

HARDEE COUNTY
ECONOMIC DEVELOPMENT AUTHORITY (EDA)
(INDEPENDENT BOARD)
COUNTY COMMISSION CHAMBERS
412 WEST ORANGE STREET, ROOM 102
WAUCHULA, FLORIDA 33873
March 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

Chairman Royal 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 Pelham to approve the agenda. Motion carried unanimously.

MOTION by Birge, second by Pelham to approve the minutes for the regular meeting on February 22, 2016, at 8:30 a.m. Motion carried unanimously.

AFFIDAVIT OF PUBLICATION –The Herald Advocate 03/10/16 & The Florida Administrative Weekly 03/07/16.

- I. Acknowledge receipt of Clerk's Financial Report Unadjusted for period ending 01/31/2016.

MOTION by Atchley, second by Miller to acknowledge receipt of Clerk's Financial Report Unadjusted for period ending 01/31/2016. Motion carried unanimously.

- II. Request approval and authorization for Chairman to sign the Grant Award Agreement with the Industrial Development Authority for the Incubator Grant retroactive to 03/01/16.

MOTION by Atchley, second by Birge to approve and authorization for Chairman to sign the Grant Award Agreement with the Industrial Development Authority for the Incubator Grant retroactive to 03/01/16. Motion carried unanimously.

- III. Request approval and authorization for Chairman to sign the Grant Award Agreement with the Hardee County Economic Development Office for the Admin Funding.

MOTION by Birge, second by Atchley to approve and authorization for Chairman to sign the Grant Award Agreement with the Hardee County Economic Development Office for the Admin Funding. Southwell questioned if the Grant Agreement should read Economic Development Council instead of Economic Development Office. County Attorney Evers advised it should read Hardee County Economic Development Council, Inc. Birge and Atchley agreed to the amended motion. **MOTION by Birge, second by Atchley** to approve and authorization for Chairman to sign the Grant Award Agreement with the Hardee County Economic Development Office noting that the agreement should be with the Hardee County Economic Development Council, Inc., for the Admin Funding. **Motion carried with Pelham abstaining (form attached).**

- IV. Request approval and authorization for Chairman to sign the Grant Award Agreement with the Industrial Development Authority for the Water/Sewer Corridor Grant retroactive 03/01/16

MOTION by Miller, second by Atchley to approve and authorization for Chairman to sign the Grant Award Agreement with the Industrial Development Authority for the Water/Sewer Corridor Grant retroactive to 03/01/16. **Motion carried unanimously.**

- V. Request approval and authorization for Chairman to sign the Grant Award Agreement with the Industrial Development Authority for the Bees & Botanicals Grant.

Sarah Pelham, Economic Development Office Coordinator and County Attorney Evers provided each board member a copy of the Industrial Development Authority's (IDA) Sub-Grant Agreement with Bees and Botanicals, Inc. Mrs. Pelham explained she wanted the Board to go over them and then they would be going to the IDA for approval. She asked the board to refer to Page 3 of the agreement and explained to the board this area would need to be completed by them. She further explained she had met with Mrs. Cantu and she was comfortable with three positions, so wanted to offer that suggestion to the board. Chairman Royal asked what the three positions would be. Mrs. Cantu stated marketing/social media, sales, and operations. Chairman Royal asked would she need all three right away or would she just phase them in. Mrs. Cantu stated they could be phased in, but would probably need the marketing/social media and operations person right away. Mrs. Pelham suggested phasing them in like the place holder language did in the agreement that way she would have some flexibility. Atchley suggested they have the three positions by December 31, 2016, with one in June 2016, one in September 2016, and the last one December 2016. Mrs. Pelham advised that would probably work and asked Mrs. Cantu and she stated it would work. County Attorney Evers reminded the board they needed to acknowledge this was different than her application to the board. Atchley asked if they were

comfortable they could meet the contract requirements with the IDA and the EDA. County Attorney Evers they could, but also wanted to state the budget changed as well and they might want to make the budgets the same. Mrs. Pelham explained the budget they did was more specific. County Attorney advised the board that all the grants stated an amount up to now just in case the businesses became self-sustaining early. **MOTION by Atchley, second by Miller** to approve and authorization for Chairman to sign the Grant Award Agreement with the Industrial Development Authority for the Bees & Botanicals Grant acknowledging the new budget. **Motion carried with Southwell abstaining (form attached).**

- VI. Request approval and authorization for Chairman to sign the Grant Award Agreement with the Industrial Development Authority for the Debut Development Grant.

Mrs. Pelham explained their Sub-Grant Agreement was basically the same as last time, but just added the new cycle funding amount. Chairman Royal asked if they had a new budget. Mrs. Pelham advised their budget was the same. **MOTION by Pelham, second by Doubleday** to approve and authorization for Chairman to sign the Grant Award Agreement with the Industrial Development Authority for the Debut Development Grant. **Motion carried unanimously.**

- VII. Request approval and authorization for Chairman to sign the Grant Award Agreement with the Industrial Development Authority for the Stream2Sea Grant.

Mrs. Pelham explained this was the same as well. They just changed the cycle funding amount and their budget was the same. Birge asked how many employees they had. Mrs. Pelham stated they were at seven. **MOTION by Birge, second by Atchley** to approve and authorization for Chairman to sign the Grant Award Agreement with the Industrial Development Authority for the Debut Development Grant. **Motion carried unanimously.**

- VIII. Request approval and authorization for Chairman to sign the Grant Award Agreement with the Industrial Development Authority for the Peace River Paddlesports Grant.

County Attorney Evers explained this was kind of like the Bees and Botanicals. He went on to explain they had met several hours with Mr. Flemmer to work through the agreement. He went on to explain they had placed a requirement in the agreement that he would have to manufacture 10 boats within the three (3) month period, three employees by 06/30/16, and the three month funding would be set at \$47,900. He also explained that Mr. Flemmer realized the cost to manufacture a boat was more than what he had originally thought. He had stated it was around \$1,500, but after more research felt it was more like \$3,000 and how they all felt the best way to market the boat was to get some built and get them in the market even if it was on consignment. He then explained after 90 days they would look at the project and see what was happening. Chairman Royal advised everyone on the board wanted to see

him succeed. Mr. Flemmer stated he felt this would probably be the best way to go. He also touched on when he had informed the board of the cost he had not included the labor and that was the difference in the amounts. County Attorney Evers advised the board that his budget had changed and was different than his application. Commissioner Birge asked Mr. Flemmer if he could manufacture the 10 boats in 90 days. Mr. Flemmer advised he felt they could. Commissioner Birge stated they all wanted to see him succeed. Mrs. Pelham then went over the budget and explained at this time they had two budgets, one being the one with his application and the other one being the 90 day budget for \$47,900. She further explained he would receive \$18,500 up front for the materials to manufacture 10 boats. She then explained she felt both budgets needed to be with the agreement. Atchley asked were they getting too involved in the IDA's agreement. County Attorney Evers advised that was a good point, but they had to make sure the Clerk had the budget she needed when the reimbursements came through because that was what she used. Mrs. Pelham asked if they could have the budget added as an exhibit. County Attorney Evers advised they could as long as they did not provide inconsistency. Southwell asked how it would be reviewed in 90 days. County Attorney Evers explained they had discussed that, but would have to wait and see what happened at the end of the 90 days and hopefully, he would be selling them, but if nothing was happening they would have to look at it more closely and make a decision. Miller asked why they couldn't just leave their agreement with the IDA like it was. County Attorney Evers explained they could, but that some of the IDA board members felt the EDA should also be involved in some of the process and details with the applicant. Pelham stated if they did not acknowledge the new budget they would run into trouble with reimbursements with the Clerk. They then discussed if the EDA or IDA would make the decision at the end of the 90 days. Mrs. Pelham explained that Staff could shift his material dollars to month one in his original budget then it would match. **MOTION by Atchley, second by Miller** to approve and authorization for Chairman to sign the Grant Award Agreement with the Industrial Development Authority for the Peace River Paddlesports Grant and for the amending of the original budget to show the materials in the amount of \$18,500 be spent in month one. **Motion carried unanimously.**

- IX. Request approval and authorization for Chairman to sign the Grant Award Agreement with Ag Outdoor World.

County Attorney Evers explained that her agreement had an amendment that year one would be \$225,000 of the \$350,000 with a review at the end of the year for continued funding. He further explained they had not established any criteria to go by and they would just have to look at it at the end of year one and see what had happened. County Manager Albritton explained the budget and how they had worked on it. He also touched on how confidentiality would not apply to this grant. County Attorney Evers explained Heartland Events, LLC needed to be added to the agreement.

MOTION by Miller, second by Southwell to approve and authorization for Chairman to sign the Grant Award Agreement with Ag Outdoor World with the addition of Heartland Events, LLC to the agreement. **Motion carried unanimously.**

- X. Request approval and authorization for Chairman to sign the Grant Award Agreement with Utilitech, Inc., the effective date of agreement will be 04/01/16.

MOTION by Atchley, second by Birge to approve and authorization for Chairman to sign the Grant Award Agreement with Utilitech, Inc., the effective date of agreement will be 04/01/16. **Motion carried unanimously.**

- XI. Discuss setting next meeting to discuss the continued funding of operating costs.

The board decided the next meeting date would be April 5, 2016, at 8:30 a.m. County Manager Albritton explained they did not need to make a change to applications because nothing in them or the guidelines mentioned operating costs, but would want to make future applicants aware if they were not going to continue funding operating costs. Miller asked if this was acceptable practice or if they had any guidance to go by. County Manager Albritton explained he wasn't sure and touched on the history behind the applications. County Attorney Evers advised they only had the local bill and that there was nothing else like this.

- XII. Discuss timeline for Cycle 13 and approve advertising for new grant cycle.

County Manager Albritton advised they needed to have the other meeting first. The board decided they would add this to the next agenda.

- XIII. Public Comment.

There was no public comment.

Meeting adjourned at 10:30 a.m.


David Royal, Chairman

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 Economic 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: Economic Development Authority
DATE ON WHICH VOTE OCCURRED 3/22/16	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 March 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 (daughter-in-law);
- 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:

Approval and authorization to approve the grant award agreement with the Hardee County Economic Development Council, Inc.

Date Filed

3/22/16

Signature

Stanley L. Pelham

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 <i>Southwell Steven</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Hardee County Econom. Dev. Auth.</i>
MAILING ADDRESS <i>412 W. Orange St. #103</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
CITY COUNTY <i>Wauchula Hardee</i>	<input type="checkbox"/> CITY <input checked="" type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED <i>3/22/16</i>	NAME OF POLITICAL SUBDIVISION: <i>Economic Development Authority</i>
	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

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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:

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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:

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APPOINTED OFFICERS (continued)

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- 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 March 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:

Approval and authorization to approve the grant award agreement with the Industrial Development Authority for the Bees and Botanicals Project.

3/22/16
Date Filed

[Signature]
Signature

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