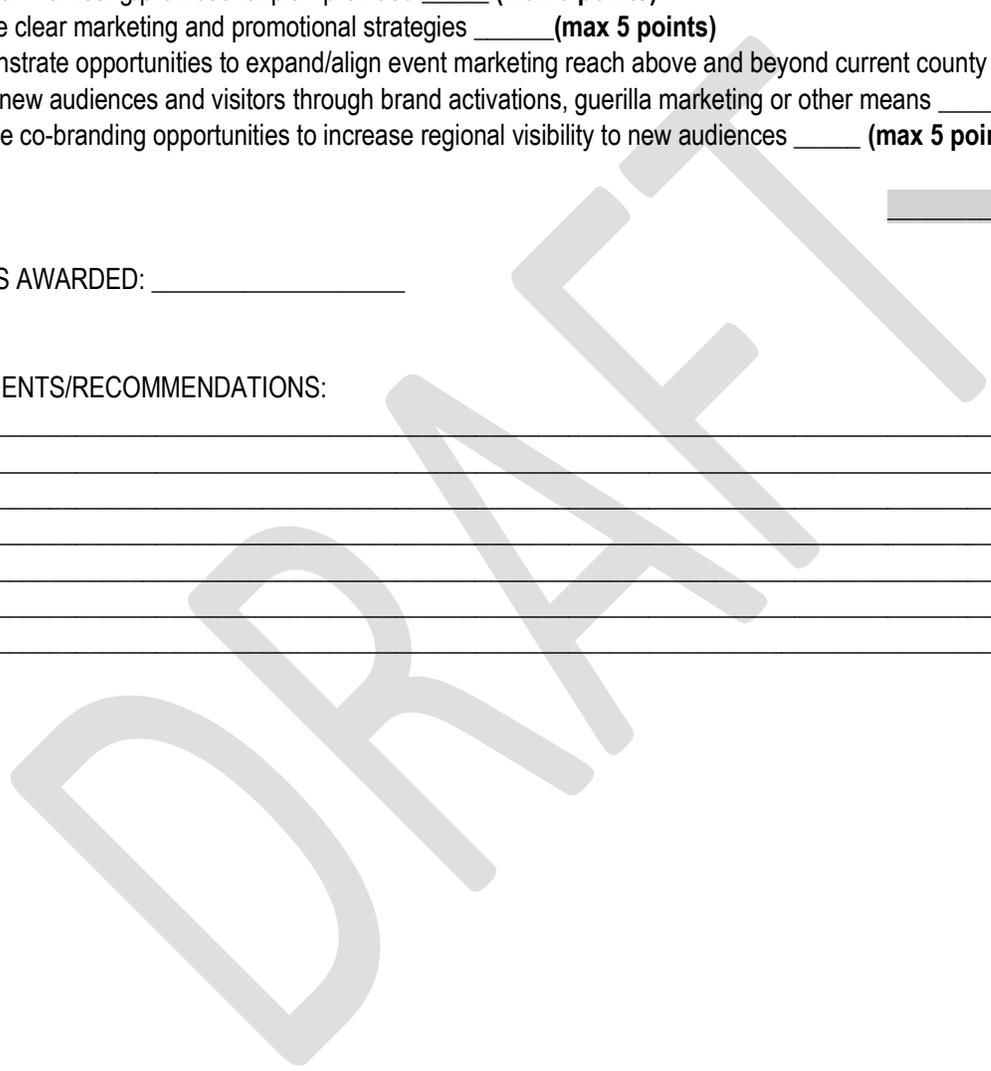
Demonstrate opportunities to expand/align event marketing reach above and beyond current county tourism initiatives to reach new audiences and visitors through brand activations, guerilla marketing or other means _____ (max 10 points)

Provide co-branding opportunities to increase regional visibility to new audiences _____ (max 5 points)

_____ (MAX 30 TOTAL)

TOTAL POINTS AWARDED: _____

NOTES/COMMENTS/RECOMMENDATIONS:



**COUNTY OF WARREN LOCAL TOURISM PROMOTION AND CONVENTION
DEVELOPMENT AGREEMENT FOR 202_ WITH _____**

This Agreement is made by and between the COUNTY OF WARREN, a municipal corporation and political subdivision established under the Laws of the State of New York, having its offices and principal place of business located at the Warren County Municipal Center with a mailing address of 1340 State Route 9, Lake George, New York 12845 (hereinafter “County”) and the TOWN OF _____ a municipal corporation and political subdivision established under the Laws of the State of New York, having its principal place of business located at the Town Hall, _____, New York _____ (hereinafter “Town” or “Municipality”)

WITNESSETH

WHEREAS, the County derives revenue from the Occupancy Tax authorized by act of the New York State Legislature (Chapter 422 of the Laws of 2003) and, after deducting the amount provided for administering such Tax, is to allocate the funds to enhance the general economy of the County of Warren and its Cities, Towns and Villages through the promotion of tourist activities, conventions, trade shows, special events and other directly related and supported activities, and

WHEREAS, the Town is ready, willing and able to provide for promotion of tourist activities, conventions, trade shows, special events and other directly related and supported activities, and possesses or can make available all necessary qualified personnel, licenses, facilities and expertise to carry out the terms of this Agreement; and

WHEREAS, the Warren County Board of Supervisors has authorized contracts with the various municipalities in Warren County to provide funds annually to enhance the general economy of the various municipalities and the County through the promotion of tourist activities, conventions, trade shows, special events, and other directly related and supported activities, and

WHEREAS, the Occupancy Tax Coordination Committee has approved the 202_ Occupancy Tax Spending Plan to authorize contracts with various municipalities for 202_;

NOW, THEREFORE, in consideration of the promises, responsibilities, and covenants herein, the County and the Town agree as follows:

Part I - Payment

1. Payment. The County shall pay and disburse to the Town the sum of _____ Dollars (\$ _____), pursuant to the 202_ Occupancy Tax Spending Plan, passed by the Warren County Board of Supervisors on _____. All funds made available for use in connection with this Agreement and accepted by the Town shall be subject to

and expended in accordance with the terms and provisions of this Agreement (without the need to approve and sign additional agreements). Payment of said amount by the County to the Town shall be made within Thirty (30) days of the execution of this Agreement.

Part II - Use/Accounting of Funds

2. Expenditure of Funds.

a) The funds paid to the Town pursuant to this Agreement shall be used to enhance the general economy of the Town through the promotion of tourist activities, conventions, trade shows, special events and other directly related and supported activities. All funds provided to the Town must be spent for these purposes, and none of the funds provided pursuant to this Agreement may be used for expenses of the Town in administering the use of the funds as allocated herein. The Town shall use the funds provided by this Agreement in the calendar year 202__, for such purposes as are set forth in the spending guidelines annexed hereto as "Schedule A." All expenditure of funds shall be authorized by board resolution of the Town.

b) As set forth in Part II number 5 of this Agreement, the Town may be liable to the County for ineligible expenditures. The Town may expend funds provided under this Agreement without prior approval of such expenditures by the County. If the Town has a question as to whether a particular expenditure is an eligible expenditure under the spending guidelines of "Schedule A" or desires prior approval of an expenditure plan to avoid the possibility that the County may determine an expenditure or expenditures as ineligible under this Agreement, the Town may seek an advance approval by the Occupancy Tax Committee of the County Board of Supervisors, whose determination that an expense is eligible will be the County's final determination.

3. Accounting of Funds and Expenditures. Municipalities receiving funds pursuant to the 202__ Occupancy Tax Spending Plan are required to establish a designated revenue and expense line in their municipal accounts for tourism to account for the shared occupancy tax revenue on or before October 1st of each year. On or before March 15th of each year, municipalities are required to report to the County on the use of the revenue sharing funds for the previous fiscal year. The report shall include: (a) a description of activities or projects receiving revenues; (b) the number of persons served; (c) an outline of plans for continuing the activity or project; and (d) any and all other information that the County may deem necessary by further resolution adopted by the Board. The Town shall comply with this paragraph regarding the occupancy tax money it receives from the County pursuant this Agreement.

4. Records/Audits. The Town shall establish and maintain complete and accurate books, records, documents, accounts and other evidence directly pertinent to performance under this Agreement (herein collectively "the Records") in accordance with the

following requirements: (a) the Records must be kept for the balance of the calendar year in which they were made and for six (6) additional years thereafter; and (b) the County Chair of the Board of Supervisors, the Occupancy Tax Committee of the Board of Supervisors, the Administrator of Fiscal Services, the County Attorney, or any other person or entity authorized to conduct an examination, as well as the Board of Supervisors, shall have access to the Records during normal business hours at an office of the Town, or, if no such office is available, at a mutually agreeable and reasonable venue within the County, for the term specified above for the purposes of inspecting, auditing and copying. The County shall take reasonable steps to protect from public disclosure any of the records which are exempt from disclosure under the Public Officers Law (the "Statute") provided that; (i) the Town shall timely inform an appropriate County official, in writing, that said records should not be disclosed; and (ii) said records shall be sufficiently identified and; (iii) the designation of said records as exempt under the statute is reasonable. Nothing contained herein shall diminish, or in any way adversely affect, the County's right to discovery in any pending or future litigation.

5. Refunds to County/Ineligible Expenditures.

If the Board of Supervisors determines that the Town has made ineligible expenditures with funds provided by this Agreement, the Town may substitute other eligible expenditures for the funds or expend such amounts for eligible expenses thereafter, or if this is not done such amount shall be refunded to the County.

Part III - Term and Early Termination

6. Term. This Agreement shall commence on January 1, 202_ and shall end on December 31, 202_ unless terminated earlier by either party upon thirty (30) days written notice. A notice of termination shall be in writing and shall be sent by either personal messenger service or by certified mail, return receipt requested. The termination shall be effective in accordance with the terms of the notice. Upon receipt of the notice of termination, the Town understands that it should cancel, prior to the effective date of any prospective termination, as many outstanding obligations as possible, and not to incur any new obligations after receipt of the notice without approval by the County except that the Town may use funds remaining from prior County distributions provided the Town is not in breach of this Agreement. In no event shall the County be liable for expenses or obligations arising from programs or other expenditures made pursuant to the terms of this Agreement after the termination date.

Part IV – Indemnification and Insurance

7. Indemnification and Insurance. The Town shall defend, indemnify and hold harmless the County and its officers and employees from claims, notices of claims, suits, actions, damages and costs of every kind and nature, including but not limited to reasonable attorney's

fees, arising out of activities funded or otherwise carried out pursuant to the terms of this Agreement. If the Town uses the funds paid pursuant to this Agreement to help fund special events or activities, the Town will name Warren County, the Warren County Board of Supervisors, and Warren County employees as additional insureds on any insurance policy which the Town maintains for said special events or activities.

Part V - Other

8. Nature of Agreement/Independent Contractor. This Agreement is a funding agreement. This Agreement is not intended to create, nor shall it be construed as creating, a joint venture or partnership. The Town is an independent contractor and may neither hold itself out nor claim to be an officer, employee or subdivision of the County, nor make any claim, demand or application to or for any right, based on any different status.

9. Discrimination Prohibited. The services to be furnished and rendered under this Agreement by the Town shall be available to any and all residents of Warren County without regard to race, color, creed, sex, religion, national or ethical origin, handicap or source of payment.

10. No Partisan Political Activity. Funds provided pursuant to this Agreement shall not be used for any partisan political activity, or for activities that may influence legislation or the election or defeat of any candidate for public office.

11. Set-Off Rights. The County shall have all of its common law, equitable and statutory rights of set-off. These rights shall include, but not be limited to, the County's option to withhold for the purposes of set-off any monies due the Town under this Agreement up to the amounts due and owing to the County with regard to this Agreement, any other agreement with any County department or agency, including any contract for a term commencing prior to the term of this Agreement, plus any amounts due and owing to the County for any other reason, including, without limitation, tax delinquencies, fee delinquencies or monetary penalties relative thereto.

12. Executory Clause. The County shall have no liability under this Agreement to the Town or to anyone else beyond the funds appropriated and available for this Agreement.

13. Disputes. Disputes involving this Agreement, including the breach or alleged breach thereof, shall not be submitted to binding arbitration. Disputes shall be heard in a court of competent jurisdiction within the State of New York.

14. Amendment. This Agreement may not be amended, modified or renewed except by a written agreement signed by the Town and the County.

15. Severability. If any term or provision of this Agreement or the application thereof to any person or circumstance shall to any extent be held invalid or unenforceable, the remainder of this Agreement or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby and every other term and provision of this Agreement shall be valid and be enforced to the fullest extent permitted by law.

16. Entire Agreement. This Agreement is the entire agreement and understanding between the Town and the County for the disbursement of occupancy tax money.

Approved as to form:

Warren County Attorney

Date: _____

WARREN COUNTY

By: _____

_____, Chair
Warren County Board of Supervisors

Date: _____

Town of

By: _____

Supervisor, Town of _____

Date: _____



WARREN COUNTY OCCUPANCY TAX MUNICIPAL SPENDING GUIDELINES ("Schedule A")

General Guidelines

Generally, uses of occupancy tax revenues provided to Municipalities by the County, must be expended for the Promotion of Tourist activities, conventions, sports, trade shows, special events and other directly related and supported tourism activities. Promotion or promoting is defined as furthering the growth of, establishment of, sales and/or contributing to the growth, engagement, or prosperity of and/or to forward or to encourage or to advance. Therefore, and more importantly, in order for an expenditure to be eligible under these guidelines, it cannot just be "related" to Tourism, but it must be determined to be consistent with the previously stated allowed uses and definition of promotion.

Application of General Guidelines to List Below

The listing is intended to provide examples of acceptable or eligible expenditures under the general guideline provided above. In order to maintain the listing below as an easy and practical tool, elaborate or extensive descriptions have, generally, been avoided. Therefore, the examples should always read together with the general guideline, above, to ascertain the extent to which funds may be expended for the example provided.

Special Events/Festivals/Activities/Sports

Production, development of new event, activities (i.e. Outdoor drama, civic center events, Elvis Festival and the advertisement of the same)

Production/installation/rental/creation of programs/directories for specific events

Firework displays

Banner/flags/billboards

Business cards

Buttons, pins, decals, letterhead, envelopes, postcards, postage

Event consultation fee

Re-enactors, musicians, entertainers

Town tours, itineraries, maps

Sponsorship, hosting fees

Rental of traveling/special exhibits

Event crowd control, safety concerns

Promotional items – giveaways

Recreational Attractions

Advertisements and enhancements of existing and new recreational activities and attractions to be developed to accommodate and increase the number of tourists, for enhancements to water access and riverfronts, snowmobiling trail system, hiking trails, cycling routes, with displays or improvements to accommodate tourists such as benches, or a gondola for transportation.

Mapping and/or brochures

Wayfaring/directional signage

Clearing/preparation of property for tourist or convention activity or event

Any eligible criteria from other spending guideline categories

Website Development/Electronic Promotion

Expenditures for the following provided that the same is for purposes of promoting tourism, conventions, special events, trade shows, sports and other tourist activities.



Website design/construction
Purchase of images/sound
Promotions, purchase of hyperlinks
Interactive informational kiosk
Email appends
Broadcast design/delivery of
Newsletters/banner ads
Purchase of photography/videography
Purchase of photo enhanced listings
Search engine optimization

Brochure Production/Distribution

General tourism guide, seasonal guide, themed events, flyers, promotional literature, niche – publication (i.e. walking/driving tours, packages, itineraries, coupons, heritage, birding, sports, etc.), post cards, maps, posters.

Paid brochure distribution locations
Design fees
Reproduce brochures to CD/DVD
Copywriting/Typesetting
Postage/permit fees
Printing/reproduction/production
Photography

Advertisements/Promotions

Paid advertisements promoting events, activities, packages, attractions, conventions, tradeshows for general tourism development to Warren County communities – Destination Marketing Programs.

Co-op partnerships with Warren County- Adirondack Regional Tourism Council, New York State publications, as well as national publications and directories, radio, newsprint/magazine opportunities, television campaigns, and trade/consumer show brochure distribution and exhibit space co-op..

Local, regional and/or national advertising, promotional opportunities

Production/placement of ads (print, radio, tv)
Clipping Service
Advertising in trade journals
Exhibit graphics
Consumer/trade show registration
Show staffing expenses
Logo development/design/tag line/branding
Business reply cards
Product Development (i.e. tour packages, itineraries, special events, familiarization tours for operators or media)
Coupons
Public relations – press kits, press releases, messaging development, printing, mailing, broadcast, services



Membership/Association/Affiliations

For the furtherance of Tourism Promotion, (i.e. American Bus Association (ABA), New York State Travel and Tourism Association (NYSTIA), National Tour Association (NTA)).

Specialized Professional Services

Expenditures for the following, provided that the same is for purposes of promoting tourism, conventions special events, sport, trade shows and other tourism activities:

Shoot photographer/videographer

Graphic designer

Step on guide services

Public relations/marketing agency

Speakers/musicians/entertainers/models

Airplane/helicopter rentals

Ad/brochure/web design

Market research, feasibility study

Event sponsorship/bid fees

Outsourcing to call centers/fulfillment houses

Update portions of local history in furtherance of promoting tourism, conventions, special events, sports

Educational Tourism

Informational kiosk

Hospitality training

Hosting/attending workshops (i.e. how to market your destination, property or event)

Beautification

Community signage – welcome/directional signage

Plantings/landscaping/streetscaping/lighting/water features furthering establishment or growth of tourism, conventions, sports, special events, trade shows and other tourist activities

Informational kiosk

Fountains, benches, trail development & enhancement

Audio/Visual production, duplication and distribution

DVD/CD/VHS

Miscellaneous promotion

Purchase mailing lists

Mailings/social media targeted lists for specific audiences

Capital projects

Expenditures may be made for capital projects which facilitate uses by tourists and/or increase tourism to an area by improving the esthetic qualities of the municipality, enhancing the environment, improving infrastructures related to tourism, conventions, sports, special events and trade shows, and developing, operating and maintaining parks, recreational facilities and tourist attractions. Long range recreational plans are also considered under this funding and such projects are recommended to be coordinated with Warren County Planning Department.

When spending funds for capital projects, it is necessary to be sure that the primary benefit is to promote tourist activities, conventions, sports, special events, and trade shows and other directly related and supported activities. A project which only incidentally furthers tourism and primarily benefits residents is not allowable, as it is contrary to the legislatively authorized use of this funding.