

**SEMINOLE COUNTY PORT AUTHORITY
MINUTES OF THE REGULAR BOARD MEETING
AUGUST 21, 2013**

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 August 21, 2013.

Chairman Damon Chase called the meeting to order at 4:00 p.m. with the following Directors constituting a quorum: Damon Chase, Chairman; Taylor Pancake, Vice Chairman (arriving late); William H. Poe, Secretary; Cliff Miller, Treasurer; Dana McBroom, Member; Matthew T. Brown, Member; and Thomas Kuhn, Member.

Directors Absent: Brenda Carey, BCC Member; and Kyle Kilger, Member.

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

Other present: Stephen H. Coover, SCOPA Attorney.

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

The Chairman asked for corrections or additions to the minutes of the July 17, 2013 Board Meeting.

MOTION WAS MADE BY MATTHEW BROWN, SECONDED BY TOM KUHN TO APPROVE THE MINUTES OF THE JULY 17, 2013 BOARD MEETING, AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

The Balance Sheet and Budget Statement for the month of July, 2013 were presented to the Board. The Administrator referred to the revenues and expenditures charts explaining that revenues for the month were over budget by \$7,453, and \$31,400 for the year. Expenditures for the month were under budget by \$50,729, and \$260,906 for the year. Profit totals \$816,476 (55.6%), and occupancy increased slightly to 90.1%.

The Outstanding Bills and Aged Receivables lists were presented to the Board for discussion and approval.

MOTION WAS MADE BY BILL POE, SECONDED BY MATTHEW BROWN 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.

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The Administrator referred to the Aged Receivables list explaining that we received the June payment from Acme Recycling Industries, LLC yesterday. Integrity Management Solutions, LLC vacated their warehouse last month which gave them a credit on their August invoice of \$435.18 after applying their security deposit, leaving a balance due of \$864.94 including the past due amount for July. They still have a Land Lease in effect.

Mr. Van Gaale reported that he attended a Small Claims Court pre-trial hearing on William J. Leon, and learned that Mr. Leon was not served via certified mail from the Court; therefore, it was continued and he paid the Orange County Sheriff to do an Alias Summons. Mr. Leon has not been found and the person renting his house does not know where he is, therefore, the Summons was not served.

Mr. Van Gaale reported that Odd Rodz, LLC just paid their June balance, and they indicated that they will soon clear everything up since they hired a new accountant. He further stated that we received a \$500.00 payment from Ryan & Reed, Inc.

Chairman Chase asked Mr. Coover what he would advise the Board to do on the William J. Leon case. Mr. Coover replied that the only thing left to do is hire a skip tracer for \$75-\$100 to see if we can locate him. Chairman Chase stated that he's done throwing good money after bad, and entertained a motion to write it off. Mr. Coover suggested looking at the property to determine whether it is "under water" or not. If it is not, we should probably pursue him. Chairman Chase asked Mr. Coover to report back at the next meeting with a recommendation.

ATTORNEY'S REPORT

a) Ryan & Reed, Inc. - Mr. Coover reported that he got a Judgment which required both the guarantor and the defendant corporation to provide us with a fact information sheet which is basically a disclosure of financials, assets owned, etc. He stated that he wrote a letter to their attorney this week to let him know that we expect his client to comply with that Order. Once we see the fact information sheet we may just continue to accept their \$500 checks and not do anything more if they don't have anything. If there appears to be something we can get, we'll address that then. Mr. Coover stated that the likelihood is that they won't comply with the Order and then we'll have options to seek sanctions at that point.

ADMINISTRATOR'S REPORT

a) Tank Farm-Phase 2-Bid Results - The Administrator reported that three companies picked up bid packages including The Briar Team, Wharton-Smith and Samsula Demolition. Only one bid was submitted which was from Samsula Demolition in the amount of \$129,000.00, which was well below the engineer's estimate. Mr. Brown asked what we are doing with the site, and Mr. Van Gaale replied that we are filling and compacting the hole where the storage tanks were, we're moving and relocating the fencing, removing piles of debris, and repairing some drainage piping. He stated that once this is done the Marina is interested in using it for boat storage until we are ready to build on it.

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MOTION WAS MADE BY CLIFF MILLER, SECONDED BY BILL POE TO APPROVE THE CONTRACT WITH SAMSULA DEMOLITION FOR THE TANK FARM PHASE 2 PROJECT IN THE AMOUNT OF \$129,000.00.

MOTION CARRIED UNANIMOUSLY.

OLD BUSINESS

a) Policy Review Committee Report - Chairman Chase asked the Administrator if it is his recommendation to approve the Leasing Policy as amended, and Mr. Van Gaale replied that it is.

MOTION WAS MADE BY MATTHEW BROWN, SECONDED BY BILL POE TO APPROVE THE UPDATED LEASING POLICY, AS PRESENTED.

Under discussion, Mr. Coover informed the Board that Commissioner Carey (Chairman of the Policy Review Committee) called earlier to indicate that she is in support of the Leasing Policy, as presented.

Mr. Pancake joined the meeting.

MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS

a) Leases - The following Leases were presented for approval:

- 1. Lease Renewal - Producers, Inc., 1950 Dolgner Place, beginning July 1, 2013 through June 30, 2015 (2 years), at the budgeted monthly rate of \$840.00 (1,212 s.f. warehouse, 288 s.f. offices @ a blended rate of \$6.72/s.f.), a 5% increase. Personal guarantee.*
- 2. Lease Renewal - CFLSS, Inc., 1543 Dolgner Place, beginning September 1, 2013 through August 31, 2014, at the budgeted monthly rate of \$800.00 (2,000 s.f. warehouse @ \$4.80/s.f.). Personal guarantee.*
- 3. Lease Renewal - D. T. Diesel, Inc., 1980 Dolgner Place, Suite 1044, beginning September 1, 2013 through August 31, 2014, at the budgeted monthly rate of \$775.00 (1,212 s.f. warehouse, 288 s.f. office @ a blended rate of \$6.20/s.f.). Personal guarantee.*
- 4. Lease Renewal - Doug's Alignment, Inc., 4421 Schilke Way, Suites 124 & 128, beginning September 1, 2013 through August 31, 2014, at the budgeted monthly rate of \$1,575.00 (4,000 s.f. warehouse @ \$4.73/s.f.), a 5% increase. Personal guarantee.*

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5. *Lease Renewal - Dynamic Aspects, Inc., 1936 Dolgner Place, beginning September 1, 2013 through August 31, 2014, at the budgeted monthly rate of \$850.00 (1,356 s.f. warehouse, 144 s.f. office @ a blended rate of \$6.80/s.f.). Personal guarantee.*
6. *Lease Renewal - Freeport Fountains, LLC, 1510 Kastner Place, Suite 3, beginning September 1, 2013 through August 31, 2014, at the budgeted monthly rate of \$1,604.00 (1,375 s.f. offices @ \$14.00/s.f.). Personal guarantee.*
7. *Lease Renewal - Freeport Fountains, LLC, 1471 Kastner Place, Suite 121, beginning September 1, 2013 through August 31, 2014, at the budgeted monthly rate of \$697.00 (2,000 s.f. warehouse @ \$4.18/s.f.), a 5% increase. Personal guarantee.*
8. *Land Lease Renewal - Marinas, LLC, 1688 Fitzpatrick Point, beginning September 1, 2013 through August 31, 2014, at the budgeted monthly rate of \$194.00 (\$11,491/acre/yr.), a 5% increase. Personal guarantee.*
9. *Lease Renewal - O.T.S. Interiors, Inc., 1900 Dolgner Place, beginning September 1, 2013 through August 31, 2014, at the budgeted monthly rate of \$893.00 (1,212 s.f. warehouse, 288 s.f. offices @ a blended rate of \$7.14/s.f.), a 5% increase. Personal guarantee.*
10. *Lease Renewal - Sanford Boat Storage, Inc., 1490 Kastner Place, Suite A, beginning September 1, 2013 through August 31, 2014, at the monthly rate of \$8,000.00 (27,500 s.f. warehouse @ \$3.49/s.f.). Personal guarantee.*
11. *Lease Termination - Treetop Concept, LLC, 1980 Dolgner Place, Suite 1060, beginning April 1, 2013 through March 31, 2014, at the monthly rate of \$1,575.00, effective August 31, 2013.*
12. *New Lease - Treetop Concept, LLC, 1450 Kastner Place, Suite 100, beginning September 1, 2013 through August 31, 2014, at the monthly rate of \$975.00 (1,050 s.f. offices, 450 s.f. warehouse @ a blended rate of \$7.80/s.f.). Personal guarantee.*

The Administrator reviewed the list of Leases explaining that Sanford Boat Storage, Inc. (Item #10) has expanded their leasehold from 22,500 sq. ft. to 27,500 sq. ft.; and Treetop Concept, LLC (Items #11 & #12) wishes to downsize from 3,000 sq. ft. to 1,500 sq. ft. since business has been slow. He advised Treetop to bring their account current and he would recommend the downsize to help them continue their business for the long term.

MOTION WAS MADE BY BILL POE, SECONDED BY CLIFF MILLER TO APPROVE THE LIST OF LEASES, AS PRESENTED.

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Under discussion, Mr. Miller asked if Treetop's 3,000 sq. ft. unit will be easy to lease, and Mr. Van Gaale replied that it should be very easy to lease, although the 1,500 sq. ft. unit has been on the market for nearly a year. Mr. Miller asked if we will have to do any maintenance in the 3,000 sq. ft. unit, and Mr. Van Gaale replied nothing other than cleaning.

MOTION CARRIED UNANIMOUSLY.

b) Appoint Nominating Committee - Chairman Chase appointed Cliff Miller, as Chairman, Bill Poe and Thomas Kuhn to the Nominating Committee, and they accepted.

There being no further business, the meeting was adjourned at 4:17 p.m. by Chairman Chase.

Damon Chase, Chairman

William H. Poe, Secretary