

HARDEE COUNTY
ECONOMIC DEVELOPMENT AUTHORITY (EDA)
(INDEPENDENT BOARD)
COUNTY COMMISSION CHAMBERS
412 WEST ORANGE STREET, ROOM 102
WAUCHULA, FLORIDA 33873
September 15, 2014 8:30 a.m.

MINUTES

Members:

David Royal, Chairman, P
Linda Roberson, P
Kenny Miller, P
Stanley Pelham, P

Donna Doubleday, P
Terry Atchley, P
Sue Birge, Vice-Chairman, P

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

County Manager Lexton H. Albritton, Jr., P

Chairman Royal led the invocation followed by the pledge to the flag.

Chairman Royal called the meeting to order at 8:35 a.m.

MOTION by Atchley, second by Pelham to approve the agenda. Motion carried unanimously.

- I. Acknowledge receipt of Clerk's Financial Report for period ending 08/31/14.

MOTION by Atchley, second by Miller to acknowledge receipt of Clerk's Financial Report for period ending 08/31/14. Motion carried unanimously..

- II. Discuss the Draft Policies & Procedures Manual for the Hardee County Business Incubator.

Pelham explained that it was still a work in progress and he would like for the manual to be more finalized and then they could take the discussion up in a workshop. Mrs. Pelham explained they were close to having the policies final and could have them done in a week or so. Miller stated they would need to meet in October, so why didn't they plan to have a workshop then. Chairman Royal explained they would set up a workshop to discuss the manual. Atchley advised so they would have three items at this time on their workshop agenda which would be to discuss asking for financial statements from businesses, the EDA process, and the Policies & Procedures Manual for the Hardee County Business Incubator. Mr. Lambert stated he would like for the Industrial Development Authority (IDA) Board to be invited to the workshop. Atchley stated it would be beneficial to invite the municipalities and county too.

III. Rank & Fund Projects for Cycle 11.

Chairman Royal advised they all had the spreadsheet of the projects and they were open for discussion. Roberson asked about the Water/Sewer Corridor grant and thought it was being closed out. Chairman Royal explained it could not be closed out because it had expenditures that would need to be reimbursed.

Chairman Royal advised everyone had their sheet and they could rank their projects. Atchley advised he wanted to make sure all of the discussion from their previous meeting on closing out the grants was reflected on the spreadsheet. Chairman Royal explained they were all reflected. Commissioner Birge asked for clarification on the \$150K for the Pretreatment Project. Chairman Royal stated that Mr. Lambert had reduced it because it was originally \$296K and asked Mr. Lambert to explain. Mr. Lambert explained the \$150K included the money that was left over in the Sheriff Substation Grant that they agreed to close out. He further explained that should be enough to get the project moving forward. Doubleday asked if he had stated at their last meeting that project was a lesser priority. Mr. Lambert explained they had, but at the time they had not agreed to turn in the \$90K from the Sheriff Substation Grant. He went on to explain turning in the \$90K makes it more critical. Doubleday asked if there was a potential client for Spec Building No. 7. Mr. Lambert explained there was no tenant at this time for the building, but they had four different companies they were working with and if they did not receive funding, they would have to cease negotiations with all of the clients. The board ranked the projects and signed their sheets and turned them into Mrs. Meeks, Office Manager, Board of County Commissioners. Mrs. Meeks tabulated the ranking. Chairman Royal then discussed their next meeting date and what dates would work. After discussion on dates, they decided October 06, 2014, at 8:30 a.m. would work for everyone. Mrs. Meeks turned in the tabulated rankings to the Chairman. Chairman Royal stated the Incubator and Florikan Spec Building tied for number 1, 2 – Water Sewer Corridor, 3 – EDC Admin Funding Request, 4 – Spec Building #7, 5 – Pretreatment Facility, 6 – Chamber of Commerce Admin Funding Request, 7 – Ridge Large Animal, and 8 – Bionitrogen.

Chairman Royal stated now they needed to discuss funding. Roberson stated they were just a little short of funding the top six. Pelham asked if they were going to vote on the projects individually starting with one and going down. Chairman Royal stated however they wanted to do it and asked the County Attorney if they needed to vote on them individually. County Attorney explained they did because they would all have different ideas on funding and the statute stated rank and fund. Atchley asked about partial funding the projects. Doubleday explained she was uncomfortable with funding the Incubator and the businesses together and would like to see that separated next time. Chairman Royal advised they would discuss that in their workshop. Atchley stated with his calculations they could fund the top five with a little deficit on project number

five. Doubleday asked if they should leave some funding in the account. Mrs. Meeks stated they should. Royal explained if they fund the Incubator for \$1,604,363.00, Spec Building Florikan for \$500,000.00, Water/Sewer Corridor for \$200,000.00, EDC Admin Funding for \$150,000.00, Spec Building #7 for \$1,000,000.00, and the Pretreatment for \$150,000.00, they were \$7,196.59 short, but not taking into account leaving any money in the account. Miller asked about the Pretreatment and if they could wait on that. Mr. Lambert explained he had discussed that with his board and they were not comfortable with that, but he felt there was some redundancy in the Incubator proposal for marketing and they could trim that amount back and have enough money to cover the deficit and their operating expenses. Atchley asked about the \$1 million for spec building. Mr. Lambert explained any adjustments they make they would deal with them. Chairman Royal asked how much they could reduce the Incubator by. Mr. Lambert advised around \$50K. Atchley stated they could make it just \$1.5 million. Pelham stated that would fund one through five and leave them a balance of around \$97K. Pelham touched on how if things kept moving and workload increasing they might need extra staff, so they needed to have a little extra in the account. Atchley thanked the staff for all of their hard work on behalf of the board. Doubleday explained she would like more specific information in the contract on deliverables for the Economic Development Council (EDC) and she had spoken with Mr. Lambert about it and he said it should not be a problem.

MOTION by Pelham, second by Miller to approve funding for the IDA – Florikan Spec Building \$500,000.00. Motion carried unanimously.

MOTION by Atchley, second by Pelham to approve and authorize Chairman to sign modification for the IDA-Florikan Grant 001-552-000-27 to increase funding by an additional \$500,000.00 pending County Attorney review. Motion carried unanimously.

MOTION by Pelham, second by Miller to approve funding for the IDA – Incubator for \$1.5 million. Motion carried unanimously.

MOTION by Pelham, second by Atchley to approve funding for the IDA – Water/Sewer Corridor for \$200,000.00. Motion carried unanimously.

MOTION by Atchley, second by Birge to approve and authorize Chairman to sign modification for the IDA-Water/Sewer Corridor Grant to increase funding by an additional \$200,000.00 for Zolfo Springs and also, extending the grant for another two year period pending County Attorney review. Motion carried unanimously.

MOTION by Atchley, second by Birge to approve funding for the EDC Admin Funding for \$150,000.00. Pelham Voting Conflict Attached. Motion carried unanimously.

MOTION by Atchley, second by Birge to approve funding for the IDA – Spec Building #7 for \$1 million. Motion carried unanimously.

MOTION by Miller, second by Pelham to approve funding for the IDA – Pretreatment Facility for \$150,000.00. Motion carried unanimously.

- IV. Request approval and authorization for Chairman to sign Resolution 2014-01 adopting the budget for FY 2014/15.

Pelham asked if the grants they just funded would be in this new budget. Chairman Royal advised they would.

MOTION by Pelham, second by Miller that the grants funded during the meeting be effective 10/01/14 and be included in FY 2014/2015 Budget. Motion carried unanimously.

MOTION by Pelham, second by Miller to approve and authorization for Chairman to sign Resolution 2014-01 adopting the budget for FY 2014/15. Motion carried unanimously.

Mr. Lambert stated he would continue to work with Liz Steele because he felt she had a fantastic project.

Chairman Royal explained they had never funded anything on private property and invited Mrs. Steele to their workshop on October 06, 2014, so they could discuss how they could make things work.

MOTION by Atchley, second by Pelham to adjourn. Motion carried unanimously.

Meeting adjourned at 9:30 a.m.



David Royal, Chairman

**HARDEE COUNTY
ECONOMIC DEVELOPMENT AUTHORITY
RESOLUTION 14-01**

A RESOLUTION OF THE HARDEE COUNTY ECONOMIC DEVELOPMENT AUTHORITY ADOPTING A BUDGET FOR FISCAL YEAR 2014-15; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, notice of the public meeting to adopt the budget has been properly advertised.

NOW THEREFORE BE IT RESOLVED BY THE HARDEE COUNTY ECONOMIC DEVELOPMENT AUTHORITY:

Section 1. **Incorporation of Recitals.** The above recital is hereby incorporated.

Section 2. **Adoption of Budget.** The Budget attached hereto as Exhibit "A" is hereby adopted for Fiscal Year 2014-15.

Section 3. **Severability.** If any portion or section of this resolution is ever determined to be invalid by any court of competent jurisdiction, the invalid section or provision shall be severed from the remainder, and the remaining portions shall be enforced or applied.

Section 4. **Effective Date.** This resolution shall become effective immediately upon adoption.

APPROVED AND ADOPTED this 15th day of September, 2014, by the Hardee County Economic Development Authority.

HARDEE COUNTY ECONOMIC
DEVELOPMENT AUTHORITY

By: 

David Royal, Chairman

2014-15 ECONOMIC DEVELOPMENT AUTHORITY - INDEPENDENT

REVENUES					
Account	Classification	Revenue 12	Revenue 13	Projected 14	Adopted 15
001-335-190-0	Severance Tax - EDA	1,981,411	2,485,433	2,704,276	2,500,000
001-335-200-0	Mosaic Agreement		305,658	308,684	300,000
001-360-000-0	Revenue from EDA	-	-	-	-
001-361-100-0	Interest - EDA	15,366	14,800	12,000	12,000
Total Revenue Generated		1,996,777	2,809,891	3,024,960	2,812,000
001-399-000-11	Restricted Cash Forward-IDA	425,053			
001-399-000-12	Restricted Cash Forward-IDA				
001-399-000-13	Restricted Cash Forward-IDA				
001-399-000-14	Restricted Cash Forward-ZS	64,304			
001-399-000-15	Restricted Cash Forward-BG	27,389	7,977		
001-399-000-16	Restricted Cash Forward-ZS	143,257	135,471		
001-399-000-17	Restricted Cash Forward-Alane Academy	100,000	50,000		
001-399-000-18	Restricted Cash Forward-IDA	800,000			
001-399-000-20	Restricted Cash Forward-City of Wauchula/CRA		367,780		
001-399-000-21	Restricted Cash Forward - BG 12-09-02		425,722		
001-399-000-22	Restricted Cash Forward - EDC 12-09-04		150,000		
001-399-000-23	Restricted Cash Forward - IDA - 12-09-05		1,000,000		
001-399-000-24	Restricted Cash Forward - IDA - 12-09-06		650,000		650,000
001-399-000-25	Restricted Cash Forward-IDA 12-09-07		400,000	5,522	
001-399-000-26	Restricted Cash Forward - IDA - 12-09-08		1,000,000		
001-399-000-27	Restricted Cash Forward - IDA - 13-10-05		2,000,000	105,000	1,894,742
001-399-000-28	Restricted Cash Forward - BG - 13-10-06		626,164		626,164
001-399-000-29	Restricted Cash Forward - IDA - 13-10-07		1,600,000	1,100,000	500,000
001-399-000-30	Restricted Cash Forward - EDC - 13-10-03		150,000	150,000	
001-399-000-1	Cash Forward - EDA	3,045,456	689,130	689,130	3,600,000
Total Cash Forward		4,805,459	9,252,244	2,049,652	7,270,906
TOTAL REVENUE		6,802,236	12,058,335	3,074,612	10,082,906

EXPENDITURES					
Account	Classification	Expend 2012	Expend 2013	Projected 2014	Adoped 2015
001-552-000-11	IDA				
001-552-000-12	IDA(Broadband)10-05-02				
001-552-000-13	IDA(Spec building)10-05-01				
001-552-000-14	Zolfo Springs 10-05-03				
001-552-000-15	Bowling Green (10-06-02)	19,412	7,977		
001-552-000-16	Zolfo Springs (10-06-03) utility	7,786			
001-552-000-17	Alane Academy	50,000	50,000		
001-552-000-18	IDA (11-08-06)	800,000			
001-552-000-20	City of Wauchula/CRA	32,220	367,780		
001-552-000-21	City of Bowling Green 12-09-02		346,280		
001-552-000-22	EDC 12-09-04		150,000		
001-552-000-23	IDA 12-09-05		1,000,000		
001-552-000-24	IDA 12-09-06- Water Sewer Corridor				650,000
001-552-000-25	IDA 12-09-07/Sheriff Substation/Pretreatment		304,414	5,522	
001-552-000-26	IDA 12-09-08/Spec Building Bionitrogen				
001-552-000-27	IDA 13-10-05/Spec building Florikan		2,000,000	105,000	1,894,742
001-552-000-28	City of Bowling Green 13-10-06/commerce park		626,164		626,164
001-552-000-29	IDA 13-10-07/Incubator		1,600,000	1,100,000	500,000
001-552-000-30	EDC 13-10-03/EDC Funding		150,000	150,000	
TOTAL CAPITAL PROJECTS		909,418	6,602,616	1,360,522	3,670,906
001-552-131-0	Professional Services	3,505	6,515	8,500	9,000
001-552-140-0	Travel - Per Diem			2,000	2,000
001-552-145-0	Insurance / Bonds				
001-552-148-0	Promotional	469	466	1,500	1,500
001-552-149-0	Other Current Charges - Advertisement	554	343	500	500
001-552-149-1	Services provided by BOCC	8,999	10,014	13,000	14,500
001-552-149-2	Refunds to BOCC				
001-552-149-3	Services provided by Clerk of Court	1,500	1,800	1,800	1,800
001-552-151-0	Office Supplies				
TOTAL OPERATING EXPENSES		15,026	19,138	27,300	29,300
SUB-TOTAL		924,444	6,621,753	1,387,822	3,700,206
001-599-000-0	Reserve for Disbursement	5,677,792	5,436,581	3,686,790	6,382,700
TOTAL		6,802,236	12,058,335	3,074,612	10,082,906

Explanations:					
001-552-131-0	Attorney Fees @ \$150.00 per hour & Audit				
001-552-140-0	Air fare, room, car rental, parking and per diem				
001-552-148-0	Advertisements promotions and solicitation of applications				
001-552-149-0	Advertisements for meetings				
001-552-149-1	Work performed by BCC for EDA.				

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Pelham Stanley	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Hardee County Econ. Dev. Auth.
MAILING ADDRESS 412 W. Orange St. #103	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input checked="" type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY COUNTY Wauchula Hardee	NAME OF POLITICAL SUBDIVISION: Hardee Co. EDA
DATE ON WHICH VOTE OCCURRED 9/15/14	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

- PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*
- WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Stanley Pelham, hereby disclose that on 9/15, 2014:

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, EDC employees daughter-in-law Sarah Pelham;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

9/15/14
Date Filed

Stanley Pelham
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.