

**SEMINOLE COUNTY PORT AUTHORITY  
MINUTES OF THE REGULAR BOARD MEETING  
JUNE 20, 2012**

*The regular Board Meeting of the Seminole County Port Authority was held in the Board Room of the Administration Building at the Port of Sanford on June 20, 2012.*

*Chairman Matthew Brown called the meeting to order at 4:01 p.m. with the following Directors constituting a quorum: Matthew T. Brown, Chairman; Damon Chase, Vice Chairman; Taylor Pancake, Secretary (arriving late); Dana McBroom, Treasurer; Cliff Miller, Member; Bill Poe, Member; and Kyle Kilger, Member (arriving late).*

*Directors Absent: Thomas Kuhn, Member; and Dick Van Der Weide, BCC Member.*

*Staff present: Andrew Van Gaale, Administrator; and Irene Dolgner, Administrative Assistant.*

*Others present: Dave McBroom, Seminole County Employee Academy, Utilities/Engineering; and Stephen H. Coover, SCOPA Attorney.*

*The invocation was given by Bill Poe followed by the pledge to the Flag.*

*The Chairman introduced and welcomed Dave McBroom (husband of Dana McBroom), who explained that the Employee Academy gives them a chance to observe the inner workings of the different divisions of the County and the Port Authority was on the list.*

*The Chairman asked for corrections or additions to the minutes of the May 16, 2012 Board Meeting.*

***MOTION WAS MADE BY DAMON CHASE, SECONDED BY CLIFF MILLER TO APPROVE THE MINUTES OF THE MAY 16, 2012 BOARD MEETING, AS PRESENTED.***

***MOTION CARRIED UNANIMOUSLY.***

*The Balance Sheet and Budget Statement for the month of May, 2012 were presented to the Board for discussion and approval. The Administrator stated that he spoke with a few of the Board Members earlier today mentioning the outstanding balance of one of our major tenants which accounts for the deficit in the May revenues, but since then they paid one month's rent which put their account in current status. He referred to the revenues and expenditures charts explaining that revenues for the month were under budget by \$27,070 and under for the year by \$83,668. Expenditures for the month were under budget by \$22,463 and under for the year by \$477,120. Profit totals \$516,699 (47.5%), and occupancy remains at 84.1%.*

***MOTION WAS MADE BY CLIFF MILLER, SECONDED BY DAMON CHASE TO APPROVE THE BALANCE SHEET AND BUDGET STATEMENT FOR THE MONTH OF MAY, 2012, AS PRESENTED.***

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**MOTION CARRIED UNANIMOUSLY.**

*(Mr. Kilger joined the meeting)*

*The Outstanding Bills and Aged Receivables lists were presented to the Board for discussion and approval. The Administrator reviewed the list of bills explaining that the payment to Girard Environmental Services, Inc. in the amount of \$1,800.00 is for tree trimming and one tree removal along Orange Blvd.*

*Mr. Van Gaale explained that about two weeks ago we had a bad storm that blew rain sideways and flooded the College's building at 1433-1453 Dolgner Place. He was able to contact our tenant, ServPro (J. Dalton Enterprises, Inc.), and they did the water extraction, carpet cleaning and replacement of the cove base over a period of a week, which is the payment to ServPro in the amount of \$4,998.46. Mr. Miller asked if there was flooding in the parking lot or was it from the driving rain, and Mr. Van Gaale replied that the parking lot is on a slope, but the driving rain blew up under the thresholds on the doors and there was an inch of water in the hallways and offices. Mr. Chase showed video of the driving rain on his cell phone from that day, and the Chairman added that it seemed worse than a hurricane; he's never been in a rain like that. Mr. Van Gaale stated we are going to put new thresholds and sweeps under the doors, replace the ends of the downspouts, and install drains under the doors on the outside.*

*Mr. Coover stated that item 25 (ServPro) was obviously an emergency and, therefore, multiple proposals were not obtained for the work.*

**MOTION WAS MADE BY BILL POE, SECONDED BY CLIFF MILLER TO APPROVE THE BILLS FOR PAYMENT, AS PRESENTED. THE LIST OF BILLS APPROVED TO BE PAID IS ATTACHED AND MADE A PART OF THESE MINUTES.**

**MOTION CARRIED UNANIMOUSLY.**

*The Administrator referred to the Aged Receivables list explaining that, as mentioned previously, Acme Recycling Industries, LLC made one month's payment today which put their account in current status. Payment was received from Big Mike's Boats, LLC in the amount of \$1,700.00 that is not reflected on the List. He mentioned that Mike Sandfort's 17 year old son has been drafted with the Pittsburgh Pirates.*

*(Mr. Pancake joined the meeting)*

*R & R Sheet Metal indicated that they are waiting on a check from a customer and will be paying us when it's received; Ryan & Reed, Inc. made their \$500.00 payment the end of last month and we expect another payment the end of this month; Edvarado Rojas paid \$500.00 last week and is in New York working diligently to pay down his debt. Mr. Van Gaale asked that the Board allow him to continue working with him.*

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*Mr. Van Gaale explained that Kenneth Gogue, owner of Cup-A-Coffee, turned his business over to his family and things have not worked out well. We issued a Three Day Notice and Mr. Gogue came in to talk with us. He agreed to and signed a Promissory Note in the amount of \$2,702.77, which is the amount owed less his deposit, for 6 months at 6% interest. The first five months payments are in the amount of \$456.10 and the sixth month is in the amount of \$456.08. They are in the process of moving out, and will be out by the end of the month. Mr. Van Gaale recommended accepting the Promissory Note.*

***MOTION WAS MADE BY DAMON CHASE, SECONDED BY CLIFF MILLER TO ACCEPT THE PROMISSORY NOTE FROM KENNETH GOGUE AND CUP-A-COFFEE IN THE AMOUNT OF \$2,702.77, AS PRESENTED.***

***MOTION CARRIED UNANIMOUSLY.***

ATTORNEY'S REPORT

*a) Dan Newlin & Associates - Mr. Coover reported that the claim he reported on last month was dropped by Dan Newlin's office. Mr. Van Gaale had informed him that our insurance carrier had heard that they dropped the client, so he wrote Mr. Newlin's office a letter to clarify whether they still represented him, and they replied by letter that they no longer represent him.*

ADMINISTRATOR'S REPORT

*The Administrator had nothing to report.*

OLD BUSINESS

*a) Tank Farm-Phase II Environmental - The Administrator explained that he has been talking to the Florida Department of Environmental Protection (DEP) in Tallahassee and Orlando, and it appears there's another route we can take without moving into a Phase II Environmental Study. We can remove our above ground storage tanks and associated piping according to DEP; however, we need a Tank Assessment Closure Report which requires ground water sampling and soil tests. We then have 60 days to complete our Tank Assessment Closure Report and send it to DEP. DEP requires 4 samplings from each of the 5 tank sites, and we will have to hire an environmental group to do the testing, if we decide to take down the tanks.*

*Mr. Van Gaale stated that the option now, instead of moving forward with a Phase II that looks at the whole site, is to move forward with an RFP for the tank demolition, notify DEP that we are going to take down the tanks, remove the tanks and piping, collect the samples, complete the closure report, and send it to DEP within 60 days. If there is no contamination in the samples, we can move forward with leveling the site and future development. If there is contamination, then we're beholden to DEP for their plan of action. This way we deal only with the tank site and not the*

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*other portion of the property for the Phase II. He spoke with CPH Engineers and asked them not to look at the Phase II Environmental, but reminded them that they are still under contract to do the RFP and oversee the demolition. When that's complete, we need to find out what it will cost to prepare the closure report by doing the minimum amount of borings required by the State, fill out all the documentation, and submit it. They have already talked about reducing their initial proposal by a couple thousand dollars because they are not going to sample anything other than where the tanks were.*

*Mr. Van Gaale further stated that since we are not completely leased out, there is no demand for development on this property, although there is demand for surface storage. Another option is to fence it off and wait another year to see what happens, but he feels there's a good environment now with DEP and we could probably get a good price on demolition and construction, so it may be advantageous to move forward.*

*Mr. Chase asked what we could get for the tanks, and Mr. Van Gaale replied that he did not know but the demolition company will give us a price on the cost of the demolition as well as the value of the scrap that will off-set the cost. Mr. Chase asked for his recommendation. Mr. Van Gaale recommended we move forward with the project by getting the specs together for the bidding, get a price on only what's required - 4 boring samples per tank and the cost of the report, and send it to DEP within 60 days.*

**MOTION WAS MADE BY DAMON CHASE, SECONDED BY CLIFF MILLER TO MOVE FORWARD WITH THE PROJECT UNDER CONTRACT WITH CPH ENGINEERS, INC., AND PROCEED WITH THE MINIMUM REQUIREMENTS BY DEP, AS PRESENTED.**

*Under discussion, Mr. Kilger asked what the plan is after the site is cleared, and Mr. Van Gaale replied the we first need to get rid of the liability and then the current tenant on the south side of the site is planning on moving out which will give us approximately 2.5 acres to negotiate a Lease with the Marina for surface boat storage for the short term. Then we will look at our long-range plans and eventually build warehouses when the market turns around.*

*Mr. Coover questioned whether the same contractor will do the tank removal and the pipe removal, and Mr. Van Gaale replied that he believes it would be one company since the removal of both the tanks and associated piping are required. Mr. Coover stated that the reason he asks is so we don't have to pay a contractor on site to re-mobilize. Mr. Van Gaale said after the demolition and testing is complete, he will have another company come in and do the site improvement.*

**MOTION CARRIED UNANIMOUSLY.**

*\_\_\_\_\_ Mr. Van Gaale further mentioned that he will have the steps written out in detail that the Board can look at next month, and if anything changes in the plan, he will bring it back to the Board.*

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*The Chairman thanked the Administrator for his work on this project.*

NEW BUSINESS

*a) Appoint Insurance Committee - The Chairman appointed Cliff Miller as Chairman, Dana McBroom and Taylor Pancake to the Insurance Committee.*

*b) Leases - The following Leases were presented for approval:*

- 1. New Lease - The Bounce House Factory, LLC, 1450 Kastner Place, Suite 120, beginning July 1, 2012 through June 30, 2013, at the budgeted monthly rate of \$893.00 (1,212 s.f. warehouse, 288 s.f. office @ \$7.14/s.f.). Personal guarantee.*
- 2. New Lease - Stiffey's Auction, Inc., 1481 Kastner Place, Suite 113, beginning July 1, 2012 through June 30, 2013, at the monthly rate of \$2,500.00 (7,500 s.f. warehouse @ \$4.00/s.f.). Personal guarantee.*

***MOTION WAS MADE BY DAMON CHASE, SECONDED BY BILL POE TO APPROVE ITEMS 1 & 2, AS PRESENTED.***

***MOTION CARRIED UNANIMOUSLY.***

*There being no further business, the meeting was adjourned at 4:36 p.m. by Chairman Brown.*

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*Matthew T. Brown, Chairman*

*Taylor Pancake, Secretary*