

HARDEE COUNTY
ECONOMIC DEVELOPMENT AUTHORITY (EDA)
(INDEPENDENT BOARD)
COUNTY COMMISSION CHAMBERS
412 WEST ORANGE STREET, ROOM 102
WAUCHULA, FLORIDA 33873
OCTOBER 20, 2009 8:30 A.M.

MINUTES

Members:

David Royal, Vice-Chairman, P
Bill Beattie, P
Paul Samuels, P
Vanessa Hernandez, P
Roger Hood, P

Bridget Merrill, P
Perry Knight, A - Excused
Bill Lambert, Chairman, P
Bobby Smith, P

County Attorney Ken Evers, P
Office Manager Sandy Meeks, P

County Manager Lexton H. Albritton, Jr., P

Chairman Lambert called the meeting to order at 8:31 a.m.

MOTION by Royal, second by Samuels to approve the agenda. Motion carried unanimously.

MOTION by Hood, second by Beattie to approve the September 22, 2009, regular meeting minutes. Motion carried unanimously.

I. Report on status of amending local bill and statute.

Chairman Lambert advised the Board that he, the County Manager, and the County Attorney met with Ken Grimes, County Lobbyist in reference to the bill and explained that they felt a lot better after the meeting. He further explained they felt they may have a little more latitude. He then asked for the County Attorney to touch on some issues from the meeting. County Attorney Evers explained that after the meeting they had decided on one major change that could provide more latitude. He referred everyone to the Local Bill and Under Section 1; Sub-section (2); the second line; change **and** to **or**. He explained how this one change would make it clearer and also, advised they had made some administrative "housekeeping" type changes too. Chairman Lambert referred everyone to Page 6; Local Bill; Section 3; Sub-section a. and explained how they may change the word **including** to **considering**. He explained how this wording subjected the Board to a lawsuit. Samuels and Royal suggested having that wording deleted. Chairman Lambert advised Representative Troutman would be in town on Thursday and he would mention these changes to him and see what he thought. Merrill touched on her concern on opening the door to funding planning. She asked if there was a type of plan that the Board felt was necessary to move job creation forward in the county. Chairman Lambert explained how Hardee County was way behind and in order for them to be good stewards of the money they are going to have to fund appropriate levels of planning and preparing. He went on to explain they had the next agenda item on the agenda because they had proffered some language that said "yes" we are willing to open the door to these types of things. He then asked the County Manager to continue the discussion. County Manager Albritton

II. Discuss “Non-Bricks and Mortar” infrastructure application.

County Manager Albritton supplied each member with some wording on non-physical infrastructure grants. Merrill stated she thought that was what PD&E (preliminary design and engineering) stood for. She went on to explain that this looked like PD&E of some infrastructure that somebody wanted somewhere and where was it that PD&E was not eligible for funding under their current projects. County Manager Albritton stated he felt it was accepted if you could define the infrastructure that will exist, but what about when you cannot define the “bricks and mortar” that will be there. Merrill advised that sounds like a conceptual plan. Chairman Lambert asked if they were precluded from considering that most extreme type of application. County Manager Albritton advised he thought they have become a little paranoid and meeting with Ken Grimes shed some light and how Mr. Grimes felt they did not have as many restrictions and limitations as they thought. County Attorney Evers explained that Mr. Grimes was not at the meeting where Senator Alexander advised Job Creation was number one. He went on to explain that the statute allowed them to consider this type of request, but they did not have an application to accommodate. Merrill advised they needed to discuss that instead of the language. She also stated she thought they had made the applications narrow because of the amount of funds the Board received and they were focusing mainly on job creation and how she felt the discussion needed to be did they want to broaden that into something else. Chairman Lambert asked if they were precluded from this type of application where they were today. County Attorney advised he thought they were. After further discussion, Merrill advised she agreed they needed to be flexible and also how they needed to have a set of funds available, so opportunities were not lost. Hood asked how they could accomplish this. Smith stated he thought they were supposed to evaluate the applications and make a decision on them. County Attorney Evers advised they did not have an application to fit the mold. Chairman Lambert asked what would be the best way to get to where they wanted to go. Merrill advised she did not think the infrastructure application was designed for planning type requests, but did not think it would be difficult to amend it to accommodate those type of requests. Chairman Lambert asked if they could just amend the application and allow the applicant to provide a narrative and presentation to the Board. Merrill advised there was a Rule Making Process. County Attorney advised they would have to go through the same process as they did in the beginning and he would prefer they amend the infrastructure application to allow for planning type projects and then the Board would just have to rank the applications/projects. Beattie asked why they could not change the 15% that was in the guidelines. Chairman Lambert advised because that was tied to an infrastructure application. Chairman Lambert asked if they would have to have a fourth application. County Attorney Evers he was satisfied with just amending the infrastructure application. Chairman Lambert asked what they needed to do to accomplish this. County Attorney Evers advised they would advertise and jump through the same hoops as they did in the beginning. **MOTION by Hernandez, second by Beattie** to direct the County Attorney to amend their applications to include planning. **Motion carried unanimously.** Merrill suggested if Hardee County was interested in tourism development they should form a task force through maybe the EDC (Economic Development Council) or the Hardee County Board of County Commissioners instead of moving “piecemeal” through the EDA.

III. Request approval and authorization for Chairman to sign Modification Number 1 to extend the City of Wauchula’s Electric Substation Grant for a six month period.

Chairman Lambert advised there was really two parts to this item. He advised the City was requesting approval and authorization for Chairman to sign Modification Number 1 to extend the City of Wauchula's Electric Substation Grant for a six month period and additionally, he had not approved their request for reimbursement because of interpretation and felt they had resolved the problem this morning, but would let the County Attorney explain. County Attorney Evers advised the County Manager should comment on this. He further explained he has not looked at the documents. Chairman Lambert advised the City is saying that their 15% for PD&E is computed on the grants and matching funds and what our definition said. He further explained how the County Manager Albritton had initially taken the interpretation that the matching funds were the grant. The difference was 15% of \$700,000 or almost \$2 million dollars. He further explained he felt it was appropriate to approve the 15% of \$2 million recognizing the matching funds while they were not provided by the City they were provided by the federal government. County Attorney Evers advised he thought that in light of the discussion they had on spending money on those type of things that was the proper type of interpretation. Chairman Lambert advised this was not relative to their motion, but wanted the Board to know that he was going to approve their request. **MOTION by Hernandez, second by Beattie** to approve and authorize Chairman to sign Modification Number 1 to extend the City of Wauchula's Electric Substation Grant for a six month period. Samuels asked what the need was for an extension. Mr. Giroux, City Manager, City of Wauchula, explained to the Board the extension may not be needed, but was requesting it just in case. He touched on how they were completely through the bidding process for Phases 1, 2, and 3. **Motion carried unanimously.**

Chairman Lambert asked for everyone to look at F.S. 211.3103; (4)(c)...*Projects that improve inadequate infrastructure that has resulted in regulatory action that prohibits economic or community growth, if such projects are related to specific job creation or job retention opportunities.* He further advised he wanted to utilize this statement and how they had a project that was almost completed but at the end they have discovered some infrastructure deficiencies. Merrill asked for further clarification. Chairman Lambert advised their airport hangar did not have fire suppression and how they or whoever was doing it did not realize it needed fire suppression. He further explained how this was going to be a problem at the airport because there was not any public water. Hernandez stated she thought that was why the square footage issue was addressed. Chairman Lambert advised they were not aware of the Fire Marshall's interpretation of the Code. Beattie advised how the interpretation changed midstream. Smith advised for them to put a fire suppression system in. Chairman Lambert asked who would pay for it. Smith advised the City could. Chairman Lambert asked if the City could come back for a grant. Smith advised they could apply, but it would be up to the Board if they received the grant. Beattie stated the problem was with the fire department changing the interpretation.

Meeting adjourned at 09:40 a.m.

William R. Lambert, Jr., Chairman