

**SEMINOLE COUNTY PORT AUTHORITY  
MINUTES OF THE REGULAR BOARD MEETING  
AUGUST 19, 2015**

*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 19, 2015.*

*Chairman Matthew T. Brown called the meeting to order at 4:00 p.m. with the following members present: Matthew T. Brown, Chairman; Michael McLean, Vice-Chairman; Cliff Miller, Secretary; Thomas Kuhn, Member; William Poe, Member; Dana McBroom, Member; and Commissioner Henley, BCC Member.*

*Members Absent: Michael Caraway, Treasurer; and Kyle Kilger, Member.*

*Staff present: Andrew Van Gaale, Administrator; and Jennifer Sykes, Administrative Assistant.*

*Others present: Stephen H. Coover, SCOPA Attorney; along with Joey Pozo, Jr., Jessica Davis, and Tim Grossman, representing Marinas, LLC.*

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

*The Chairman asked for corrections or additions to the minutes of the July 15, 2015, Board Meeting. There was none.*

**MOTION WAS MADE BY WILLIAM POE, SECONDED BY MICHAEL MCLEAN TO APPROVE THE MINUTES OF THE JULY 15, 2015, BOARD MEETING.**

**MOTION CARRIED UNANIMOUSLY.**

*The Balance Sheet and Budget Statement for the month of July 2015 and year-to-date were presented to the Board. The Administrator referred to the revenue and expenditure charts explaining that revenues for the month were over budget by \$22,513 and revenues for the year to date were over budget by \$107,943. The Administrator reminded the Board that the negotiated Acme post surrender storage fees were included in the July revenues. The Administrator explained that expenditures for the month were under budget by \$73,029 and under budget by \$435,105 for the year thus far. Occupancy for the month of June was 92.7%. There were no questions on the July 2015 financial statements.*

*The Outstanding Bills and Aged Receivables were presented to the Board for discussion and approval. The Administrator explained that the list of bills included the cost to replace several of the older air conditioning units. He explained that item # 24, the \$4,850.00 payment to Bucky's Hauling, LLC, is for asphalt millings for the former Acme sites that are being readied for a new tenant. Line item# 27, the \$67,470.23 payment to McKee Construction, represents draws on project #170, 1515 Kastner Place, and #171, 1430 Dolgner Place. The Administrator reviewed the regular first of month bills due in September.*

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**MOTION WAS MADE BY WILLIAM POE, SECONDED BY MICHAEL MCLEAN 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 Acme Recycling Industries, LLC, would be discussed in the attorney's report. The Administrator explained that Ocean State was served a Three Day Notice on Monday and had called today promising a payment. However, if the payment has not come by the time we get the certified receipt back we will forward the account information to Mr. Coover. Thomas Companies, Inc., was also served a Three Day Notice on Monday.*

ATTORNEY'S REPORT

*a) Acme Recycling Industries, LLC – Mr. Coover stated that as the Board directed him to do last month, he negotiated on the \$56,000 Acme surplus that was being held by the Tax Collector. He explained that originally he proposed a 75/25 split with LSREF3 Sapphire, LLC, in SCOPA's favor but they countered with a 50/50 split. That Agreement was prepared and circulated when the County Attorney's office, who represents the Tax Collector in these types of matters, stated that they wanted Acme and the Lease Guarantors to sign off and indemnify them of any claims. Mr. Coover explained that he and the Administrator spoke with the parties and were able to resolve the matter. As a result, SCOPA received a check today for \$27,303.37 to be applied towards Acme Recycling Industries, LLC's, pre-petition rents. Mr. Coover explained that \$22,000 in post-petition rents would be forthcoming from the Trustee.*

ADMINISTRATOR'S REPORT

*a) FISCAL YEAR 2015/2016 Budget – The Administrator referred to Memorandum # 2243 explaining that he had been in contact with our Commission Board Representative and the County Manager who have strongly suggested that SCOPA reconsider the amount of the surplus fund transfer at the end of the year. The Administrator explained that the fiscal year 2015/2016 Budget passed by the SCOPA Board in May 2015, included a surplus fund transfer of \$300,000 which was just under the anticipated profit of \$320,220. The Administrator further explained that Commissioner Henley suggested a contribution in the amount of \$700,000. However, the County Manager stated that her staff has included a surplus fund transfer from SCOPA in the amount \$500,000 into the County budget. The Administrator stated that he was proposing to the Board today to reconsider the fiscal year 2015/2016 Budget and increase the contribution in the amount of \$200,000 to a total of a half of a million trying to reach a sustainable amount that allows SCOPA to build funds for oncoming and needed drainage infrastructure and maintenance. The Administrator explained that by doing so, the cash carried forward would also change by an amount of \$200,000. He stated SCOPA would still be in a good position at the end of 2015/2016 to move forward with the*

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*projects once the consulting engineers, CPH, begin identifying the specific infrastructure needs; piping, drainage, retention ponds, and closed systems. The Administrator explained at that time there will be a better understanding of the cost of the needed improvements and whether it should be a one, three, or five year capital outlay. He further stated that while it did exceed the anticipated profit and would change the cash carried forward, he felt that SCOPA would still be in a position to be able to move forward with the needed Capital Improvement projects. He referred to the prepared budget packages and budget memorandum with the increased surplus fund transfer totaling \$500,000 for their review and consideration.*

*Mike McLean stated that the budget committee meeting discussions, as well as the regular meeting discussions, circled around sustainability and the need for the surplus fund contributions to be on a consistent and sustainable basis. He explained that the discussion centered on the easiest way to accomplish that would be to give whatever surplus SCOPA would have in that particular year which in this particular case was \$300,000. Mr. McLean suggested the answer might be to look at a model where SCOPA comes to a number and sustains it. Mike stated that his concern was that in future years the Port would be penalized for success. He explained that he remembered from being on the BCC that this is always a challenging situation for both sides, to determine what is a reasonable amount that is going to help the County's operations but is also not going to adversely affect the Port. Mr. McLean suggested perhaps finding a sustainable figure that all parties are aware of and that SCOPA will work towards to prevent this yearly conversation.*

*Dana McBroom stated that it was her recollection that last year it was discussed that SCOPA was not going to go down that road again and give to the County more than the predicted profit because even \$500,000 a year may not be sustainable. She further stated that the contribution amount depends on what the Port does each year. Mrs. McBroom reminded the Board that last budget year SCOPA gave well over what profit was available and this year the County is talking about \$200,000 over profit. She expressed that if the Port has to start giving \$200,000 every year over the profits there is not going to be anything left. Mrs. McBroom stated that at some point this Board has to say that SCOPA can only give what the Port has and that's all it can do. Furthermore, she expressed that she understood Mr. McLean's point that it should not be arbitrary each year. The intent of the Port was not to create a large amount of money and if SCOPA did have a better year the County should get more of the funds.*

*Mr. Van Gaale explained that what has happened is the contribution has become front committed. If it was a true surplus then the Board could look after our audits at profits and what the true surplus actually is and kickback out of that year. As it stands now, the Board is trying to predict the future but in reality surplus should be determined out of the audit of the current year. He explained that somehow the system has been reversed and really should be rectified.*

*Steve Coover, explained that he was speaking with the head of the East Central Florida Planning Counsel who made him aware that the State has a lot of grants available for economic development that can be used for almost anything. He suggested the Port could get that money for repairs and maintenance which would also help with the capital improvement costs.*

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*Chairman Brown stated that one point which Commissioner Henley brought up last year is that SCOPA has a budget process that begins in May. Mr. Brown stated that he would love to have these discussions then. He stated that it is unfair to bring it up now, while this Board welcomes it and are discussing it, but it is something that should be brought to this Board during the budget process earlier in the year. Chairman Brown stated that the Port has a process in place but the last two years the process has been flipped over. He explained that during the previous thirty-eight years everyone seemed to be happy.*

*Cliff Miller stated he did not like the discussion at all. Mr. Miller explained that last year the Port gave above what profit it had to assist the County. He further stated that the Port has to project because there are issues out here at the Port. Commissioner Henley stated that was the reason he asked the Administrator how much was in the budget to solve the problems at the Port that the Board has had for years. Cliff Miller said that sooner or later it is going to be time to do something about them. Commissioner Henley agreed stating that if the money was being put to use that was one thing but if it is just lying there year after year then it is not. Cliff Miller asked the Commissioner if next year a hurricane came and the Port had to do a whole bunch of rework, that had nothing to do with the insurance, was the SCOPA Board going to be able to come to the County Commission for help?*

*Chairman Brown stated that he was told last year that SCOPA's million dollars that the Port was asked to budget last year, which will be delivered next month, is just going into the bank. It is just part of the reserve funds. Mr. Brown went on to note that it is just laying dormant in SCOPA's account but it is just going to be lying dormant in the County's account. Chairman Brown explained that was what Commissioner Carey told him was the purpose, to help build up the County reserves to ensure that the bond rating maintained the same rate. Commissioner Henley stated that County reserves were a lot better now than they were last year and the year before continuing to explain that at one time the County had reserves of \$93,000,000. The Commissioner explained that then the County had issues and the reserves were depleted to a point where a revenue forecast showed that in 2017 the County would be bankrupt with no reserve. Commissioner Henley stated that the reserve is coming back up and SCOPA's million dollars helped that. Cliff Miller stated that the Port gave it and do not have a problem with that but to be hit each year is not right.*

*Michael McLean explained that the challenge here is this has been a long-term partnership between the County and the Port. He stated that he did not recall during the time he was at the County any discussions on whatever dollars were changing hands or what was being done with it. Mr. McLean explained that last year it seemed to be a one sided discussion based solely on what SCOPA was or was not doing with the money but the County did not to discuss what the County was doing with the money once SCOPA gave it to them. He explained that the discussion was not meant in an adversarial way, but the County and Port have to get back into a partnership addressing the challenges and needs of both sides. Mr. McLean agreed with the Chairman that it is a shame that the County did not have this discussion in May when SCOPA was in a better position to analyze our options and to hear from the County on their needed number and the reason for it. Mr. McLean stated that the problem with going with the amount recommended by the County Manager, is that it is considerably more than the predicted profit leaving a gap. He stated that the Board has a defensible explanation that the \$300,000 contribution is based on profit but it has not been explained*

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*where the \$500,000 comes from, or where \$700,000 comes from making it difficult for him to rationalize. Mr. McLean stated that if SCOPA and the County are to be partners they should talk about these things from both sides.*

*Commissioner Henley stated that up until this year, a \$150,000 of the SCOPA contribution was being given to Seminole State College based on the SCOPA Board's recommendation for the College's incubation program. He further stated that the Board should recall that it could not give contributions directly to the College.*

*Chairman Brown asked what the pleasure of the Board was, explaining that if there was no motion the previously adopted budget would stand. The Chairman further stated that maybe Andrew and Dana could get with the accountants and talk about how SCOPA should look at true surplus. He explained that he thought maybe that the County looked at the reserves as surplus but SCOPA does not look at it this way. Chairman Brown expressed the Port's need to look at the replacing of buildings and roofs and how to fund that. He further stated that the Administrator has been very prudent in making sure that the buildings are getting maintained before getting into the heavier stuff with the water. Dana McBroom stated that also there was talk about doing additional building down the road and not having to take on any debt to do so. Mrs. McBroom inquired if the five year or ten year plan had been shared with the County or not. Chairman Brown answered stating that yes it has been shared here and the County Commission has representation on this Board.*

*Andrew Van Gaale stated that SCOPA does have money ear marked in the five year plan for the old tank farm development. Chairman Brown stated that he has been on the Board in the past when they borrowed money and had to pay it back over a two or three year period. Dana McBroom confirmed that when those debts were paid was when the surplus fund contributions to the County increased annually.*

*Commissioner Henley stated that in regards to the comments on doing this in May, the only reason he could think of is that the County has to certify the millage by a certain date, to be advertised, which is why it comes early on from a standpoint of being able to determine the budget and the amount of money to meet that budget. He stated that he did not know SCOPA could go through a budget amendment in May. Chairman Brown commented that it would seem then that the County would rather know in May.*

*Michael McLean suggested that perhaps the answer is that when SCOPA has its budget committee meeting they invite the County Manger as a liaison that way the County has a voice during the process and can be included in the discussion. Commissioner Henley stated that Andrew should meet with the County Manager and discuss that issue to see if it can be adjusted. Andrew Van Gaale agreed that would be good and stated that, with all due respect, our County Representative on the SCOPA Board has been absent for the last ten years when the Board votes on the budget. The Administrator stated that as part of this Board it would be better to have such discussions before the budget has been approved. Mr. Van Gaale asked Commissioner Henley if the proposed revised budget, presented on paper, was something he could support. Commissioner Henley stated that there would have to be a motion.*

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*Dana McBroom asked if it was plausible for the County Manager to come and make a presentation to the budget committee each year. Chairman Brown replied that was absolutely possible because it is a public hearing. Dana McBroom recommended that SCOPA take that initiative to have a better understanding of the County's needs to budget accordingly, scaling back projects as needed, to prevent depleting the Port. She continued stating there are some projects that have to be done soon.*

*Cliff Miller reiterated that the SCOPA Board establishes the Port budget, not the County. He said that the legislature states that the County only approves or vetoes the SCOPA budget. Mr. Miller commented that for the County to say they need \$700,000 this year does not change what has been done, SCOPA cannot recreate money.*

*Steve Coover stated that, it seems like the County should not tell this Board how much money to give them. Mr. Coover continued by stating, the County Manager or budget person, should probably be involved in the Port's budget discussions so that they understand what is being projected. He commented that it appears that they just look at SCOPA's reserves and say they think that is too much for the Board to have. Mr. Coover suggested that maybe if the County Manager came to the budget meetings and heard everything, she would have an understanding of what the plan is at the Port and that might help. Mr. Cover commented that saying someone has too much in reserve without knowing why the reserves are there can be problematic.*

*Tom Kuhn stated that he has been on the Board for a very long time and looking back this Board has always been fair in the budgeting process with what was given to the County. Mike McLean stated that the partnership should continue. He commented that good partnerships work together through situations until they come up with something everyone can live with. Mr. McLean stated that additional funds the County is requesting may have a very good, defensible reason behind them but sadly the SCOPA Board is not aware of those reasons. He continued by stating that perhaps in future years, as Dana said, this Board can bring in the County Manager to gain that perspective. Bill Poe stated that last year when the County asked SCOPA to double its contribution, SCOPA agreed but also stated at that time that this Board did not want to over commit or go backwards by supporting the County's request for additional dollars. Mr. Poe stated that the SCOPA Board went through this process and was hesitant to go with a million dollars because it will not be able to sustain that. He said that he was hesitant to change the contribution amount because the Budget Committee already went through this process appropriately.*

*Dana McBroom agreed adding that she recalled Nicole Guillet attending a meeting last year and this Board telling her we were not going to commit over our profit. She stated that even though it is not a million, it is \$200,000 over the projected profit and out of reserves. Chairman Brown agreed stating that he read last year's minutes and Nicole Guillet said unequivocally that it was a onetime deal. Chairman Brown stated that with that being said, this is the situation and the Commission wants more money. Commissioner Henley stated that he will tell the Board what he told Andrew, to go ahead and submit what you want to submit. He stated that the County Board was going to do what it was going to do and the SCOPA Board would not know until it is submitted. Chairman Brown replied that the budget was submitted some time ago. Commissioner Henley*

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*stated that the County Manager knows what the Board members have told her; if \$500,000 is OK he did not know.*

*Michael McLean stated that the problem he sees is that no one at this table has any idea why the request is for \$500,000, why not another number. He commented that it seems very arbitrary. He suggested that his thought would be, as the Commissioner just said, to take what SCOPA has, which is very defensible with the caveat that next year SCOPA put a structure in to have a true partnership scenario where we bring in the County Manager so that SCOPA can incorporate that into its decision making.*

*Chairman Brown stated that he would like Mr. Coover's opinion because in this scenario SCOPA does not necessarily need to know what the County needs to spend their money on but SCOPA does need to know what it needs to spend its money on. He also stated that if the County was in dire straits and there was an emergency, he would gladly give them all the Port's money. Commissioner Henley assured the Board that the County is not like they were last year.*

*Michael McLean reiterated that his thoughts were that there has been a long term relationship with the County until these last couple years. He stated that if SCOPA brings County Management into the process and hears their perspective from SCOPA's perspective, they would then understand this Board's priorities, situations and budgets. Mr. McLean commented that perhaps would lead to a budget number everyone was comfortable with. Commissioner Henley said it would simplify matters if the SCOPA Board let the BCC approve their long range plans for the Port and the County Commission agrees and signs off on all that. He said that then SCOPA will not have nearly as much justification for the amount if the BCC had agreed to it. Chairman Brown suggested that SCOPA could put the long range plans in the budget. Commissioner Henley suggested setting up a workshop and explaining all the things that SCOPA wants to do. He further stated that he assumed from the comments that the SCOPA Board has talked about what they want to do in the coming years but the Board of County Commissioners is not aware of that. He stated that if they agreed with SCOPA on those things then it would simplify the matter. Commissioner Henley stated that SCOPA was still a dependency agency, basically depending on the County agreeing. Chairman Brown replied that he was very proud of the fact that every Board Member has the good intention to help the Port, the County and the State. He further explained that SCOPA is a dependant special district because it is solely located within Seminole County. He explained that most people think of a dependant district as one that needs money from the district that it is in, but that is not the case. He stated that SCOPA is a rare breed because it gives money back. Chairman Brown stated that the Board has ideas because they are managing the property. He explained that not just once a month but maybe four times a month he personally drives through the property. He further explained that he has met with tenants with Andrew and walked through properties, it is not a casual thing to this Board. Chairman Brown said that this Board was not doing anything crazy out here, but are hopefully on a good track to give the Port another solid forty years with contributions to the Seminole County General Fund.*

*Dana McBroom noted that Commissioner Carey was given an outline of the Capital Improvement Plan last year when she requested it. Therefore, it was given to her to share in her report with the County Commission. Commissioner Henley stated that he has not seen it.*

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*The Administrator asked if it was something Commissioner Henley could support, and would he like to move to approve the budget revision. Tom Kuhn stated that this has been discussed for some time and asked if anyone wanted to do something about it. He said if they did not the Board should quit discussing it. Chairman Brown stated that the Board was having a discussion because the Administrator has inquired and been informed that the County would like the surplus fund contribution increased. Chairman Brown asked Commissioner Henley if SCOPA could come up with a program where the Board could accurately declare surplus funds on the back side of the budget to give back to the County, however, truthfully that means SCOPA would have to miss a year. He stated he did not know if the Board could support the budget as prepared with \$300,000 with the intentions of coming up with a better plan so that the County could end up with money that this Board knows it has to declare as excess. Chairman Brown said that funding the contribution upfront is really a crazy way to fund surplus when the surplus has not actually been created. William Poe stated that the SCOPA Board made the process abundantly clear last year when the number rose to a million. He stated he would be hesitant to commit money that the Board did not know that it has.*

*Chairman Brown noted that the other thing the Board must consider is what if the County does not approve the budget. He stated that if the SCOPA budget is part of the County budget eventually something has to be worked out. Chairman Brown explained that he does know that if a dependant special district does not have an approved budget by September 30<sup>th</sup> then it is to notify the Governor. He explained that it was his understanding that Governor would temporarily take control of SCOPA's money then, once the situation was corrected, give it back. Chairman Brown stated that he did not think it was embarrassing for the Port should that occur. He commented that that he was not opposed to giving up a little more money to avoid that.*

*Michael McLean explained that at the beginning of the discussion he mentioned the half million dollars to see where that would go but he felt the problem was justifying any number other than the number the Board already came up with. He stated that this Board can back the \$300,000 that was budgeted with reasonableness because it is equal to the estimated profits. He also stated that to come up with any other number, particularly at the last minute just before the budget hearing, with this whole new number not being defended or rationalized leaves this Board with the decision of having to kick in reserves. He warned that the Board is setting itself up to have to do it next year, and the year after and the year after. Mr. McLean supported the idea that the Board should do the contribution on the back end as opposed to estimating but he noted that doing so might mean a gap in contributions. He also said that the Board needs to engage the County as a partner in our discussions so both parties know what each is dealing with sooner rather than like now, in mid-August.*

*Dana McBroom suggested budgeting the \$300,000 and re-evaluating at the end of the year to see if there are additional profits to potentially be declared surplus funds. Mrs. McBroom commented that there is nothing in the SCOPA legislature that prevents the Board from revising the budget to give more if the year finishes out better.*

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*Chairman Brown opened the floor for a motion stating that if there was not a motion the issue would be dropped. Commissioner Henley stated that then you would let it ride. Chairman Brown reiterated that Commission Commissioner Henley could make a motion as a member of the SCOPA Board just like every other member. Commissioner Henley stated that just as he told Andrew when he called to just let it go. The Administrator asked Commissioner Henley if he could support the \$500,000. Commissioner Henley stated that it was better than \$300,000. The Administrator reiterated that it was on the table. Commissioner Henley stated that it was not really yet on the table since there was no motion made.*

*Michael McLean stated that it appears that no one present is willing to step out beyond \$300,000. He stated that it needs to be made clear that this Board is certainly willing to engage the County in our budgetary process and would welcome their information at that time. Chairman Brown asked that he turn that into a motion before the Board.*

**MOTION WAS MADE BY MICHAEL MCLEAN, SECONDED BY DANA MCBROOM, TO NOTIFY SEMINOLE COUNTY OF SCOPA BUDGET COMMITTEE DATES AND INVITE THE COUNTY MANAGER, OR THEIR REPRESENTATIVE, TO GIVE THE COUNTY PERSPECTIVE AND INCORPORATE THEIR INFORMATION INTO THE FINAL CONCLUSION.**

*Commissioner Henley suggested that the Board let the budget ride at the \$300,000 since SCOPA has already approved the budget and submitted it but state that SCOPA would be willing to at the end, if the surplus was higher, to make an additional contribution at that time. Chairman Brown stated that there was a motion on the floor already then Commissioner Henley could make that motion. He explained that the motion on the floor was that we invite the County and the County shares in our process. Dana McBroom clarified that this should be at the committee level. Commissioner Henley asked if they were referring to the County Commissioners or the County Manager to which Mrs. McBroom confirmed that they were referring to the County Manager or their representative.*

**MOTION CARRIED WITH THOMAS KUHN OPPOSED.**

*The Administrative Assistant, Jennifer Sykes, asked for clarification on the vote for the record. Chairman Brown reiterated that Thomas Kuhn voted negative and all other Members present voted in the affirmative.*

**MOTION WAS MADE BY WILLIAM POE, SECONDED BY DANA MCBROOM, THAT THE BUDGET REMAIN AS IS UNTIL LATER IN THE YEAR AND IF IT IS DETERMINED THAT WE HAVE ADDITIONAL MONIES TO CONTRIBUTE TO THE COUNTY THAT THIS BOARD REVIEW THAT AT THAT TIME.**

*Chairman Brown asked the motion maker to amend his motion to state that if SCOPA determines that additional funds are surplus. Michael McLean added that it should state that SCOPA will consider an additional contribution but that SCOPA is not obligated. Cliff Miller*

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*recommended that Mr. Poe restate the motion so that it is clear. Steve Coover suggested the motion maker and the second withdraw the motion and restate it for the record.*

**DANA MCBROOM WITHDREW HER SECOND AND WILLIAM POE WITHDREW THE MOTION.**

**MOTION WAS MADE BY WILLIAM POE, SECONDED BY DANA MCBROOM, THAT THE SCOPA BOARD WOULD RE-EXAMINE THE PERFORMANCE AT THE END OF THE FISCAL YEAR TO DETERMINE WHETHER THERE ARE ANY FUNDS TO BE DECLARED SURPLUS.**

*Commissioner Henley suggested that Andrew meet with the County Manager because the County budget included a \$500,000 contribution from SCOPA. He stated that the County budget would have to be amended to the \$300,000 so alerting the Manager would be appreciated.*

**MOTION CARRIED UNANIMOUSLY.**

OLD BUSINESS

a) Marinas, LLC, Capital Improvement Request – Chairman Brown invited Joey Pozo, Jr. to address the Board. Mr. Pozo stated that at the last meeting the Board was concerned about contributing towards any improvements on non-SCOPA property. Therefore, Marina management re-evaluated their needed repairs and capital improvements and Mr. Pozo presented a revised list to the SCOPA Board. The list including included the following: Repair the boat ramp erosion and repair the underlying support at an estimated cost of \$29,012; Drainage repairs to accommodate Port run off at an estimated cost of \$13,104; repaint 1691 Fitzpatrick Point at an estimated cost of \$26,400; replace rusted gutters at 1691 Fitzpatrick Point at an estimated cost of \$4,832; fill dirt in tank farm field at 1688 Fitzpatrick Point at an estimated cost of \$8,000; and repave parking lot and Carraway Place at an estimated cost of \$46,000.

*The Administrator explained that the Port Master Planning and engineering would include the drainage issues. Chairman Brown stated that the master planning needed to address and better define Carraway Place and the parking areas. The Administrator confirmed that traffic flow for the larger tenants would be addressed.*

*Dana McBroom inquired if Marinas, LLC, requested more than one quote for the various proposed improvements. Joey Pozo explained that they were happy to use any vendor the Administrator recommended. However, Erosion Specialists, Inc., who provided the quote for the boat ramp erosion control and repairs, is the only vendor of this kind around. Steve Coover stated that he was much more comfortable with the new proposed improvement list than the one previously provided by Marinas, LLC. Commissioner Henley asked which of the items on the proposed capital improvement list provided by Marinas, LLC, was also on the Port's Capital Improvement Plan. The Administrator explained that SCOPA did not have repaving the parking lot and Carraway Place in this year's budgeted improvements but SCOPA did have paving the area under the power lines*

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included. He further explained that the drainage repairs would not be able to be accomplished; however, the engineering necessary for those improvements was now being embarked upon.

Joey Pozo stated that of this list, the Marinas' biggest concern is the boat ramp. He explained that should the boat ramp fail, it would take a lot more in terms of finances and time to repair it not to mention the lost revenues. He confirmed for Commissioner Henley that the provided list was prioritized. The Administrator recommended that the Board assist with the boat ramp repairs reminding the Board that SCOPA does receive variable rents off of those operations. He further recommended that the Marinas attempt to obtain a total of three quotes for the work and contracting with the lowest bidder. The Chairman asked if the Board would entertain a motion on the matter.

**MOTION MADE BY MICHAEL MCLEAN, SECONDED BY COMMISSIONER HENLEY, TO AUTHORIZE THE ADMINISTRATOR TO WORK WITH MARINAS, LLC, IN THE AMOUNT UP TO \$29,012 TO REPAIR AND REINFORCE THE BOAT RAMP.**

Tim Grossman, the Marina Harbourmaster, stated that he spent weeks searching for someone to do the work. He further stated that there are numerous people to install new ramps but only one who will dive under and repair this existing ramp and install the sea walls. Erosion Specialists, Inc., is a single source provider. Tim Grossman stated that there was a revised bid, that included reattaching the aluminum, for the sum of \$31,000. The Administrator recommended doing it as had been done in the past with a reimbursement set up as long as he, the Administrator, confirmed that the work was completed as quoted. He explained that doing so places the burden on the tenant in regards to the due diligence. Dana McBroom inquired if there was any added liability by contracting as the Administrator suggested. Steve Coover explained that the Contractor would have the liability. The Administrator confirmed that SCOPA and Marinas, LLC, have general liability insurance. Chairman Brown stated also that the Contractor's liability would cover completed operations, generally for one year. The Chairman called the vote.

**MOTION CARRIED UNANIMOUSLY.**

**NEW BUSINESS**

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

1. New Lease – Driftwood Arts and Design, LLC; 1517 Dolgner Place; 1 year Lease; lease term August 1, 2015 through July 31, 2016; at the budgeted rate of \$850.00/mo. (2,000 s.f. warehouse @ \$5.10/s.f./yr.). Personal guarantee
2. New Lease – J. Dalton Enterprises, Inc; 1421-1425 Dolgner Place; 1 year Lease; lease term September 1, 2015 through August 31, 2016; at the budgeted rate of \$1,500.00/mo. (3,000 s.f. warehouse @ \$6.00/s.f./yr.). Personal guarantee.

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3. Lease Renewal – D.T. Diesel, Inc.; 1980 Dolgner Place, Suite 1040; 1 year Lease; lease term September 1, 2015 through August 31, 2016; 60 day termination clause; at the budgeted 5% rate increase to a rate of \$854.70/mo. (1,500 s.f. warehouse @ \$6.84/s.f./yr.). Personal guarantee.
4. Lease Renewal – D.T. Diesel, Inc.; 1980 Dolgner Place, Suite 1044; 1 year Lease; lease term September 1, 2015 through August 31, 2016; 60 day termination clause; at the budgeted rate of \$813.75/mo. (1,212 s.f. warehouse with 288 s.f. of office @ \$6.51/s.f./yr.). Personal guarantee.
5. Lease Renewal – Dynamic Aspects, Inc.; 1936 Dolgner Place; 1 year Lease; lease term September 1, 2015 through August 31, 2016; at the budgeted rate of \$892.50/mo. (1,356 s.f. warehouse with 144 s.f. of office @ \$7.14/s.f./yr.). Personal guarantee.
6. Lease Renewal – Freeport Fountains, LLC; 1471 Kastner Place, Suite 121; 1 year Lease; lease term September 1, 2015 through August 31, 2016; 60 day termination clause; at the budgeted 5% rate increase to \$731.85/mo. (1,500 s.f. warehouse @ \$6.51/s.f./yr.). Personal guarantee.
7. Lease Renewal – Freeport Fountains, LLC; 1510 Kastner Place, Suite 3; 1 year Lease; lease term September 1, 2015 through August 31, 2016; 60 day termination clause; at the budgeted 5% rate increase to \$1,684.20/mo. (1,375 s.f. office @ \$14.70/s.f./yr.). Personal guarantee.
8. Lease Renewal – Marinas, LLC; 1688 Fitzpatrick Point; 1 year Lease; lease term September 1, 2015 through August 31, 2016; at the budgeted 5% rate increase to \$203.70/mo. (0.2026 acres @ \$12,065.15/ac./yr.). Personal guarantee.
9. Lease Renewal – Sanford Boat Storage, Inc.; 1490 Kastner Place, Suite A; 1 year Lease; lease term September 1, 2015 through August 31, 2016; at the budgeted 5% rate increase to \$8,400.00 /mo. (27,500 s.f. warehouse @ \$3.67/s.f./yr.). Personal guarantee. Principle has written letter of request for an abatement of the proposed rate increase.
10. Lease Renewal – JDM Speedway, Inc.; 1471 Kastner Place; 1 year Lease; lease term September 1, 2015 through August 31, 2016; at the budgeted 5% rate increase to \$40.00/mo. (1,500 s.f. warehouse @ \$5.60/s.f./yr.). Personal guarantees.
11. New Lease– La Mesa RV Center, Inc. (Florida); 1430 & 1440 Dolgner Place; 1 year Lease; lease term September 1, 2015 through August 31, 2016; at the budgeted rate of \$6,000.00/mo. ( 11,500 s.f. of warehouse with 1,000 s.f. of office space @ \$5.76 /s.f./yr.). Personal guarantee.

The Administrator explained that item #9, Sanford Boat Storage, is a good, long-term tenant that has submitted a request for rent abatement. The Administrator explained that the tenant has low profit margins but is working hard to grow the business. This tenant was previously in the 1500

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*Dolgnier Place building that floods which is why he moved a few years ago into the larger facility at 1490 Kastner Place. Matthew Brown commented that the Lease was at an existing low rate and the building was recently re-skinned and re-roofed. Michael McLean stated that this long time tenant that pays timely is the type of tenant he would consider allowing abatement. Dana McBroom requested to review financial statements prior to approval. The Administrator stated that Sanford Boat Storage could be tabled and go on a month-to-month status until the Board has time to review the financials.*

**MOTION WAS MADE BY THOMAS KUHN, SECONDED BY MICHAEL MCLEAN TO APPROVE THE LIST OF LEASES, EXCEPT ITEM #9, AS PRESENTED.**

**MOTION CARRIED UNANIMOUSLY.**

*b) Nominating Committee – Chairman Brown appointed the nominating committee for 2015/2016 SCOPA Board Officers to include himself, William Poe and Thomas Kuhn. The nominating committee will meet fifteen minutes prior to the regular September Board Meeting and will be duly advertised.*

*The Administrator reminded the Board members that he would be presenting the fiscal year 2015/2016 Budget to the Seminole County Board of County Commissioners at the public hearing on August 25, 2015, at 1:30 p.m.*

*There being no further business, the meeting was adjourned at 5:37 p.m. by Chairman Brown.*

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*Matthew T. Brown, Chairman*

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*Cliff Miller, Secretary*