

HARDEE COUNTY
ECONOMIC DEVELOPMENT AUTHORITY (EDA)
(INDEPENDENT BOARD)
COUNTY COMMISSION CHAMBERS
412 WEST ORANGE STREET, ROOM 102
WAUCHULA, FLORIDA 33873
February 22, 2016 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
Steven Southwell, P

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

County Manager Lexton H. Albritton, Jr., P

Pastor Wendell Smith led the invocation followed by the pledge to the flag.

Chairman Royal called the meeting to order at 8:30 a.m.

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

MOTION by Birge, second by Pelham to approve the minutes for the regular meeting on February 08, 2016, at 8:30 a.m. Motion carried unanimously.

AFFIDAVIT OF PUBLICATION –The Herald Advocate 02/11/16 & The Florida Administrative Weekly 02/10/16.

I. Discuss funding for the grants from Cycle 12.

Chairman Royal advised the board members that the spreadsheet they had was the old one and did not have the amended amounts. He gave them the amended amounts of Ag Outdoor World - \$875,000, Debut Development with the \$108,000 for equipment taken out - \$185,220, and Bees and Botanicals - \$239,575. He also stated they had around \$2.6 million to fund. Atchley stated they had around \$3.215 million in requests. Roberson asked how they were going to handle the return of the \$239,575 from last cycle from Peace River Bees. County Manager Albritton explained that was included in the \$2.6 million. Miller stated he would just like to propose they fund the first five or six of the ranking. **MOTION by Miller second by Birge to fund fully the first six of the ranking IDA Water/Sewer, Utilitech, IDA Incubator, EDC Funding, Stream2Sea, and Debut Development.** Pelham stated he would abstain from voting since his daughter-in-law works for the EDC. Doubleday explained she still had a problem with funding salaries as operational costs.

Southwell stated he had some of the same concerns, but felt they would probably have to address those at another meeting, but wondered if they should vote on each one independently. Roberson asked how they would follow up on the employee part of the applications. Chairman Royal explained that would be the IDA handling that. County Manager Albritton touched on the different applications and how the board could customize the contract. Atchley stated they had some discussion on operational costs in the past, but never made a decision not to fund them. **Motion carried 5 to 2 with Doubleday and Southwell voting nay and Pelham abstaining.** County Manager Albritton reminded the Chairman they approved funding, but they could also approve the level of funding.

Chairman Royal asked Mr. Flemmer, Peace River Paddlesports how much it cost him to build a boat. Mr. Flemmer explained around \$1,500. Chairman Royal asked the board to consider funding him and explained it could be set up as he built a boat, he could request reimbursement. He explained he did not want to see him fail. He further explained the canoe rental business should carry itself. Chairman Royal asked how many boats he planned on building this year. Mr. Flemmer explained that if he did not receive funding, he would have to do this on a week-end basis and get a regular job. He further stated he needed monies to do marketing and he planned on building five boats, but wanted orders first because he did not want them just sitting on a shelf. Pelham stated he felt they should fund him one more year, but that would be it. Commissioner Birge explained she did not want to leave him hanging either, but he needed to look at the number of employees he needed and if production was not happening, he did not need to continue his payroll. Doubleday stated they should have benchmarks and deliverables in the contract. Atchley stated that in his opinion this would be the last funding cycle for Stream2Sea, Debut Development, and Peace River Paddlesports because it was time for them to be sustainable businesses. **MOTION by Atchley, second by Pelham to fund Peace River Paddlesports for the last time at their request no canoe rental business included.** Atchley explained they did need deliverables in the agreement, but felt Staff could look at what they felt they needed and bring back to them. County Attorney Evers asked if they were wanting that today. Atchley advised not at this time, but agreed with Doubleday that they needed deliverables in agreement. County Attorney Evers stated boats manufactured and sold were two that he thought of. Chairman Royal stated he felt it should be boats manufactured and boats sold and that he had to sell so many boats a quarter. Atchley reminded the board he needed money for marketing first. Mrs. Pelham, EDO Office stated his request included salary dollars and since their office would be monitoring the grant wondered if they needed to look at the amount he was being funded. Commissioner Birge stated she didn't think they excluded payroll. Chairman Royal explained they would only pay payroll for the manufacturing of the boats not the rental business. Commissioner Birge advised Mr. Flemmer will have to be very specific in his paperwork and reimbursement requests. County Attorney Evers advised since the board was not sure on the amount of funding and they were not funding the canoe rental business, the amount funded should be not to exceed \$100,000. Doubleday explained if they were excluding the rental business, she would like to see them fund \$75,000 instead of \$100,000 because in his application he had \$62,500 for Staffing and would probably

only need half of that now. County Manager Albritton advised he could not speak for Mr. Flemmer but probably the same people that worked the rentals would be working on the boats, so it would be up to him in his requests to be sure he only requested reimbursement for the manufacturing side, but felt they should not limit him because if he was successful he might need the whole \$62,500. Atchley stated he did not have a problem amending his motion for it to have Not to exceed. **MOTION by Atchley, second by Pelham to fund Peace River Paddlesports for the last time at an amount not to exceed \$100,000 no canoe rental business included. Motion carried unanimously.**

Chairman Royal asked the County Manager when they would start next cycle. County Manager Albritton explained when they finish this cycle; they should authorize advertising another cycle. Atchley asked if he felt like he would have enough time to get the agreements completed. County Manager Albritton explained he felt they could and touched on in the past they had also had the agreements retroactive to a certain date. Doubleday asked if they advertise for another cycle how would they clarify some of the things they had talked about before applications started coming in. Chairman Royal stated they would have to meet before that time. County Manager Albritton explained they would have to meet to approve them advertising and they could have a workshop to discuss the issues. Mr. Lambert, EDO Director, explained with the Water/Sewer Corridor project it was on going and would like to get the Board's permission to continue the project if there was a provision to do that. Commissioner Birge asked for him to explain further. He explained they were ready to move forward on the Water Sewer Corridor Project and wanted to get it done before the rainy season and did not want to get behind. He also mentioned Stream2Sea and Debut Development. County Manager Albritton explained how they could make the contracts retroactive to March 1st. Mr. Lambert stated he just wanted to make sure if they advanced monies they would be able to get them reimbursed. Chairman Royal stated yes. Southwell stated as long as it was addressed in the agreement. Chairman Royal asked the County Attorney Evers how long he would need. County Attorney Evers explained the only one that would need a lot of time spent on it would be Peace River Paddlesports, so it should not take very long. County Manager Albritton touched on the budgets for each business being an exhibit.

Southwell stated he would like to see them discuss Ag Outdoor World's project. He explained how it was original and unique and realized they could not fund it all, but there were parts that were good things for their community. He further explained he did not have a motion because he wasn't sure on the amount, but was for funding a portion of the Agri-Tourism. Commissioner Birge asked how much they had funded. Chairman Royal went through all the grants they had funded so far which totaled \$1,825,570. He also stated they did not have to fund all the money they had they could roll it into the next cycle since it was coming right up. Commissioner Birge stated she would also like to look at the Ag Outdoor World, but wasn't sure what part was most important to them. Miller explained he liked the project too and knew they were hesitant about funding on private property, but thought they should look at it because they could probably make it work. Southwell explained they could also fund the marketing. Pelham reminded the Board if

they did fund a building on private property and something happened they could not take it back because the EDA could not own property and he asked the County Attorney if he was right. County Attorney Evers explained he was right. Atchley explained he wasn't opposed at looking at the project either because they did have money of their own they were willing to invest. Doubleday explained she still had problems with funding on private property, but she did like the project and would not be opposed to marketing funds. Pelham mentioned the unfair advantage because of there being a lot of landscape companies and CPA Offices in town.

Roberson stated she would like for them to look at Bees and Botanicals because they had a good product too. Bill Lambert, Economic Development Director explained he would like to see them use the Incubator for their products and they did not want to see them have any problems. There was more discussion on Bees and Botanicals on whether they should reapply or if they could fund them contingent upon the IDA approving their application because the IDA had not approved their application yet. Commissioner Birge asked how Bees and Botanicals were operating now. Mrs. Cantu, Bees and Botanicals explained they were operating on personal funds and they were moving very slowly, but was still working. Miller stated he felt it was a lot cleaner to him to have these vetted in advance by the IDA.

Southwell stated he wanted to discuss the marketing for the Ag Outdoor World project. Erica Scheipsmeier, Ag Outdoor World explained the Agri-Tourism portion of the application was something they were very willing to work on and it was about one-fourth of the total grant request and explained it would have to be worked on year round. She also touched on how conservative they were on their figures. She also explained they could look at marketing and some of the clearer operating costs. She also asked if they could look at the dollar amount they were willing to fund it would be easier to decide what the board could fund and what they could fund. Southwell asked what would one year of marketing be. Mrs. Scheipsmeier explained they put \$50,000 in marketing in their budget for the first year. She also touched on if that was all they were going to fund she would have to really look at everything and make sure that would work because there was a lot more that went along with that. She also touched on how she could work with the County Manager's Office to work through the contract and deliverables. Miller touched on the Mosaic Agreement and the IDA being able to assist. Mrs. Scheipsmeier explained she had already met with them and it would not work because she had her own property. Pelham advised he thought she should reapply at the next cycle with a plan. Mrs. Scheipsmeier advised she had already done that. Miller asked what she needed first to make project move forward. Mrs. Scheipsmeier advised it was at their discretion and if she had an amount she could then work with the County Manager on what they could fund and what to use the dollar amount for. Commissioner Birge explained this was very difficult to fund because there was not a specific thing to fund. Mrs. Scheipsmeier explained she did not understand what the issues were and that she had broken everything out. Roberson asked if the County Manager could help with this. County Manager Albritton explained they needed to set a dollar amount and Mrs. Scheipsmeier would have to work on breaking it out, but couldn't really just do marketing. Miller asked if they funded

\$531,000 that was listed on her sheet would that get her project started. Mrs. Scheipsmeier advised that would absolutely get it started. Commissioner Birge stated she thought Mrs. Scheipsmeier had stated she would have problems allocating the employees. Mrs. Scheipsmeier explained she would just allocate all of their times and keep everything separate. Doubleday explained she would like for her to come back at next cycle with something more specific. She also touched on how she could not support something that would be competition for other businesses. Mrs. Scheipsmeier explained there was not another Agri-Tourism business that she knew of. Doubleday touched on how she did not think they could amend an application. County Manager Albritton explained they could amend an application if they desired and he also explained how he did not discourage applicants from applying. Miller advised they had funded a lot of operational costs already for other applicants and they needed to make a decision not to do that anymore and just do infrastructure and job creation. **MOTION by Miller, second by Southwell to fund Ag Outdoor World \$531,099.93 for the Agri-Tourism Division for three years.** Doubleday explained if they continued to fund operational costs and salaries there would not be a need for the job creation. County Manager Albritton advised the three year contract would be a problem. Commissioner Birge asked if this was without matching funds. Mrs. Scheipsmeier explained they would have their funds. County Manager Albritton explained if the projected revenues were not met the pro formas would not be met. Miller advised he understood but figured they could figure it out. Commissioner Birge explained she could not vote on the motion as presented without more specifics and explained it would not be unreasonable to ask for her to come back next cycle with more specifics. Mrs. Scheipsmeier explained she thought they could do that during contract negotiations. Commissioner Birge stated she does not understand what the \$531,000 was funding. Mrs. Scheipsmeier advised it was listed in the sheet that was given last time. Commissioner Birge asked how the monitoring of this grant would take place and did they have enough time for that. County Manager Albritton stated it would take more time than they had in his office. Mrs. Scheipsmeier stated they would be very specific in their reimbursement requests. County Manager Albritton explained his concern over some of the requests and how difficult it was to monitor. Miller stated for two years of funding it would be around \$350,000. Roberson and Commissioner Birge asked about matching funds. Miller stated they did not require anyone else to do matching funds. They then discussed removing costs that would be cumbersome to monitor. Pelham stated he felt it would be hard to verify the wages when they were working different jobs. Mrs. Scheipsmeier touched on some of the specific things that would be easy to monitor. Roberson asked if she were funded some grant money what would they accomplish and would she be doing the building. Mrs. Scheipsmeier explained they would build the building, but wasn't sure which year. Commissioner Birge asked were they still looking at seasonal. Mrs. Scheipsmeier explained they didn't want to be over ambitious, but were planning on a few events a year and they would need to start as soon as possible. Atchley touched on all the different pieces that made economic development work and how they needed diversity. Miller advised after all the discussion he was willing to amend his motion. **MOTION by Miller, second by Southwell to amend his original motion to funding \$350,000 to Ag Outdoor World for a two year period.** Motion passed 5 to 3 with Birge, Doubleday, and Pelham voting Nay. Chairman Royal advised now they needed to vote

on funding Ag Outdoor World \$350,000 for a two year period. Motion passed 6 to 2 with Doubleday and Pelham voting Nay. Miller stated they needed to change their rules if they did not want to go through this process and realized it was not easy.

Chairman Royal explained that before the next cycle they wanted to have a meeting to go over all the guidelines with prospective applicants to make the process a little smoother. Commissioner Birge suggested they also get input from previous applicants. Chairman Royal asked when the contracts would be ready. County Manager Albritton advised they had not discussed Bees and Botanicals yet. They then discussed Bees and Botanical's budget and how long they would need and when the next IDA meeting was. **MOTION by Roberson, second by Atchley** to fund Bees and Botanicals \$239,575 pending the IDA approval. Chairman Royal asked if they would be doing everything at the Incubator. Mrs. Cantu advised she would just be utilizing the Fill Line. Doubleday explained she was concerned if they would be able to keep moving forward until they were reimbursed. Mrs. Pelham, EDO Office explained they did do draw advances for some of the other applicants they monitored and there were some other options such as direct pay. County Manager explained if the IDA did not approve her grant she would not be able to move forward because she would need the draw advance. Mrs. Pelham explained that when an applicant did a draw advance they could not do another one until the first one was paid back. **Motion carried unanimously with Southwell abstaining.**

Chairman Royal asked Advanced Sober Solutions if they would be willing to come back and reapply at the next cycle. Mr. Porter, Advanced Sober Solutions explained they would, but could it be a division of the company. Chairman Royal advised yes they could.

II. Public Comment.

There was none.

Chairman Royal advised County Attorney when they should have next meeting to approve the grants. County Attorney Evers the only ones that would take time would be Ag Outdoor World and Peace River Paddlesports and needed to wait until after the IDA meeting. After further discussion, they decided their next meeting would be March 22, 2016, at 8:30 a.m.

County Manager Albritton advised the Water Sewer Corridor might need to be retroactive. Mrs. Pelham stated the Incubator would need to be retroactive too. **MOTION by Atchley, second by Pelham** to approve preparing the Contracts for the Incubator and the Water Sewer Corridor with a retroactive date of 03/01/16. **Motion carried unanimously.**

Meeting adjourned at 11:15 a.m.



David Royal, Chairman

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, Steven Southwell, hereby disclose that on February 22, 20 16:

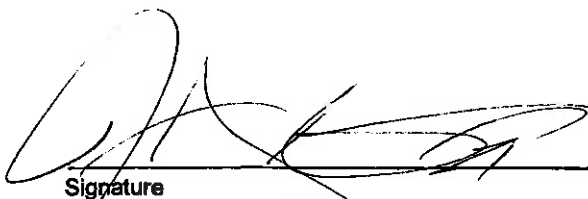
(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, associated business entity to client
- inured to the special gain or loss of my relative, _____;
- 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:

Funding of Bees and Botanicals.

2/22/16
Date Filed


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.

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 Co. EDA
MAILING ADDRESS 412 W. Orange Street #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. Econom. Dev. Auth.
DATE ON WHICH VOTE OCCURRED 2/22/16	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTEE

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 February 22, 20 16.

(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, 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:

Funding of Economic Development Council.

2/22/16
Date Filed

Stanley L 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.