

**SEMINOLE COUNTY PORT AUTHORITY
MINUTES OF THE REGULAR BOARD MEETING
JANUARY 18, 2017**

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 January 18, 2017.

Chairman Cliff Miller called the meeting to order at 4:02 p.m. with the following Directors constituting a quorum: Cliff Miller, Chairman; Michael McLean, Vice-Chairman; Dana McBroom, Treasurer; Matthew Criswell, Member; Thomas Kuhn, Member; Michael Caraway, Member; and Carlton Henley, BCC Member.

Members Absent: Michael Bowdoin, Secretary; and Kyle Kilger, Member.

Staff present: Jennifer Sykes, Administrative Assistant.

Others present: Stephen H. Coover, SCOPA Attorney.

The invocation was given by Dana McBroom followed by the pledge to the Flag.

The Chairman introduced and welcomed newly appointed member Matthew Criswell to the Board.

The Chairman asked for corrections or additions to the minutes of the December 21, 2016, Board Meeting.

MOTION WAS MADE BY DANA MCBROOM, SECONDED BY MICHAEL MCLEAN TO APPROVE THE MINUTES OF THE DECEMBER 21, 2016, BOARD MEETING AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

Jennifer Sykes presented the Balance Sheet and Budget Statement for the month of December 2016, and year-to-date, to the Board. The revenues for the month were over budget by \$10,486. The year-to-date revenues were over budget by \$54,568. Operational expenditures for the month were under budget by \$196,523, leaving the year-to-date expenses under budget by \$429,333. Mrs. Sykes explained that when budgeting staff anticipated the master drainage improvements to be further along and would report on the status later, however, once underway, the Board would see a rise in expenditures. She further reported a year-to-date profit of \$252,414 or 49.9%. The occupancy rose slightly to 98.9%. There were no questions on the December 2016 Financial Statements.

Mrs. Sykes presented the Outstanding Bills to the Board for discussion and approval. She explained that item # 11, the \$9,972.00 payment to Public Risk Management, represents the second quarterly insurance premium for this fiscal year. Item #12, the \$1,240.00 payment to Wiginton Fire Systems, represents the required

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annual testing of the fire sprinklers, the fire alarm and the monthly monitoring of the alarm at 1490 Kastner Place. Meanwhile, item #13, the \$2,392.00 payment also to Wiginton Fire Systems, represents repairs to the fire system and the installation of the wireless monitoring system. Mrs. Sykes explained that both items # 12 and 13 were required to obtain the Certificate of Occupancy for the newly built office at 1490 Kastner Place, Suite 1050. Mrs. Sykes went on to explain that item # 20, the \$1,390.00 payment to Backflows of Central Florida, Inc., represents the required, annual testing of the 27 backflow devices throughout the Port and repair to one of those devices. The February 1st checks are the standard first of the month payments. There were no questions regarding the Outstanding Bills presented for payment.

MOTION WAS MADE BY MICHAEL MCLEAN, SECONDED BY DANA MCBROOM TO APPROVE THE BILLS FOR PAYMENT. THE LIST OF BILLS APPROVED TO BE PAID IS ATTACHED AND MADE A PART OF THESE MINUTES.

MOTION CARRIED UNANIMOUSLY.

Mrs. Sykes then referred to the Aged Receivables list explaining that there was no change in Acme Recycling's balance as staff is still awaiting the check from the bankruptcy Trustee. She explained that ARI Electronics, LLC, made a \$5,000.00 payment. She stated that the principle of Driftwood Arts and Design, LLC, had visited the office stating that they were attending a large trade show the following week and intended to pay off the full balance of \$1,941.04 by month's end. The principle of GS Plant Foods also came into the office asking for the Port to continue to work with him regarding his balance. Their plant food business is seasonal and February begins their busy season. The principle is confident he can catch up as soon as the growing season begins. She went on to explain that LaRue Steel, LLC, is current owing only for January, but there had been no response to collection efforts to date. Mrs. Sykes reported Ocean State Event Services, while they are also a seasonal business, is remaining in the same situation as they have for the last year. Mrs. Sykes explained that she had made several calls that went unanswered and finally contacted the principle at home who offered no answers, but promised a call back that was never received. She explained that the Administrator is aware that this was a situation that would need to be addressed upon his return as their lease expires January 31st. Mrs. Sykes then invited questions.

Michael Caraway explained, for the benefit of the new member, that Acme Recycling was a long time tenant that filed bankruptcy approximately three years ago. Matthew Criswell asked if they still occupied the site and Mr. Caraway explained that they did not. The site is now occupied by La Mesa RV's.

Dana McBroom stated that she was concern about GS Plant Food's outstanding balance. Michael McLean asked if they had this kind of trouble last year. Mrs. Sykes stated that they have had a month or so where they were late but she did not recall them having a balance of this magnitude in the past. Mrs. McBroom suggested that staff

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collect a credit card payment, along with the associated processing fee, and request a written payment plan on the outstanding balance. Mr. Coover stated that his office could process the credit card payment on behalf of the Port. Chairman Miller asked if staff had to chase the tenant. Mrs. Sykes stated that the principle was very good about returning calls and coming in to the office to speak directly with staff regarding the situation. Mr. Coover agreed that the best course of action at this time was to offer to receive the credit card payment and to ask for a payment plan for the Board review and accept or reject next month. Mrs. Sykes agreed to contact the principle with those terms.

Mr. Coover raised concern over Ocean State Event Services, Inc., inquiring about their line of business. Mrs. Sykes explained that they construct staging for live events which includes the lighting, the beams, the rigging and the motors used. She explained that when Jimmy Fallon and the Tonight Show came to Orlando a couple of years ago, Ocean State worked on the set. She stated that it was her understanding that they also perform equipment service and repairs for other companies. Mr. Coover asked when their lease expires and Mrs. Sykes confirmed it expires on the 31st of January, 2017. He further inquired if they had requested any extension and Mrs. Sykes confirmed that they had not. Due to the ongoing delinquency and the tenant's lack of response, Mr. Coover recommended proceeding with a distress for rent. Mr. Coover explained that there would be costs associated with the legal action and he did not have any idea of what kind of assets the principle had on site or if the costs could be recovered. Matthew Criswell stated that he remembers from when he did the roof that Ocean State had a lot of equipment which it appears they own because it all displayed their logo. It was the consensus of the Board to proceed with the distress for rent and Chairman Miller agreed to execute the bond when ready.

ATTORNEY'S REPORT

For the benefit of the new member, and any absent for the report the prior month, Mr. Coover explained that he received the Trustee's final report regarding the Acme Recycling bankruptcy. The Trustee's proposal agrees to pay SCOPA Administrative rents in the amount of \$22,000.00 in addition to a percentage of SCOPA's unsecured claim in line with all the other creditors. Mr. Coover explained that once the time period for objections has expired, the Trustee should be issuing checks which he anticipates receiving prior to the next Board meeting. He stated that once the check is received Robert Kimelman could advise the Board regarding writing off any remaining balances. There were no other questions.

ADMINISTRATOR'S REPORT

Project Updates

- a) Master Drainage - Mrs. Sykes explained that CPH, Inc., the current consulting engineers, had run the advertisement for the bid the last two weeks. A non-mandatory pre-bid meeting is scheduled for Tuesday, January 24th, at 2:00pm here at the Port office.

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- b) Driveway Improvements at 1511/1515 Kastner – Mrs. Sykes stated that CPH, Inc., has reported the plans are 90% complete and that they will be ready for the Administrator’s approval at the end of the month.

There was no old business.

NEW BUSINESS

- a) Bid Results for SCOPA Project # 174 – Mrs. Sykes referred to Memorandum # 2266, explaining that staff had conducted a sealed bid opening for the 17,000 +/- square foot re-roof/roof-over of the metal building located at 1520 Kastner Place, on Wednesday, January 4, 2017. She explained that there were a total of five bidders responding as follows:

1. Ryman Commercial Roofing, Inc., 36413 State Road 54, Zephyrhills, FL 33541, Bid received January 4, 2017 @ 10:13 am - **Bid Amount: \$123,735.00**
2. Tecta America Southeast, LLC, 588 Monroe Road, Sanford, FL 32771
Bid received January 4, 2017 @ 1:28 pm - **Bid Amount: \$84,900.00**
3. PJ Callaghan Company, Inc., 10525 49th St. N., Clearwater, FL 33762
Bid received January 4, 2017 @ 1:58 pm - **Bid Amount: \$124,939.91**
4. Acme Roofing & Sheet Metal Company, Inc., 37 Banner St., Dothan, AL 36303, Bid received January 4, 2017 @ 2:37 pm - **Bid Amount: \$116,200.00**
5. McKee Construction Co., 790 Monroe Road, Sanford, FL 32771
Bid received January 4, 2017 @ 2:52 pm - **Bid Amount: \$61,067.38**

Mrs. Sykes explained that the Administrator had reviewed the bids and all documentation submitted with the bids is in order. Therefore, staff hereby recommends that McKee Construction Co., is awarded the contract for Project #174- Roof-Over/Re-roof 17,000 +/- s.f. Metal Building at 1520 Kastner Place, Port of Sanford, Sanford, FL 32771, in the amount of \$61,067.38.

MOTION WAS MADE BY MICHAEL MCLEAN, SECONDED BY MICHAEL CARAWAY TO AWARD THE CONTRACT IN THE AMOUNT OF \$61,067.38 FOR SCOPA PROJECT # 174, THE RE-ROOF/ROOF-OVER OF THE 17,000 +/- SQUARE FOOT BUILDING LOCATED AT 1520 KASTNER PLACE, SANFORD, FL, TO MCKEE CONSTRUCTION CO.

MOTION CARRIED UNANIMOUSLY.

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

1. Lease Termination (in conjunction with #2) – Boutinot USA, Inc.; 1413 Dolgner Place; 1 year lease; lease term Jul. 1, 2016 – Jun. 30, 2017; at the budgeted rate of \$850.00/month. (1,084 sq.ft. warehouse with 312 sq. ft. office @ a blended rate of \$7.30/sq.ft./yr.) Personal guarantee exemption previously approved.
2. New Lease - Boutinot USA, Inc.; 1450 Kastner Place, Suite 100; one year lease; lease term Mar. 1, 2017 – Feb. 28, 2018; at the budgeted rate of \$900.00/month. (1,050 sq.ft. office with 450 sq.ft. warehouse @ a blended rate of \$7.20/sq.ft./yr.) Personal guarantee exemption previously approved.
3. New Lease – MGC Roofing of Florida, LLC; 1940 Dolgner Place; one year lease; lease term Feb. 1, 2017- Jan. 31, 2018; at the rate of \$850.00/month. (1,212 sq. ft. warehouse with 288 sq.ft. office @ a blended rate of \$6.80/sq.ft./yr.) Personal guarantee.
4. Lease Renewal – Artik Enterprises, Inc., 4417 Schilke Way; 1 year lease; lease term Feb. 1, 2017- Jan. 31, 2018; with a budgeted 5% increase to \$357.00/month. (0.4553 acre lot @ a rate of \$9,409.00/acre/year.) Personal guarantee.
5. Lease Renewal – Artik Enterprises, Inc., 4421 Schilke Way, #124-128; 1 year lease; lease term Feb. 1, 2017- Jan. 31, 2018; at the budgeted rate of \$1,537.50/month. (4,000 sq. ft. warehouse with office @ a blended rate of \$4.61/sq.ft./yr.) Personal guarantee.
6. Lease Renewal – Global Controls Solutions, Inc.; 1429 Dolgner Place; 1 year lease; lease term Feb. 1, 2017 – Jan. 31, 2018; includes 90 day termination clause; with the budgeted 5% increase to \$892.50/month. (1,500 sq. ft. warehouse with office @ a blended rate of \$7.14/sq.ft./yr.) Personal guarantee.
7. Lease Renewal – Legacy Glass & Supply, Inc.; 1980 Dolgner Place, Suite 1068; 1 year lease; lease term Feb. 1, 2017- Jan. 31, 2018; with the budgeted 5% rate increase to \$1,653.75/month. (2,330 sq. ft. warehouse with 670 sq.ft. office @ a blended rate of \$6.61/sq.ft./yr.) Personal guarantee.
8. Lease Renewal – Lentec Machining, Inc.; 1563 Dolgner Place; 1 year lease; lease term Feb. 1, 2017 – Jan. 31, 2018; with the budgeted 5% rate increase to \$799.31/month. (2,000 sq.ft. warehouse @ a rate of \$4.80/sq.ft./yr.) Personal guarantee

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9. Lease Renewal – Marinas, LLC; 1681 Fitzpatrick Point (old tank farm); 1 year lease; lease term Feb. 1, 2017 – Jan. 31, 2018; includes 60 day termination clause; at the budgeted rate of \$1,260.00/month. (2.2 acres m.o.l. @ \$6,872.73/ac./yr.) Personal guarantee.
10. Lease Renewal – Medieval Armory, LLC; 1928 Dolgner Place; 1 year lease; lease term Feb. 1, 2017 – Jan. 31, 2018; with the budgeted 5% rate increase to \$892.50/month. (1,500 sq.ft. warehouse @ a rate of \$7.14/sq.ft./yr.) Personal guarantee.
11. Lease Renewal – Southern Aquatic Management, Inc.; 1980 Dolgner Place, Suite 1048; 1 year lease; lease term Feb. 1, 2017 – Jan. 31, 2018; at the budgeted rate of \$954.76/month. (1,212 sq.ft. warehouse with 288 sq.ft. office @ a blended rate of \$7.64/sq.ft./yr.) Personal guarantee.

Mrs. Sykes reviewed the list of Leases requesting approval as presented.

MOTION WAS MADE BY MICHAEL MCLEAN, SECONDED BY DANA MCBROOM TO APPROVE THE LIST OF LEASES AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

- c) Resolution presentation to former Board member William H. Poe –

MOTION WAS MADE BY DANA MCBROOM, SECONDED BY MICHAEL MCLEAN TO RECOGNIZE WILLIAM H. POE'S EXEMPLORY SERVICE TO THE PORT WITH A RESOLUTION AND PLAQUE. THE RESOLUTION IS HEREBY ATTACHED AND MADE A PART OF THESE MINUTES.

MOTION CARRIED UNANIMOUSLY.

Chairman Miller, with the agreement of the Board, requested that Mr. Poe be invited back again for the February meeting to be personally presented with the resolution plaque for his thirteen years' of faithful service to the Port of Sanford.

There being no further business, the meeting was adjourned at 4:33 p.m. by Chairman Miller.

Cliff Miller, Chairman

Michael Bowdoin, Secretary

**RESOLUTION
OF
SEMINOLE COUNTY PORT AUTHORITY**

WHEREAS, having served diligently as a member of the Board of Directors for thirteen years and

WHEREAS, as a direct result of his devoted service as an advocate of economic development, the Port of Sanford has experienced fiscal management, healthy operational efficiency, and

WHEREAS, the Authority has been a positive influence on the economic environment of Seminole County and the citizens thereof, and

WHEREAS, his dedication and sound judgment have been an inspiration to both staff and fellow board members, and

WHEREAS, he has now retired from this important public service and the Seminole County Port Authority desires to express its recognition for his contributions.

NOW, THEREFORE, BE IT RESOLVED by the Seminole County Port Authority, on behalf of itself and the citizens of Seminole County, Florida, that the diligent efforts of

WILLIAM H. POE

be hereby recognized, and the grateful appreciation of the Authority and the public be hereby made known.

BE IT FURTHER RESOLVED that this Resolution be spread upon the minutes of the Seminole County Port Authority so that future generations may be made aware of his contributions.

**UNANIMOUSLY PASSED AND ADOPTED
this 18th day of January, 2017**

Cliff Miller, Chairman
Dana McBroom, Treasurer
Kyle Kilger, Member
Michael Caraway, Member
Matthew Criswell, Member

Michael McLean, Vice Chairman
Michael Bowdoin, Secretary
Thomas Kuhn, Member
Carlton Henley, BCC Member
Andrew Van Gaale, Administrator