

**SEMINOLE COUNTY PORT AUTHORITY
MINUTES OF THE REGULAR BOARD MEETING
SEPTEMBER 16, 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 September 16, 2015.

Chairman Matthew T. Brown called the meeting to order at 4:01 p.m. with the following Directors constituting a quorum: Matthew T. Brown, Chairman; Michael McLean, Vice-Chairman; Michael Caraway, Treasurer; William H. Poe, Member; Dana McBroom, Member; Kyle Kilger, Member; Thomas Kuhn, Member; and Lee Constantine, BCC Alternate Member.

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

Others present: Stephen H. Coover, SCOPA Attorney, Jeremy Morton and Brady Lessard of CPH, Inc.

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 August 19, 2015, Board Meeting.

MOTION WAS MADE BY MICHAEL MCLEAN, SECONDED BY WILLIAM POE TO APPROVE THE MINUTES OF THE AUGUST 19, 2015, BOARD MEETING AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

The Balance Sheet and Budget Statement for the month of August 2015 and year-to-date were presented to the Board. The revenues for the month were over budget by \$39,222 and over budget in the amount of \$163,875 for the year. Expenditures for the month were over budget by \$92,803, but still under budget in the amount of \$342,301 for the year. The occupancy was slightly increased to 93.2%. There were no questions on the August 2015 Financial Statements.

The Administrator presented the Outstanding Bills to the Board for discussion and approval. He explained that item #19, the \$5,062.00 payment to Cee Bee Air Systems, Inc., represents the air conditioning unit replacement at the Seminole State College Small Business Incubator. Item #21 and 22, the \$17,920.56 and \$33,599.21 payments to McKee Construction, represent draws on projects # 170 and # 171. Item #27, the \$1,000,000.00 payment to the Seminole County General Fund, represents the committed fiscal year 2014-2015 surplus fund contribution. The Administrator reviewed the checks due October 1, 2015, explaining that item #36, the \$789.00 payment to AmTrust North America, and item #37, the \$17,677.00 payment to Public Risk

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Management, represents SCOPA's insurance renewals. There were no questions on the Outstanding Bills.

MOTION WAS MADE BY WILLIAM POE, SECONDED BY MICHAEL MCLEAN TO APPROVE THE BILLS FOR PAYMENT AND THE SURPLUS FUND CONTRIBUTION, 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 since we are approaching year end close, staff applied the deposits for Acme Recycling Industries, LLC, bringing their pre-petition rent balance down to \$24,253.53. He explained that he spoke to the principles of ARI Electronics, LLC, and they do not yet have the September rent. He noted that, as promised, Ocean State Event Services, Inc., did get a payment in last month but presently owe two months' rent. The Administrator further explained that Ocean State is a long time tenant that is historically slow during the summer months and he would like to continue working with them. Dana McBroom inquired about last month's Three Day Notice for Thomas Companies, Inc. The Administrator explained that Thomas Companies, Inc., paid all the outstanding rents in full prior to the end of the Three Day Notice and that they were current only owing for September. Chairman Brown asked if SCOPA would still be receiving money from the Trustee for the Acme Recycling Industries, LLC, administrative rents and the Administrator turned the floor over to Mr. Coover for the Attorney's Report.

ATTORNEY'S REPORT

a) Acme Recycling Industries, LLC – Mr. Coover responded to Chairman Brown's question regarding the administrative rents for Acme Recycling, LLC, stating that there does not seem to be any question that SCOPA will receive the \$22,000. He explained that the only remaining question is when because it will not be dispersed until the case is closed. Mr. Coover confirmed that he has asked the Trustee when he intends to close the case but they do not yet know when that will occur. Mr. Coover also explained that one of the principles, Linda Landry, has filed personal bankruptcy leaving Michael Hagley as the sole guarantor on the Acme debt as well as the ARI Lease. Kyle Kilger commented that ARI Electronics, LLC, should not be allowed to get very far behind in rents.

ADMINISTRATOR'S REPORT

a) General Engineering Services Task Order #1 – The Administrator invited Jeremy Morton and Brady Lessard from CPH to present Task Order #1 to the Board. Brady Lessard explained that they had toured the property with the Administrator as well

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as reviewed storm event data the Administrator had accumulated. He explained that the proposed task order would give CPH the baseline data needed to understand the hydraulics of the situation along with what is being faced regarding the stormwater issues. Chairman Brown asked the Board to review the task order and present any questions to the CPH representatives. After a few minutes of review, Brady Lessard explained that Task Order #1 would include the scope presented therein for a lump sum amount of \$112,830.00. Michael McLean asked if any particularly unusual or challenging situations had been detected. Jeremy Morton said that the existing stormwater ponds and wetland discharge areas need defined as well as the eastern outfall. He explained that it appears there is enough capacity; however, improvements are needed to get the water through the property more effectively. Brady Lessard explained that, unlike other industrial parks that CPH is working on, it appears the Port of Sanford has the capacity so the challenge will be in the conveyance of the stormwater. The Administrator stated that this task order provides for the accumulation of the needed data with funds budgeted next year for more of the master planning as far as road alignments, signage, safety and road improvements. The Administrator also stated that since there are funds in this years' budget to cover these expenses that the SCOPA auditor stated we could commit the funds out of the fiscal year 2014/2015 budget.

MOTION WAS MADE BY MICHAEL MCLEAN, SECONDED BY WILLIAM POE TO APPROVE TASK ORDER #1 TO CPH, INC., AND DEDICATE FUNDS IN THE AMOUNT OF \$112,830.00 TO A COMMITTED FUND BALANCE.

MOTION CARRIED UNANIMOUSLY.

b) Change Order No. 1-Project # 171 – The Administrator explained that 1430 Dolgner Place was now under lease by La Mesa RV Center, Inc. (Florida). SCOPA is in the middle of rebuilding the building under a contract with McKee Construction in the amount of \$94,175.31. The principles of La Mesa have been by looking at the building skeleton and are asking that we widen the existing twelve feet wide doors to fourteen feet. That additional cost would be \$5,168.88 to widen the six doors. The Administrator requested approval of change order #1 to McKee Construction in the amount of \$5,168.88.

MOTION WAS MADE BY MICHAEL MCLEAN, SECONDED BY KYLE KILGER TO APPROVE CHANGE ORDER #1 TO MCKEE CONTRUCTION IN THE AMOUNT OF \$5,168.88 ON PROJECT #171.

MOTION CARRIED UNANIMOUSLY.

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OLD BUSINESS

a) Fiscal Year 2015/2016 Budget – Chairman Brown explained that he accompanied the Administrator to the Seminole County Board of County Commissioners hearing to present the budget. He stated that the Commission did approve the budget. Chairman Brown notified the Board that he reiterated what was discussed during the August SCOPA Board Meeting that our Board would revisit the books once closed to try to identify and commit additional surplus funds. He further stated that surplus fund contributions were not budget items but capital expenditures that did not need to be included in the operating budget. William Poe agreed stating that the intent of the motion made at the previous meeting was to allow the SCOPA Board the opportunity to no longer have to guess what surplus funds are going to be before they are even generated. Lee Constantine stated that the budget presentation including the projects slated for this year and next year was very helpful to the Board of County Commissioners.

Kyle Kilger inquired as to what the potential deductible would be if the Port endured a total loss. The Administrator stated that it was close to \$1.5 million. Kyle Kilger commented that the reserves are not out of line because if we had a total loss we would also have a total loss of revenue for a period of time on top of the deductibles.

NEW BUSINESS

- a) Leases - The following Leases were presented for approval:
- 1) New Lease – United Coachworks, Inc. d/b/a Millennium Luxury Cocahes, 1601 Dolgner Place and 1520 Kastner Place; ; 1 year NNN Lease; lease term October 1, 2015-September 30, 2016; at a rate of \$21,000.00/mo. (90,496 s.f. office/warehouse @ rate of \$2.78 s.f./yr.). Personal guarantee.
 - 2) Lease Renewal – B&N Fabricating, Inc.; 1535 Dolgner Place; 1 year Lease; lease term October 1, 2015-September 30, 2016; at the budgeted rate of \$700.00/mo. (2,000 s.f. warehouse @ rate of \$4.20/s.f./yr.). Personal guarantee.
 - 3) Lease Renewal – Donald Hachenberger; 1451 Kastner Place, Suite 113-125; 1 year Lease; lease term October 1, 2015-September 30, 2016; at the budgeted rate of \$2,600.00/mo. (8,000 s.f. warehouse @ a rate of \$3.90/s.f./yr.).
 - 4) Lease Renewal – Legacy Glass & Supply, Inc.; 1980 Dolgner Place, Suite 1052; 1 year Lease; lease term October 1, 2015-September 30,

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2016; at the budgeted rate of \$775.00/mo. (1,500 s.f. warehouse @ a rate of \$6.20/s.f./yr.). Personal guarantee.

- 5) Lease Renewal - Legacy Glass & Supply, Inc.; 1980 Dolgner Place, Suite 1060; 1 year Lease; lease term October 1, 2015-September 30, 2016; at the budgeted 5% rate increase to \$1,470.00/mo. (2,712 s.f. warehouse, 288 s.f. offices @ a rate of \$5.88/s.f./yr.). Personal guarantee.
- 6) Lease Renewal – Radios OEM, Inc.; 1470 Kastner Place, Suite 108; 1 year Lease; lease term October 1, 2015-September 30, 2016; at the budgeted 5% rate increase to \$892.50/mo. (1,500 s.f. warehouse w/ office @ a rate of \$7.14/s.f./yr.). Personal guarantee.
- 7) Lease Renewal – Kurt D. Shirley; 1470 Kastner Place, Suite 120; 1 year Lease; lease term October 1, 2015-September 30, 2016; with a 60 day termination clause; at the budgeted rate of \$799.05/mo. (1,500 s.f. warehouse @ a rate of \$6.39/s.f./yr.).
- 8) Lease Renewal – Ultimate Woodworks, Inc.; 1551 & 1555 Dolgner Place; 1 year Lease; lease term October 1, 2015-September 30, 2016; at the budgeted rate of \$1,521.45/mo. (4,000 s.f. warehouse @ a rate of \$4.56/s.f./yr.). Personal guarantee
- 9) Lease Renewal – The District Board of Trustees of Seminole State College; 1433-1453 Dolgner Place; 1 year Lease; lease term October 1, 2015-September 30, 2016; at the budgeted rate of \$3,280.00/mo. (10,500 s.f. warehouse @ a rate of \$3.75/s.f./yr.).

The Administrator reviewed the list of Leases and requested approval of the Leases as presented.

MOTION WAS MADE BY MICHEAL MCLEAN, SECONDED BY WILLIAM POE TO APPROVE THE LIST OF LEASES AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

b) Election of Officers for FY 2015/2016—Committee Chairman William Poe presented the following nominations for Office for the 2015/2016 fiscal year:

MICHAEL MCLEAN - CHAIRMAN
CLIFF MILLER - VICE-CHAIRMAN
DANA MCBROOM – TREASURER
WILLIAM POE – SECRETARY

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***MOTION WAS MADE BY KYLE KILGER, SECONDED BY
MICHAEL CARAWAY TO ACCEPT THE FOLLOWING SLATE OF
OFFICERS FOR THE 2015/2016 FISCAL YEAR:***

***MICHAEL MCLEAN - CHAIRMAN
CLIFF MILLER - VICE-CHAIRMAN
DANA MCBROOM – TREASURER
WILLIAM POE – SECRETARY***

MOTION CARRIED UNANIMOUSLY.

*There being no further business, the meeting was adjourned at 4:49 p.m. by
Chairman Brown.*

Matthew T. Brown, Chairman

Cliff Miller, Secretary