

**SEMINOLE COUNTY PORT AUTHORITY  
MINUTES OF THE REGULAR BOARD MEETING  
DECEMBER 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 December 16, 2015.*

*Chairman Michael McLean called the meeting to order at 4:00 p.m. with the following Directors constituting a quorum: Michael McLean, Chairman; Cliff Miller, Vice-Chairman; William Poe, Secretary; Dana McBroom, Treasurer; Matthew T. Brown, Member; Kyle Kilger, Member; and Carlton Henley, BCC Member.*

*Directors absent: Michael Caraway, Member; and Thomas Kuhn, Member.*

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

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

*After a moment of silence in memory of Norman Lessard, a longtime friend of the Port, 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 November 18, 2015, Board Meeting. None were presented.*

***MOTION WAS MADE BY WILLIAM POE, SECONDED BY CLIFF MILLER TO APPROVE THE MINUTES OF THE NOVEMBER 18, 2015, BOARD MEETING AS PRESENTED.***

***MOTION CARRIED UNANIMOUSLY.***

*The Balance Sheet and Budget Statement for the month of November 2015 and year-to-date were presented to the Board. The revenues for the month were over budget by \$9,808 and over budget in the amount of \$26,790 for the year. Operational Expenditures for the month were over budget by \$11,631, but under budget in the amount of \$186,923 for the year. Occupancy has maintained at 96%. The Administrator reported that he has met with the CPH engineers at the only major vacancy, 1490 Kastner Place. They are looking at how to best divide the 17,500 sq. ft. of space for best use and maximum return on investment. He explained that he hoped to have some designs to present at the next Board meeting. There were no other questions on the November 2015 Financial Statements.*

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**MOTION WAS MADE BY MATTHEW T. BROWN, SECONDED BY DANA MCBROOM TO APPROVE THE NOVEMBER 2015 FINANCIAL STATEMENTS, AS PRESENTED.**

**MOTION CARRIED UNANIMOUSLY.**

*The Administrator presented the Outstanding Bills to the Board for discussion and approval. He explained that item #16, the \$29,012.00 payment to Marinas, LLC, is for the boat ramp repairs the Board agreed to reimburse Marinas, LLC, at the August meeting. Item # 21, the \$6,950.00 payment to Wilson's Concrete Service, Inc., is the labor and materials to install two sidewalks at 4421 Schilke Way and 1515 Kastner Place. Item # 23, the \$5,595.00 payment to DH Pace Company, represents repairs and replacements to overhead doors at three separate units. Dana McBroom requested that a lien release be obtained from the contractor before releasing the check to the Marinas, LLC. Cliff Miller inquired as to the status of the remaining items on the Marinas, LLC's capital improvement list. The Administrator explained that the Marina was proceeding with the dock repairs, they have purchased a golf cart, but they have not repainted the dock warehouse building. After summarizing the bills, the Administrator asked the Board to review the list of bills to be paid and present any questions they may have. No questions on the bills to be paid were proposed.*

**MOTION WAS MADE BY MATTHEW T. BROWN, SECONDED BY WILLIAM H. POE 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 there had been no change in the Acme Recycling Industries, LLC, accounts. ARI Electronics, LLC, has not made their November or December payment and has late fees from October outstanding. The Administrator explained that he spoke with one of the principles and there is no indication of money forthcoming. He explained that he planned to issue a Three Day Notice tomorrow and then turn the file over to Mr. Coover. The Administrator suggested that Mr. Coover explain our options during his Attorney's Report. Since December is the final month of the one year, month-to-month lease with ARI Electronics the Board does have options on how to proceed. Ocean State Event Services owes for two months and will also be issued a Three Day Notice tomorrow. Thomas Companies, Inc., is current with a small balance from late fees in November. There were no questions on the Aged Receivables.*

*Cliff Miller inquired as to whether or not ARI Electronics was still operating. The Administrator explained that they were working on site daily. They have been in this place before, but then pulled out, so he had expected them to come in with a check just before the meeting. However, that didn't happen and the conversation with the principle*

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*was not encouraging. Matthew T. Brown commented that the price of steel is 30% of what it was a few years ago. The Chairman turned the floor over to Mr. Coover to discuss the Board's option with regards to the ARI Lease.*

*ATTORNEY'S REPORT*

*a) ARI Electronics, LLC - Mr. Coover reminded the Board that the Port is still owed money from the former company that the principles of ARI owned. He reminded the Board that they have filed a claim in Linda Landry's personal bankruptcy. The current Lease with ARI has a deposit and also acknowledges two months' rent that they agreed to pay from the Acme Lease. Therefore, a claim would include the two months owed as well as the two months' that they agreed to pay from the Acme Lease for a total of four months' which would be included in the distress for rent claim and a suit for possession of the property. The distress for rent claim would tie up everything on the property to ensure we get paid what we are owed. The distress for rent is an action where the Landlord's Lien goes into effect and we basically have a lien on everything on the property for the rent that's owed. Andrew is going to have to do a little private investigating to make sure we have a record of what is on the property so when they are served they are prohibited from removing anything.*

*Cliff Miller suggested obtaining photographic evidence of the assets onsite and the Administrator confirmed that would occur. Kyle Kilger inquired about the clean up time the site would require. The Administrator explained that the whole site would need to be redeveloped and while it is a financial distress, it is opportune in that we have CPH under contract to assist the Port with other issues. The Administrator estimated that due to the legalities and state of the site it will probably be a two year process to redevelop the 1500 Dolgner Place site.*

*Mr. Coover stated that while he had no other legal matters to discuss he wanted to thank the Board of Directors. He explained that the coming year would be his twenty-fifth year with the Port and he appreciated the dedication and professionalism of the SCOPA Board of Directors.*

*ADMINISTRATOR'S REPORT*

*The Administrator welcomed Jeremy Morton of CPH to the floor for an update on Task Order #1. Jeremy Morton explained that the environmentalist has been out locating the wetlands and the surveyors have completed the topographical and boundary information needed. First and foremost, Jeremy explained that he wanted to address the storm water issues and explained to the Board how the water would be re-piped and redirected to the storm water ponds. The next phase would be to add two turn lanes on Orange Avenue into the Kastner entrance and improve the signage. The larger ditch on the east side of Kastner could be visually improved and maintenance decreased by changing the vegetation. Along the interior sides of Kastner and Dolgner where the stormwater will be closed, sidewalks will be installed to provide safer pedestrian*

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navigation. The mail kiosk on Kastner Place would be moved down the street and away from the entrance for improved safety. Currently, tenants park along the road just off Orange Avenue or walk down Kastner to get their mail. Mr. Morton explained that the asphalt will have to be cut in many places for the pipe crossings so they may look into a decorative pavement at those entrances. For safety as well as aesthetics, they will propose lighting along the roadways. Everything will be phased to assist in the management of the costs. The final phase would be to create a distinct drive isle through Caraway Place to help designate the thoroughfare from the parking areas back by the Marina. Mr. Morton explained that curbs and gutters would also be installed which is a cost effective way to help move the water through the system properly. Mr. Morton stated that CPH would prepare a 30% plan set and put together a cost estimate for the Board to start looking at numbers.

Chairman McLean inquired about time estimates on when CPH thought they would begin. Jeremy Morton explained that they would have 30% plans and a cost estimate in the next thirty to sixty days. Once it is assured that the Board is in agreement with the direction CPH is taking, then they will proceed with the final plans. That should occur by the end of the first quarter or beginning of the second quarter. Permitting is typically a sixty day process, but it will include agencies like St. Johns Water Management District causing the timing to be unpredictable. Mr. Morton estimated that construction should commence in the third quarter of next year.

Cliff Miller inquired if any pumps would be necessary to move the water along the west side of the Port. Mr. Morton explained that there is plenty of fall and capacity, however, several of the existing pipes are not functioning and would be repaired or enlarged. However, pumps would not be needed as it will continue to be a gravity fed system.

Finally, the Administrator asked Jeremy Morton to explain the impact of the Ultimate I-4 expansion. Mr. Morton stated that they are seeing rising prices in construction and contractors are busy which is likewise driving up their pricing. Jeremy Morton explained that once the plans were completed, they would phase the Port construction out and attempt to strategically hit the highs and lows of the Interstate expansion to save time and money.

OLD BUSINESS

No old business was presented.

NEW BUSINESS

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

1. Lease Renewal – ACME Industrial Surplus, LLC; 1451 Kastner Place, Suite 101-109; 1 year Lease; lease term January 1, 2016 through December 31,

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2016; with the budgeted 5% increase to a rate of \$2,315.25/ month. (5,040 sq. ft. warehouse with 960 sq. ft. office @ a rate of \$4.63/sq.ft./yr.) Personal guarantee.

2. Lease Renewal – ACME Industrial Surplus, LLC; 1461 Kastner Place, Suite 117-129 & Lot; 1 year Lease; lease term January 1, 2016 through December 31, 2016; with the budgeted rate of \$3,049.20/ month. (8,000 sq. ft. warehouse with lot @ a rate of \$4.57/sq.ft./yr.) Personal guarantee.
3. Lease Renewal – Back Country Auto Sales, LLC; 1980 Dolgner Place, Suite 1036; 1 year Lease; lease term January 1, 2016 through December 31, 2016; with the budgeted 5% rate increase to \$840.00/month. (1,500 sq. ft. warehouse with office @ a blended rate of \$6.72/sq. ft./yr.) Personal guarantee.
4. Lease Renewal – J.L. Pandolfi Painting Contracting, Inc.; 1900 Dolgner Place; 1 year Lease; lease term January 1, 2016 through December 31, 2016; at the budgeted monthly rate of \$875.00/month. (1,212 sq. ft. warehouse with 288 sq. ft. office @ a blended rate of \$7.00/sq.ft./yr.) Personal guarantee.
5. Lease Renewal – Lentec Machining, Inc.; 1559 Dolgner Place; 1 year Lease; lease term January 1, 2016 through December 31, 2016; with the budgeted 5% rate increase to \$810.60/month. (2,000 sq. ft. warehouse @ a rate of \$4.86/sq.ft./yr.) Personal guarantee.
6. Lease Renewal - Lentec Machining, Inc.; 1563 Dolgner Place; 1 year Lease; lease term February 1, 2016 through January 31, 2017; at the budgeted rate of \$761.25/month. (2,000 sq. ft. warehouse @ a rate of \$4.57/sq.ft./yr.) Personal guarantee.
7. Lease Renewal – Rust-Off, Inc.; 1471 Kastner Place, Suite 101; 1 year Lease, lease term January 1, 2016 through December 31, 2016; with the budgeted 5% rate increase to \$918.75/month. (2,000 sq. ft. warehouse with office @ a blended rate of \$5.51/sq.ft./yr.) Personal guarantees.

The Administrator reviewed the list of Leases explaining that the principle of Acme Industrial, LLC, was supposed to attend. The new principle has requested the Board waive the 5% increase. Matthew T. Brown commented that even with the increase Acme Industrial is at a low rate on both their leaseholds. The Administrator invited questions and requested approval of the Leases as presented. There were no questions.

**MOTION WAS MADE BY KYLE KILGER, SECONDED BY DANA MCBROOM TO APPROVE THE LIST OF LEASES AS PRESENTED.**

**MOTION CARRIED UNANIMOUSLY.**

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*b) 2016 Calendars – The Administrator directed the Board Members’ attention to the Public Notice of SCOPA Board Meeting dates to be published January 3, 2016, along with Memorandum # 2248 which lists the holidays that the SCOPA office will observe. There were no questions on the calendars.*

*There being no further business, the meeting was adjourned at 4:42 p.m. by Chairman McLean.*

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*Michael McLean, Chairman*

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*William Poe, Secretary*