

VERMONT EMPLOYMENT GROWTH INCENTIVE

Applications Through July 2018

Company Name	Date Initial Application Considered	Date Final Application Considered	Authorization Period	Status	Term Reason	Incentive Earned Y/N	Incentive Considered	Minimum Net Revenue Benefit	Enhancements	Location	Type of Project
Ink Jet Machinery of Vermont	N/A	1/25/07	N/A	Terminated Jan 24, 2008	4	N	\$ 336,055	\$ -	N/A	Dorset	Startup
Olympic Precision, Inc/WIC/Town of Windsor	N/A	1/25/07	N/A	Terminated Sept 6, 2007	4	N	\$ 474,428	\$ -	N/A	Windsor	Recruitment
Monahan SFI, LLC	1/25/07	2/15/07	N/A	Term.-Recap. Sept 28, 2009	3	Y	\$ 791,277	\$ -	N/A	Middlebury	Plant Restart
Qimonda North America Corp.	N/A	2/15/2007	N/A	Rescinded Mar 27, 2008	1	N	\$ 229,672	\$ -	N/A	So. Burl	Ret./Expansion
Rehab Gym, Inc.	N/A	3/22/07	N/A	Denied	5	N	\$ 255,439	\$ -	N/A	Colchester	Ret./Expansion
Applejack Art Partners	N/A	5/3/07	N/A	Terminated Oct 25, 2007	4	N	\$ 85,539	\$ -	N/A	Manchester	Recruitment
Omni Measurement Systems	N/A	5/3/07	N/A	Terminated Mar 25, 2010	4	Y	\$ 677,944	\$ -	N/A	Milton	Ret./Expansion
Vermont Timber Frames	N/A	5/3/07	N/A	Terminated Jan 16, 2013	2	Y	\$ 156,126	\$ -	N/A	Bennington	Recruitment/Exp.
Battenkill Technologies, Inc.	N/A	6/28/07	N/A	Terminated Jun 26, 2008	4	N	\$ 79,054	\$ -	N/A	Manchester	Recruitment
Burton Corporation	2/15/07	6/28/07	N/A	Terminated Mar 25, 2010	4	N	\$ 1,653,965	\$ -	N/A	Burlington	Ret./Expansion
Energizer Battery Manufacturing, Inc.	N/A	7/26/07	N/A	Terminated May 28, 2009	4	N	\$ 607,347	\$ -	N/A	St Albans	Ret./Expansion
NEHP, Inc.	2/15/07	10/25/07	N/A	Terminated Dec 8, 2011	2	N	\$ 182,396	\$ -	N/A	Williston	Ret./Expansion
Green Mountain Coffee Roasters, Inc.	5/24/07	10/25/07	2007-2011	Complete	N/A	Y	\$ 1,786,828	\$ 2,129,672	N/A	Waterbury/Essex	Ret./Expansion
Know Your Source, LLC	12/6/207	N/A	N/A	Denied	5	N	\$ 71,302	\$ -	N/A	Burlington	Startup
Mascoma Corporation	10/25/07	N/A	N/A	Rescinded Jun 26, 2008	1	N	\$ 1,942,989	\$ -	Green	WRJ	Recruitment/Exp.
CNC North, Inc.	1/24/08	3/6/08	N/A	Terminated Mar 25, 2010	4	N	\$ 70,533	\$ -	N/A	Springfield	Ret./Expansion
Vermont College of Fine Arts	N/A	3/27/08	2008-2012	Complete	N/A	Y	\$ 206,737	\$ 126,260	N/A	Montpelier	Start-up
Isovolta, Inc.	3/27/08	6/26/08	N/A	Terminated May 28, 2009	4	N	\$ 568,330	\$ -	N/A	Rutland	Ret./Expansion
Vermont Castings Holding Company	N/A	9/18/08	N/A	Terminated May 28, 2009	4	N	\$ 488,000	\$ -	Green	Bethel	Ret./Expansion
New England Precision, Inc./Clifford Properties, Inc.	N/A	9/18/08	N/A	Terminated April 28, 2011	2	N	\$ 241,236	\$ -	N/A	Randolph	Ret./Expansion
Utility Risk Management Corp	6/26/08	10/23/08	N/A	Term-Recap November 25, 2013	3	Y	\$ 377,371	\$ -	N/A	Stowe	Recruitment/Relocation
Helix Global Solutions, Inc.	3/6/08	N/A	N/A	Rescinded Dec 4, 2008	1	N	\$ 53,739	\$ -	N/A	Burlington Area	Recruitment/Exp.
Vermont Wood Energy Corp	7/24/08	12/4/08	N/A	Denied	5	N	\$ 293,967	\$ -	Green	Rutland	Startup
Tata's Natural Alchemy	12/6/07	12/4/08	N/A	Terminated Mar 25, 2010	4	N	\$ 231,531	\$ -	N/A	Whiting/Shoreham	Startup
BioTek Instruments, Inc./Lionheart Technologies, Inc.	N/A	12/4/08	N/A	Terminated Dec 17, 2014	2	Y	\$ 692,854	\$ -	N/A	Winooski	Ret./Expansion
Dominion Diagnostics, LLC	10/23/08	1/22/09	N/A	Terminated April 28, 2011	2	N	\$ 103,300	\$ -	N/A	Williston	Recruitment/Exp.
Albany College of Pharmacy	12/16/07	1/22/09	2009-2013	Complete	N/A	Y	\$ 630,859	\$ 345,717	N/A	Colchester	Recruitment/Exp.
ASK-intTag, LLC	12/4/08	3/26/09	N/A	Terminated December 5, 2013	2	Y	\$ 553,722	\$ -	N/A	Essex	Recruitment/Start-up
Vermont Transformers, Inc.	12/4/08	3/26/09	N/A	Terminated May 25, 2011	3	N	\$ 267,569	\$ -	Green	St. Albans	Recruitment/Exp.
Project Graphics, Inc.	1/22/09	4/23/09	N/A	Terminated May 24, 2012	2	N	\$ 230,414	\$ -	N/A	So. Burlington	Recruitment
Durasol Awnings, Inc.	3/26/09	5/28/09	N/A	Terminated Mar 25, 2010	4	N	\$ 245,795	\$ -	N/A	Middlebury	Ret./Expansion
Commonwealth Yogurt, Inc.	6/26/08	6/25/09	2009-2013	Active-Final	N/A	Y	\$ 1,201,154	\$ 614,505	N/A	Brattleboro	Recruitment/Start-up
AirBoss Defense USA, Inc.	5/28/09	9/24/09	N/A	Terminated July 24, 2014	2	Y	\$ 243,279	\$ -	N/A	Milton	Recruitment/Exp.
Maple Mountain Woodworks, LLC	2/26/09	12/17/09	N/A	Term-Recap February 15, 2013	3	Y	\$ 143,436	\$ -	N/A	Richford	Startup
Terry Precision Bicycles for Women, Inc.	6/25/09	12/17/09	N/A	Terminated December 5, 2013	2	Y	\$ 126,296	\$ -	N/A	Burlington	Recruitment/Relocation
Northern Power Systems, Inc.	7/23/09	12/17/09	N/A	Terminated December 17, 2014	2	Y	\$ 808,104	\$ -	Green	Barre	Ret./Expansion
Green Mountain Coffee Roasters, Inc.	7/23/09	12/17/09	2009-2013	Complete	N/A	Y	\$ 292,307	\$ 1,736,611	N/A	Chittenden County	Ret./Expansion
MyWebGrocer, Inc	N/A	10/22/09	2010-2014	Active-Final	N/A	Y	\$ 453,475	\$ 286,567	N/A	Colchester	Ret./Expansion
SBE, Inc.	6/25/09	12/17/09	N/A	Terminated Dec 17, 2014	2	Y	\$ 3,048,671	\$ -	Green	Barre	Ret./Expansion
Seldon Technologies, Inc.	8/27/09	12/17/09	N/A	Terminated June 27, 2013	2	N	\$ 478,396	\$ -	Green	Windsor	Ret./Expansion
Business Financial Publishing, Inc.	1/28/10	N/A	N/A	Denied	5	N	\$ 162,473	\$ -	N/A	Burlington	Startup
New England Supply, Inc.	N/A	3/25/10	2010-2014	Active-Final	N/A	Y	\$ 67,953	\$ 36,088	N/A	Williston	Startup
The Original Vermont Wood Products, Inc.	N/A	5/27/10	N/A	Terminated Dec 8, 2011	3	N	\$ 100,604	\$ -	LMA	Pittsfield	Start-up/Plant Restart
Westminster Cracker Company, Inc.	N/A	7/22/10	N/A	Terminated Jan 22, 2014	2	N	\$ 236,246	\$ -	LMA	Rutland	Ret./Expansion
Revision Eyewear, Ltd.	N/A	10/28/10	N/A	Terminated June 23, 2016	2	Y	\$ 552,193	\$ -	N/A	Essex	Ret./Expansion
Organic Trade Association	7/27/10	10/28/10	N/A	Terminated May 24, 2012	4	N	\$ 75,569	\$ -	N/A	Brattleboro	Recruitment/Relocation
Dealer.com, Inc.	1/28/10	12/16/10	2010-2014	Active-Final	N/A	Y	\$ 4,929,487	\$ 2,644,928	N/A	Burlington	Ret./Expansion
Pinnacle Sales Accelerators, LLC	5/27/10	12/16/10	N/A	Term-Recap. Jan 16, 2013	3	Y	\$ 111,635	\$ -	N/A	Burlington	Recruitment/Start-up
Swan Valley Cheese Company of Vermont	7/22/10	12/16/10	N/A	Terminated Dec 17, 2014	2	Y	\$ 305,830	\$ -	LMA	Swanton	Plant Restart/Start-up
Alpla, Inc.	16/2010	3/24/11	N/A	Terminated Jul 24, 2014	4	N	\$ 654,438	\$ -	Green	Essex	Recruitment/Exp.
Bariatrx Nutrition Corp	1/27/11	3/24/11	N/A	Terminated Sept 22, 2016	2	Y	\$ 135,653	\$ -	N/A	Georgia	Ret./Expansion
eCorporate English, Ltd.	8/26/10	5/25/11	N/A	Terminated Sept 27, 2012	3	N	\$ 464,731	\$ -	N/A	Middlebury	Recruitment/Exp.
WCW, Inc.	7/28/11	10/27/11	N/A	Terminated Oct 22, 2015	2	N	\$ 512,449	\$ -	N/A	Manchester	Recruitment/Relocation
VSC Holdings, Inc.	2/24/11	10/27/11	2011-2015	Active-Final	N/A	Y	\$ 156,913	\$ 86,727	N/A	Hinesburg	Ret./Expansion
Carbon Harvest Energy, LLC/Brattleboro Carbon Harvest, LLC	3/24/11	12/8/11	N/A	Terminated Dec 13, 2012	3	N	\$ 568,913	\$ -	Green	Burl/Brattleboro	Ret./Expansion
Concepts ETI, Inc	5/25/11	12/8/11	N/A	Terminated Sept 2016	2	Y	\$ 290,335	\$ -	Green/LBW	Wilder	Ret./Expansion
SOH Wind Engineering, LLC	5/25/11	12/8/11	N/A	Terminated Sept 22, 2016	2	Y	\$ 153,994	\$ -	Green	Williston	Recruitment/Start-up
Green Mountain Coffee Roasters, Inc.	7/28/11	12/8/11	2011-2015	Active-Final	N/A	Y	\$ 4,696,809	\$ 6,297,553	N/A	Essex	Ret./Expansion
Ellison Surface Technologies, Inc.	8/26/10	12/8/11	2011-2015	Terminated Sept 22, 2016	2	Y	\$ 688,462	\$ -	LMA	Rutland	Ret./Expansion
Skypoint Solar	12/16/10	N/A	N/A	Rescinded Dec 8, 2011	1	N	\$ 7,900,114	\$ -	Green	Burlington	Recruitment/Start-up

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Transcend Quality Manufacturing, Inc.	10/27/11	N/A	N/A	Rescinded Dec 6, 2012	1	N	\$ 246,941	\$ -	LMA/Green	TBD	Recruitment/Start-up
Plasan Carbon Composites, Inc.	12/8/11	N/A	N/A	Rescinded Aug 30, 2012	1	N	\$ 516,395	\$ -	Green	Bennington	Ret./Expansion
Vermont Hard Cider Company, LLC	1/26/12	N/A	N/A	Rescinded Dec 6, 2012	1	N	\$ 260,176	\$ -	N/A	Middlebury	Ret./Expansion
Commonwealth Dairy, LLC	1/26/12	5/25/12	2012-2016	Active-Final	N/A	Y	\$ 303,004	\$ 277,714	N/A	Brattleboro	Ret./Expansion
Performa Limited, LLC	N/A	10/25/12	2012-2016	Active-Final	N/A	Y	\$ 133,617	\$ 62,088	N/A	Burlington	Ret./Expansion
Dynapower	3/22/12	12/13/12	N/A	Denied	5	N	\$ 1,415,009	\$ -	Green	So. Burlington	Ret./Expansion
Mylan Technologies, Inc	1/26/12	12/13/12	2012-2016	Active-Final	N/A	Y	\$ 5,733,506	\$ 2,786,740	N/A	St. Albans	Ret./Expansion
Revision Ballistics	4/18/12	12/13/12	2012-2016	Active-Final	N/A	Y	\$ 734,081	\$ -	LMA	Newport	Plant Restart/Start-up
Seventh Generation	4/26/12	12/13/12	2012-2016	Active-Final	N/A	Y	\$ 454,728	\$ 233,150	Green	Burlington	Ret./Expansion
AFCCell Medical	3/24/11	N/A	N/A	Rescinded Dec 5, 2013	1	N	\$ 1,338,444	\$ -	N/A	TBD	Recruitment/Start-up
Freedom Foods	12/13/12	10/24/13	2013-2017	Active-Final	N/A	Y	\$ 267,762	\$ 128,639	Educ Tax Stabil	Randolph	Ret./Expansion
Logic Supply, Inc.	4/25/13	10/24/13	2013-2017	Active-Final	N/A	Y	\$ 352,912	\$ 219,038	N/A	South Burlington	Ret./Expansion
BioTek Instruments, Inc./Lionheart Technologies, Inc.	3/28/13	12/5/13	2013-2017	Terminated Nov 20, 2017	2	Y	\$ 325,111	\$ -	N/A	Winooski	Ret./Expansion
Dealer.com II	4/25/13	12/5/13	2013-2017	Active-Final	N/A	Y	\$ 1,201,850	\$ 1,970,120	N/A	Burlington	Ret./Expansion
Farmer Mold & Machine	7/25/13	12/5/13	N/A	Terminated Jun 23, 2015	4	N	\$ 258,518	\$ -	LMA	No. Clarendon	Recruitment/Relocation
JBM Sherman Carmel	8/22/13	12/5/13	2013-2017	Active-Final	N/A	Y	\$ 136,744	\$ 15,938	LMA	Bennington	Ret./Expansion
Keurig Green Mountain	3/19/14	4/24/14	N/A	Terminated Feb 26, 2018	2	N	\$ 971,028	\$ -	N/A	Williston	Ret./Expansion
Cambridge Valley Machining, Inc.	3/28/13	N/A	N/A	Rescinded Dec 17, 2014	1	N	\$ 140,049	\$ -	N/A	Bennington	Recruitment/Expansion
AGrown (AEG Holdings, LLC)	9/26/13	N/A	N/A	Rescinded Dec 17, 2014	1	N	\$ 2,010,364	\$ -	Green	TBD	Recruitment/Start-up
Vermont Packinghouse	7/25/13	12/17/14	2014-2018	Active-Final	N/A	Y	\$ 233,252	\$ -	LMA	Springfield	Recruitment/Start-up
G.S. Blodgett Corp.	3/19/14	12/17/14	2014-2018	Active-Final	N/A	Y	\$ 754,104	\$ 410,685	N/A	Essex	Ret./Expansion
Twincraft, Inc	7/24/13	12/17/14	2014-2018	Active-Final	N/A	Y	\$ 532,584	\$ 512,840	LBW	Essex	Ret./Expansion
Cabot Hosiery Mills, Inc	12/17/14	12/3/15	2015-2019	Active-Final	N/A	N	\$ 1,336,191	\$ 543,354	N/A	Northfield	Ret./Expansion
Flex-A-Seal, Inc	12/17/14	12/3/15	2015-2019	Active-Final	N/A	Y	\$ 144,998	\$ 208,891	N/A	Essex Jct	Ret./Expansion
National Hanger Company, Inc	12/17/14	9/22/15	2015-2019	Active-Final	N/A	Y	\$ 272,369	\$ 41,557	LMA	N. Bennington	Ret./Expansion
Precyse Solutions, LLC	12/17/14	12/3/15	N/A	Terminated May 1, 2017	4	N	\$ 378,703	\$ -	N/A	Statewide	Recruitment/Expansion
Revision Military, LTD	4/6/15	10/27/15	2015-2019	Active-Final	N/A	N	\$ 167,295	\$ 57,308	N/A	Essex	Ret./Expansion
Vermed	4/26/15	12/3/15	N/A	Terminated May 1, 2017	4	N	\$ 292,421	\$ -	LMA	Bellows Falls	Ret./Expansion
Maponics, LLC	5/28/15	12/3/15	2015-2019	Active-Final	N/A	N	\$ 156,490	\$ 269,165	N/A	White River Jct	Ret./Expansion
Revision Ballistics, LTD	5/28/15	10/27/15	2015-2019	Active-Final	N/A	Y	\$ 619,007	\$ -	LMA	Newport	Ret./Expansion
GW Plastics, Inc.	7/23/15	12/3/15	2015-2019	Active-Final	N/A	Y	\$ 977,364	\$ 349,170	LMA	Bethel	Ret./Expansion
Triad Design Services, Inc.	2/26/15	N/A	N/A	Rescinded Sept 22, 2016	1	N	\$ 968,657	\$ -	N/A	Williston	Ret./Expansion
GS Precision, Inc.	6/23/15	11/3/16	2016-2020	Active-Final	N/A	N	\$ 1,154,702	\$ -	LMA	Brattleboro	Ret./Expansion
Composites BHS, Inc.	10/22/15	11/3/16	2016-2020	Active-Final	N/A	N	\$ 512,145	\$ -	LMA	St. Johnsbury	Recruitment/Expansion
Britton Lumber Company, Inc.	12/3/15	N/A	N/A	Rescinded May 26, 2016	1	N	\$ 784,862	\$ -	Green	Fairlee	Plant Restart
Imerys Talc Vermont, Inc.	1/28/16	11/3/16	2016-2020	Active-Final	N/A	N	\$ 696,332	\$ 398,820	N/A	Ludlow	Ret./Expansion
LTK Consulting Services, Inc.	1/28/16	11/3/16	2016-2020	Active-Final	N/A	N	\$ 184,683	\$ 76,325	N/A	White River Jct	Recruitment/Relocation
Vermont Aerospace-AIAC	5/5/16	12/8/16	2016-2020	Active-Final	N/A	N	\$ 328,841	\$ 29,592	LMA	Lyndon	Plant Restart
Autumn Harp	N/A	5/26/16	2016-2020	Active-Final	N/A	N	\$ 570,225	\$ 525,444	N/A	Essex	Ret./Expansion
Bariatrx Nutrition Corp II	6/23/16	12/8/16	2016-2020	Active-Final	N/A	N	\$ 152,843	\$ 83,813	N/A	Georgia	Ret./Expansion
Caledonia Spirits/Lineage Realty	6/23/16	12/8/16	2016-2020	Active-Final	N/A	N	\$ 402,673	\$ 191,953	N/A	Montpelier	Ret./Expansion
Chroma Technology Corp	6/23/16	12/8/16	2016-2020	Active-Final	N/A	N	\$ 596,297	\$ 612,342	N/A	Bellows Falls	Ret./Expansion
Vermont Precision Tool	11/3/16	12/14/17	2017-2021	Active-Final	N/A	N	\$ 333,263	\$ 279,254	N/A	Swanton	Ret./Expansion
Westminster Cracker Company	11/17/16	N/A	N/A	Rescinded April 27, 2017	4	N	\$ 194,485	\$ -	LMA	Rutland	Ret./Expansion
Kingdom Pellets, LLC	12/3/15	N/A	N/A	Terminated April 30, 2018	2	N	\$ 276,290	\$ -	LMA/Green	Lunenburg	Start-up
Commonwealth Dairy, LLC	12/8/16	12/14/17	2017-2021	Active-Final	N/A	N	\$ 307,407	\$ 660,140	N/A	Brattleboro	Ret./Expansion
Lawson's Finest Liquids	2/23/17	12/14/17	2017-2021	Active-Final	N/A	N	\$ 1,420,630	\$ -	LMA	Waitsfield	Ret./Expansion
GS Blodgett Corp	6/19/17	10/26/17	2017-2021	Active-Final	N/A	N	\$ 643,469	\$ 875,060	N/A	Essex	Ret./Expansion
Logic Supply, Inc./Greenfield Capital, LLC	8/31/17	10/26/17	2017-2021	Active-Final	N/A	N	\$ 757,684	\$ 365,913	N/A	South Burlington	Ret./Expansion
Winooski, LLC/DealerPolicy, LLC	8/31/17	12/14/17	2017-2021	Active-Final	N/A	N	\$ 92,529	\$ 45,881	N/A	Colchester	Expansion

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LED Dynamics, Inc./Green Mtn. Econom. Devel. Corp.	10/26/17	N/A	2018-2022	Active-Initial	N/A	N	\$ 459,461	\$ -	LMA/Green	Randolph	Ret./Expansion
Soya Canfralia	6/1/17	N/A	2018-2022	Active-Initial	N/A	N	\$ 580,995	\$ 46,214	LMA	Newport	Recruitment/Start-up
Bedford Systems	12/14/17	N/A	2018-2022	Active-Initial	N/A	N	\$ 1,265,397	\$ 659,434	N/A	Williston	Start-up
MSI	12/14/17	N/A	2018-2022	Active-Initial	N/A	N	\$ 1,190,871	\$ -	LMA	Morristown	Ret./Expansion
Project Xanadu	12/14/17	N/A	2018-2022	Active-Initial	N/A	N	\$ 1,377,752	\$ -	LMA	Brattleboro	Recruitment/Start-up
DSD International	12/14/17	N/A	2018-2022	Active-Initial	N/A	N	\$ 63,215	\$ 33,518	N/A	Swanton	Recruitment/Expansion
Inntopia	2/22/18	N/A	2018-2022	Active-Initial	N/A	N	\$ 184,560	\$ 559,986	N/A	Stowe	Recruitment/Expansion
Gordini USA	3/29/18	N/A	2018-2022	Active-Initial	N/A	N	\$ 172,475	\$ 250,110	N/A	Essex Junction	Ret./Expansion
GLAVEL	4/26/18	N/A	2018-2022	Active-Initial	N/A	N	\$ 313,556	\$ 56,372	Green	St. Albans	Start-up
NuHarbor Security	4/26/18	N/A	2018-2022	Active-Initial	N/A	N	\$ 238,666	\$ 181,797	N/A	Essex Junction	Ret./Expansion
Twincraft	6/28/18	N/A	2018-2022	Active-Initial	N/A	N	\$ 180,746	\$ 239,956	N/A	Essex Junction	Ret./Expansion
Greensea Systems, Inc.	7/26/18	N/A	2018-2022	Active-Initial	N/A	N	\$ 115,968	\$ 57,181	N/A	Richmond	Ret./Expansion

DEFINITIONS OF TERMS USED IN THIS TABLE:

STATUSES:

Complete: The period during which incentives can be earned *and* paid out is done.

Rescinded: Initial Application approval rescinded. No Final Application Filed. No incentives ever authorized, earned or paid.

Terminated: Authority to earn authorized incentives revoked at some point after incentives authorized.

Terminated/Recap: Authority to earn authorized incentives revoked and any incentives paid are recaptured.

Active-Initial: Initial Application approved; Incentives not yet authorized. Must file Final Application by end of calendar year in which activity commences.

Active-Final: Final Application approved. Incentives authorized and active.

REASONS FOR TERMINATION OR RESCISSION:

1. No Final Application was submitted. Initial application rescinded. No incentives ever authorized.
2. Project commenced, but for a certain year, Performance Requirements were never met. Incentives terminated.
3. Project commenced, but company closed or reduced employment below 90%. Incentives terminated.
4. Project commenced, but in a subsequent year company failed to file a VEGI claim. Incentives terminated.
5. Project denied. No incentives authorized.

ENHANCEMENTS:

Green VEGI: Incentive enhancement for environmental technology companies. See 32 VSA 5930b(g)

LMA: Incentive enhancement for projects in economically disadvantaged regions of the state. See 32 VSA 5930b(b)(5).

LBW or Look Back Waived: Waiver of incentive adjustment due to drop in employment just prior to application. See 32 VSA 5930a(c)(1).

Educ. Tax Stabil: Applicant chose stabilization of incremental Education Property Tax as incentive or part of incentive. See 32 VSA 5404a(c)(3).