

FULTON COUNTY INDUSTRIAL DEVELOPMENT AGENCY

TUESDAY
JUNE 28, 2016
8:00 A.M.

PLANNING DEPARTMENT CONFERENCE ROOM

MEETING NOTES

PRESENT:

TODD RULISON, CHAIRMAN
JOSEPH SEMIONE, VICE CHAIRMAN
WILLIAM SULLIVAN, TREASURER
JOE GILLIS, SECRETARY
DIANA PUTNAM, MEMBER
DAVE D'AMORE, MEMBER
JAMES MRAZ, IDA EXECUTIVE DIRECTOR
MIKE ANICH, LEADER-HERALD

I. MINUTES FROM JUNE 7, 2016 MEETING:

MOTION : Accept as presented.
MADE BY : Joseph Gillis
SECONDED : Dave D'Amore
VOTE : Unanimous

II. BUDGET REPORT:

MOTION : Accept as presented.
MADE BY : Joseph Semione
SECONDED : Diana Putnam
VOTE : Unanimous

III. COMMITTEE REPORTS:

A. Nominating Committee:

a. No report.

B. Audit Committee:

b. No report.

C. Governance Committee:

c. No report.

D. Finance Committee:

d. No report.

IV. OTHER REPORTS:

A. Fulton County Center for Regional Growth: Ron Peters

- No report.

B. Fulton County Board of Supervisors' Economic Development Committee: Bill Waldron

- No report.

V. OLD BUSINESS:

A. **Tryon Technology Park Project:**

1. Building Demolition:

- Fulton County's Demolition Team commenced work on June 20, 2016 demolishing the cluster of six (6) buildings on the right side of the entrance to Tryon.

2. Tryon Sign:

- Tryon sign, landscaping and solar system is complete.

IDA DISCUSSION: Joe Semione asked who will be maintaining the landscaping around the sign. Jim Mraz stated the Citizens in Community Services (CICS) Program has, for the past year or two (2), been supplying workers that have maintained the front entrance of Tryon. He stated if maintenance is necessary on the landscaping, he would ask CICS to have the workers perform minimal maintenance work such as removing weeds. Aside from that, it would be the responsibility of the County and/or IDA to maintain the landscaping.

3. Tryon Banners:
 - Fulton County has ordered 2' x 6' banners to hang on first six (6) light poles along CR117 entering Tryon and four (4) additional poles.
 - Banners will be of sign and be hung vertically.
4. Marketing Shovel-Ready Sites and Building 3:
 - A. Request for Proposal:
 - At June 7, 2016 meeting, IDA authorized distributing a Request for Proposals (RFP) to commercial real estate brokers.
 - Review RFP.

IDA DISCUSSION: Jim Mraz stated that subsequent to the last IDA meeting, he received input about another option for the IDA to consider. In lieu of sending an RFP out and retaining a commercial real estate broker with an exclusive listing for Tryon, it was suggested that the IDA try to send an informational package out to all commercial brokers. The objective would be to inform all commercial brokers of the availability of shovel-ready sites and Building 3 at Tryon so that they all could be marketing Tryon concurrently. There was a brief discussion regarding this option. Bill Sullivan suggested that the IDA continue with the RFP process. He stated the IDA was under no obligation to accept any proposals received. He stated that he thought it would be best for the IDA to see what might be available from brokers to have an exclusive listing. After a brief discussion, it was the unanimous consensus of all IDA members present to proceed with issuing the RFP to commercial real estate brokers.

B. 160 Enterprise Drive Property:

1. Background:
 - IDA currently owns the property at 160 Enterprise Drive in the Johnstown Industrial Park.
 - IDA leases the property to the CIC. The CIC subleases it to Yusen.
 - IDA's lease with the CIC expires on June 30, 2016.
 - IDA's lease with the CIC has an early lease termination provision to allow the CIC to take title to the property.
 - CIC has advised the IDA that it will not be pursuing an early lease termination.
2. Foreclosure Proceeding:
 - NBT has commenced a Foreclosure Proceeding against the property due to the CIC being delinquent on payments due NBT from a mortgage the CIC has on the property.
 - Court has appointed a receiver to oversee operation, management and control of all aspects of 160 Enterprise Drive property.
 - Receiver is Bill Keniry, Esq. from the law firm of Tabner, Ryan & Keniry in Albany, NY.
3. Update:
 - Still no word from Mr. Keniry.
 - Kara Lais has been advised that NBT still intends to complete the foreclosure process

IDA DISCUSSION: Jim Mraz reviewed the information on the Agenda. He asked if there were any questions. There were none.

V. **NEW BUSINESS:**

A. **Johnstown Renewables:**

1. **Background:**

- The IDA Board previously approved selling Johnstown Renewable a 5.374+/- acre parcel of land in the Johnstown Industrial Park for their project.
- Johnstown Renewables desires to now close on the sale of this lot.

2. **Resolution:**

- Kara Lais has prepared a resolution that formally authorizes the sale of the 5.374+/- acre parcel to Johnstown Renewables.
- The resolution was emailed to IDA Board members on June 24, 2016.

IDA DISCUSSION: Jim Mraz reviewed the information on the Agenda. He reviewed the draft resolution that was attached to the Agenda. He asked IDA Board members if they had any questions regarding the Resolution. There were none.

IDA ACTION:

MOTION: To approve the Resolution approving a Deed of Conveyance from the Agency to Johnstown Renewables, LLC and authorizing execution and delivery of same.

MADE BY: Bill Sullivan
SECONDED: Joseph Gillis
VOTE: Unanimous

3. **Lot Sale:**

- Total Lot Sale: \$107,500
- This amount will be paid at closing.
- Upon receipt of this payment, the IDA will distribute it per the IDA's Agreement with City of Johnstown as follows:

- IDA's 7% Marketing Fee	:	\$ 7,525.00
- 50% of balance to City of Johnstown	:	\$ 49,987.50
- <u>50% of balance to City of Johnstown Account</u>	:	<u>\$ 49,987.50</u>
- Total	:	\$107,500.00

IDA DISCUSSION: Jim Mraz stated that the lot sale with Johnstown Renewables should generate approximately \$107,500 in revenues. He stated the IDA's agreement with the City of Johnstown regarding the operation and maintenance of the Johnstown Industrial Park calls for the IDA to retain 7% of that lot sale payment. The balance goes back to the City of Johnstown. Half of the balance goes back as a cash payment to the City of Johnstown. The other half is retained by the IDA in the Johnstown's Reserve Account that the IDA manages on behalf of the City of Johnstown. Jim Mraz asked if there were any further questions. There were none.

IDA ACTION:

MOTION: To authorize a payment of \$49,987.50 be made to the City of Johnstown and to authorize depositing \$49,987.50 in the City of Johnstown account.

MADE BY: Dave D'Amore
SECONDED: Joseph Semione
VOTE: Unanimous

VI. OTHER BUSINESS:

1. Meeting Time:

Todd Rulison asked IDA Board members if meeting at 8:00 a.m. was still the best time for all IDA members. After a brief discussion, it was the unanimous consensus of all IDA members present that the 8:00 starting time for IDA meetings was acceptable.

VII. NEXT MEETING:

Tuesday
July 12, 2016
8:00 a.m.

VIII. CLOSE MEETING:

MOTION : To close the meeting.
MADE BY : Joseph Semione
SECONDED : Joseph Gillis
VOTE : Unanimous
TIME : 8:35 a.m.