

FULTON COUNTY INDUSTRIAL DEVELOPMENT AGENCY

**TUESDAY
JANUARY 9, 2024
4:00 P.M.**

PLANNING DEPARTMENT CONFERENCE ROOM

ANNUAL MEETING

AGENDA

PRESENT:

- ___ MIKE FITZGERALD, CHAIRMAN
- ___ SUE COLLINS, VICE CHAIRMAN
- ___ JOSEPH GILLIS, SECRETARY
- ___ JOSEPH SEMIONE, MEMBER
- ___ DAVID D'AMORE, MEMBER
- ___ DR. GREG TRUCKENMILLER, MEMBER
- ___ JAMES MRAZ, EXECUTIVE DIRECTOR
- ___ KARA LAIS, FITZGERALD, MORRIS, BAKER, FIRTH PC
- ___ SCOTT HENZE, PLANNING DIRECTOR
- ___ JACK WILSON, FULTON COUNTY CENTER FOR REGIONAL GROWTH

I. MINUTES FROM DECEMBER 12, 2023 MEETING:

MOTION :
MADE BY :
SECONDED :
VOTE :

II. BUDGET REPORT:

MOTION :
MADE BY :
SECONDED :
VOTE :

III. COMMITTEE REPORTS:

A. Nominating Committee:

1. Report of Nominating Committee: 2024 Officers

Chairman	:	Mike Fitzgerald
Vice-Chairman	:	Sue Collins
Treasurer	:	Dr. Greg Truckenmiller
Secretary	:	Joe Gillis

IDA DISCUSSION:

IDA ACTION:

MOTION : To accept the report of the Nominating Committee for 2024 IDA Officers
MADE BY :
SECONDED :
VOTE :

B. Audit Committee:

- Monthly Bank Reconciliation Report: Mike Fitzgerald

C. Governance Committee:

- No report.

D. Finance Committee:

- No report.

IV. FULTON COUNTY/FULTON COUNTY CENTER FOR REGIONAL GROWTH (FCCRG) REPORTS:

1. FCCRG Report: (See attached.) Jack Wilson

V. OLD BUSINESS:

A. Nexus Renewables:

1. Request to Extend Option Period:

a. Background:

- At June 14, 2022 meeting, IDA Board agreed to extend Option Term in Lease Agreement to December 31, 2022.

- At September 6, 2022 meeting, IDA Board agreed to extend Option Term in Lease Agreement to June 25, 2023.
- At April 18, 2023 meeting, IDA Board agreed to extend Option Term in Lease Agreement to December 31, 2023.

b. Request to Extend Option Period:

- Nexus has requested that the Option Period be extended to June 30, 2024.
- IDA Board members were emailed on December 14, 2023 regarding this request. All IDA Board members agreed to this request. As such, the Chairman executed the requested Amendment.

IDA DISCUSSION:

IDA ACTION:

MOTION: To retroactively authorize the Chairman to execute the Amendment to the Amended and Restated Solar and Energy Storage Lease Agreement with Nexus Renewables to extend the Option Period through June 30, 2024.

MADE BY:

SECONDED:

VOTE:

B. Winstanley Enterprises Project:

- Amendment 4, which was authorized at the December 12th meeting, has been executed.

IDA DISCUSSION:

C. Back-up Generator Project:

- The Mission Control System was installed on January 5, 2024.

IDA DISCUSSION:

VI. NEW BUSINESS:

A. 2024 Committee Appointments:

- Per the IDA's Bylaws, the Chairman shall annually appoint members to the IDA's Committees.

➤ The following are the Chairman’s Committee appointments for 2024.

<u>Committee</u>	<u>2023</u> <u>Appointees</u>	<u>2024</u> <u>Appointees</u>
1. Audit	1.Todd Rulison 2.Joseph Semione 3.David D’Amore 4.Mike Fitzgerald	1. Joseph Semione 2. David D’Amore 3. Dr. Greg Truckenmiller 4. Sue Collins
2. Governance	1.Todd Rulison 2.Joseph Semione 3. Dr. Greg Truckenmiller	1. David D’Amore 2. Dr. Greg Truckenmiller 3. New Member
3. Finance	1.Joe Gillis 2.Mike Fitzgerald 3.Sue Collins	1. Joe Gillis 2. Mike Fitzgerald 3. New Member
4. Nominating	1.Joseph Semione 2.Dave D’Amore 3.Sue Collins 4.Dr. Greg Truckenmiller	1. Dr. Greg Truckenmiller 2. Mike Fitzgerald 3. Joe Gillis 4. Sue Collins

B. Staff Appointments:

1. The IDA’s Bylaws require that the IDA Board annually appoint:

- Executive Director
- Chief Financial Officer
- Auditor

2. Appointment of Executive Director:

MOTION: To appoint Jim Mraz to serve as the IDA’s Executive Director for 2024 at a salary of \$25,454/year.

MADE BY:
SECONDED:
VOTE:

3. Appointment of Chief Financial Officer

MOTION: To appoint Carol Ellis as the Chief Financial Officer for 2024 at a salary of \$5,513.

MADE BY:
SECONDED:
VOTE:

4. Appointment of Auditor:

- It is recommended that the IDA retain West & Company as the IDA's Auditor.
- Total Fee: \$10,000
- These funds are included in the 2024 Budget.

MOTION: To appoint West & Company to serve as the IDA's Auditor for 2024 and to authorize the Chairman to execute an Agreement with West & Company to audit the IDA's 2023 financial statements at a fee of \$9,500 and to provide 2024 payroll services for \$500.

MADE BY:
SECONDED:
VOTE:

C. Legal Services:

- It is recommended that the IDA retain Fitzgerald, Morris, Baker, Firth, PC to serve as IDA Counsel in 2024.
- Budgeted: \$9,000

MOTION: To authorize the Chairman to execute an Agreement with Fitzgerald, Morris, Baker and Firth, PC to provide legal services in 2024.

MADE BY:
SECONDED:
VOTE:

D. Depositories of IDA Funds:

- Per the IDA's Investment Policy, it is recommended that NBT Bank, Citizens Bank, Community Bank and Key Bank all be designated as eligible depositories of IDA funds.

IDA ACTION:

MOTION: To designate NBT Bank, Citizens Bank, Community Bank and Key Bank as eligible depositories of IDA funds for 2024.

MADE BY:
SECONDED:
VOTE:

E. 2023 Financial Report:

- Chief Financial Officer has finalized the IDA's 2023 Financial Report.
- The Financial Report has been sent to West & Company to audit.

IDA DISCUSSION:

F. 2023 IDA Board Performance Questionnaire:

1. Background:

- The 2009 Public Authorities Reform Act requires IDA board members to annually evaluate its performance.
- Evaluation forms were completed by all IDA Board members at the November 14, 2023 meeting.
- Executive Director has collected the forms and tallied the results.
- See attached results.

IDA DISCUSSION:

IDA ACTION:

MOTION: To authorize the Executive Director to post the 2023 Summary of IDA Board Performance Questionnaire on the IDA’s website.

MADE BY :
SECONDED :
VOTE :

G. 2023 Performance and Measurement Report:

1. Background:

- The 2009 Public Authorities Reform Act requires public authorities to develop performance measures to help determine how well they are carrying out their mission.
- Performance measures assist the IDA Board and management to evaluate and monitor whether the IDA’s authority’s policies and operating practices are in accordance with its mission.

2. Review 2023 Performance and Measurement Report:

- See attached.

IDA DISCUSSION:

IDA ACTION:

MOTION: To authorize the Chairman to sign the 2023 Performance and Measurement Report and to authorize the Executive Director to post this report on the IDA’s website.

MADE BY:
SECONDED:
VOTE:

H. 2023 Assessment of the Effectiveness of the IDA’s Internal Financial Control System:

1. Background:
 - The IDA’s Policy 11 requires the IDA Board and management to complete an Annual Assessment of the Effectiveness of the IDA’s Internal Financial Control System.
 - The IDA Board reviewed the financial control system at its December 12, 2023 meeting and found it to be acceptable.

2. Management’s Assessment of Internal Financial Control System:
 - IDA management has assessed the Internal Financial Control System and has found it to be effective. No changes are recommended at this time.

3. Internal Financial Control System Certification Statement:
 - IDA’s Policy 11 Annual Assessment of the Effectiveness of Internal Controls requires the IDA Board to adopt a certification statement upon completion of its annual review of the IDA’s Internal Financial Control System.

 - Proposed 2023 Certification Statement reads as follows:

“The IDA Board has documented and assessed the internal financial control system of the Fulton County Industrial Development Agency for the year ending December 31, 2023. The IDA Board has determined that the existing internal financial controls are acceptable.”

MOTION: To adopt the Certification Statement presented above, to authorize the Executive Director to acknowledge in PARIS that said Certification Statement was approved by the IDA Board and to authorize the Executive Director to post this certification on the IDA’s website.

MADE BY:
SECONDED:
VOTE:

I. Fulton County Center for Regional Growth Membership:

- In 2016, the IDA became a Gold Member of the FCCRG.
- FCCRG has revised its membership categories to now be:
 - 1) Tier 1 – Level \$150.00 (Tier 1 Micro Business 1-5 employees)
 - 2) Tier 2 – Level \$250.00 (Tier 2 Business w/ 6-20 employees)
 - 3) Tier 3 – Level \$500.00 and up (Tier 3 Business w/21 or more employees)

- It is recommended that the IDA renew as a Tire 3 level for \$1,000.
- \$1,000 is included in the 2024 Budget for this membership.

IDA DISCUSSION:

IDA ACTION:

MOTION:

MADE BY:

SECONDED:

VOTE:

J. 2024 Goals:

1. 2023 Goals:

- a) Identify and develop shovel-ready sites.
- b) Work with the City of Gloversville to find alternate uses for the Crossroads Business Park.
- c) Support the FCCRG and Fulton County's efforts at Brownfield's remediation.
- d) Seek grant funding to perform asbestos abatement and demolition work at buildings at Tryon.

- e) Hold a joint meeting between the FCCRG and IDA Boards.
- f) Continue Board training.
- g) IDA participate in a Countywide discussion on housing.

2. 2024 Goals:

- a)
- b)
- c)

IDA DISCUSSION:

K. T-Bill:

1. T-Bill due on January 25, 2024:

- T-Bill 2 expires on January 25, 2024.
- The expiring T-Bill had a rate of 4.82%.
- The current T-Bill rates as of January ____, 2024 are shown below:

3-month	:	%
6-month	:	%
9-month	:	%
12-month	:	%

IDA DISCUSSION:

IDA ACTION:

MOTION: To approve renewing T-Bill 2 for ___ months.

MADE BY:

SECONDED:

VOTE:

VII. OTHER BUSINESS:

A. New Member:

- Todd Rulison resigned from the Board as of 12/31/23 creating a vacancy.
- Dan Rounds expressed an interest in becoming an IDA Board member.
- Jim Mraz met with Mr. Rounds on December 21, 2023.
- Mr. Rounds submitted a resume that was distributed to all IDA Board members.
- All IDA Board members recommended that Mr. Round's name be submitted to the Board of Supervisors.
- Mr. Round's name will be submitted to the Economic Development Committee at its January 31, 2024 meeting. A resolution should be presented at the February 13, 2024 Board of Supervisors' meeting to appoint Mr. Rounds to the IDA Board.

IDA DISCUSSION:

B. YMCA Bonds:

1. Background:
 - In January 2008, the IDA issued \$5,450,000 in Civic Facility Bonds for the YMCA to purchase and renovate the former Gates Mills Building on Harrison Street.
 - The Bonds were purchased by NBT Bank.
2. Proposed Amendment to Bonds:
 - NBT is proposing to modify the term of the Bonds by agreeing to accept interest only payments on the Bonds for 1 year.
 - The 1 year of unpaid principal payments would become a balloon payment at the end of the term of the Bonds.
3. Resolution:
 - See attached.

IDA DISCUSSION:

IDA ACTION:

MOTION:

MADE BY:

SECONDED:

VOTE:

C. Fire Tax Bills:

1. Background:
 - IDA owns vacant land on the east side of NYS Route 30A and in the Tryon Technology Park in the Town of Johnstown.
 - Even though the IDA is tax exempt, it is not exempt from Fire Taxes.

2. Town of Johnstown Fire Tax Bill for Properties on NYS Route 30A:
 - 2024 Fire Tax Bill:
 - 174.-2-65 : \$ 42.78

3. Town of Johnstown Fire Tax Bill for Tryon Technology Park Properties:
 - 2024 Fire Tax Bills are:
 - 164.-2-54 : \$ 1.47
 - 164.-2-16.5 : \$586.00

IDA DISCUSSION:

IDA ACTION:

MOTION: To authorize the payment of these three (3) Town of Johnstown Fire Tax bills.

MADE BY:

SECONDED:

VOTE:

D. Board Training:

1. Duties and Responsibilities of IDA Board Members per Section 2824 of Public Authorities Law and IDA Bylaws:
 - (a) Execute direct oversight of the Agency's Executive Director, Chief Financial Officer, Legal Counsel, Auditor and other staff in the effective and ethical management of the Agency.
 - (b) Understand, review and monitor the implementation of fundamental financial and management controls and operational decisions of the Agency.
 - (c) Establish policies regarding the payment of salary, compensation and reimbursements to, and establish rules for the time and attendance of, the Executive Director and management. [NOTE: All adopted.]

- (d) Adopt a code of ethics applicable to each officer, director and employee that, at a minimum, includes the standards established in section seventy-four of the public officers law. [NOTE: **Adopted**]
- (e) Establish written policies and procedures on personnel including policies protecting employees from retaliation for disclosing information concerning acts of wrongdoing, misconduct, malfeasance, or other inappropriate behavior by an employee or board member of the Agency, investments, travel, the acquisition of real property and the disposition of real and personal property and the procurement of goods and services. [NOTE: **The IDA Board has adopted the following policies**]:

	<u>Policy</u>	<u>Date Adopted/Amended</u>
01.	Compensation and Reimbursement	9/30/2008
02.	Attendance	9/30/2008
03.	Travel	9/30/2008
04.	Ethics	6/14/2022
05.	Procurement	9/30/2008
06.	Property Disposition	4/12/2022
07.	Whistleblower Protection	9/30/2008
08.	Extension of Credit to Board Members and Staff	9/30/2008
09.	Check Writing	1/31/2013
10.	Credit Card	9/3/2010
11.	Annual Assessment of the Effectiveness of Internal Controls	1/14/2020
12.	Approval of Subleases	2/11/2011
13.	Discretionary Funds Policy	6/6/2013
14.	Uniform Tax Exemption Policy	10/10/2023
15.	Investment Policy	7/12/2022
16.	Sexual Harassment Prevention Policy	11/14/2018

- (f) Adopt a defense and indemnification policy and disclose such plan to any and all prospective board members. [NOTE: **The IDA Board and staff are covered under the County’s Public Officer Liability Policy provided by the New York Municipal Insurance Reciprocal**]
- (g) Perform each of their duties as board members, including but not limited to those imposed by this section, in good faith and with that degree of diligence, care and skill which an ordinarily prudent person in like position would use under similar circumstances, and may take into consideration the views and policies of any elected official or body, or other person and ultimately apply independent judgment in the best interest of the authority, its mission and the public.
- (h) At the time that each members takes and subscribes his or her oath of office, execute an acknowledgment, in the form prescribed by the Authorities Budget Office after consultation with the Attorney General, in which the board member acknowledges that he or she understands his or her role, and fiduciary responsibilities and acknowledges that he or she understands his or her duty of loyalty and care to the organization and commitment to the Agency’s mission and the public interest. [NOTE: **All members have signed this Acknowledgement Form**]

IDA DISCUSSION:

E. Executive Session:

1. Upon a majority vote of its total membership, taken in an open meeting pursuant to a motion identifying the general area or areas of the subject or subjects to be considered, a public body may conduct an executive session for the below enumerated purposes only, provided, however, that no action by formal vote shall be taken to appropriate public moneys:
 - i. matters which will imperil the public safety if disclosed;
 - ii. any matter which may disclose the identity of a law enforcement agent or informer;
 - iii. information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;
 - iv. discussions regarding proposed, pending or current litigation;
 - v. collective negotiations pursuant to article fourteen of the civil service law;
 - vi. the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation;
 - vii. the preparation, grading or administration of examinations;
 - viii. the proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof.**

MOTION: To go into Executive Session to discuss the proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof.

MADE BY :
SECOND :
VOTE :

TIME :

MOTION : To go out of Executive Session.

MADE BY :
SECOND :
VOTE :

TIME :

VIII. NEXT MEETING:

Tuesday
February 13, 2024
8:00 a.m.

IX. CLOSE MEETING:

MOTION :
MADE BY :
SECONDED :
VOTE :

TIME :

Fulton County Center for Regional Growth

January 2024

Business Marketing / Business Leads / Business Inquires

1. **CRG's Countywide EPA Brownfield Assessment Program:**
Approximately 120 drums are located on the Fashion Tanning site. The contents of these drums are In the process of being identified.

The Technical Assistance Grant for Fashion Tanning is moving forward. Still intending to have a site redevelopment plan this spring.

Continuing to work with the Village of Broadalbin on a brownfield site.

2. A grant drawdown submitted to HUD has been approved for the acquisition of the land for the proposed Johnstown Commerce Park on Rt. 30a.
3. This year the Mohawk Valley Regional Economic Development Council was successful in the competition to receive one of the three \$10,000,000 regional challenge awards. As a result of winning the \$10,000,000 award, CRG submitted a \$600,000 workforce grant which is now part of the \$10,000,000 award. See attached.

Mohawk Valley Regional Economic Development Council's 2023 Strategic Plan is complete and available on the Regional Council's website. CRG was asked to collaborate on the 2023 Strategic Plan and as a result Fulton County received its share of recognition and had several projects included in the plan. Wheelerville Caroga Connector Trails, Glove City Lofts, Johnstown Commerce Park, and Great Sacandaga Lake Museum represent several initiatives that were included in the 2023 Strategic Plan.

4. CRG is waiting to hear from the State to see if the Fast-NY Grant submitted for our Rt. 30a site will receive funding.
5. The Gloversville Downtown Development Specialist continues to meet with DRI project awardees and is currently working on the capital stacking process for each project.
6. The Gloversville DDS continues to work with downtown-related activities including the Local Waterfront Revitalization Program and the City's Brownfield Opportunity Area (BOA).

CATALYST PROJECTS

We are proposing 12 catalyst projects totaling \$10+ million to scale established programs and leverage key partnerships across the region.

CATALYST PROJECT	GRANT AMOUNT	% TPC	LEVERAGE	TPC
FAST TRACK CAREER PROGRAM EXPANSION	\$1,200,000	30%	\$1.88M ESD OSWD GRANT (SECURED) \$398,000 OPWDD (SECURED) \$375,000 SUNY TRANSFORMATION FUND (SECURED) \$150,000 MVCC (SECURED)	\$4,003,000
SILICON CARBIDE CHIP PROCESSING AND PACKAGING TRAINING LAB	\$3,500,000	15%	\$18.0M GOVERNOR'S OFFICE APPROPRIATION (SECURED) \$1.85M WOLFSPEED (SECURED)	\$23,350,000
SUNY COBLESKILL IRV - MICROCREDENTIAL ACCELERATOR EXPANSION	\$2,700,000	48%	\$1.52M SUNY COBLESKILL (SECURED) \$784,900 ESD PROGRAMS AND INCENTIVES (SECURED) \$477,042 DONORS (SECURED) \$100,000 SUNY CHANCELLOR (SECURED)	\$5,580,184
HILLSIDE WORK SCHOLARSHIP CONNECTION	\$1,900,000	17%	\$9.6M UTICA CITY SCHOOL DISTRICT (SECURED)	\$11,500,000
CHILDCARE STRATEGIC FUNDING	\$1,000,000	66%	\$500,000 UPSTATE REVITALIZATION INITIATIVE FUNDS (SECURED)	\$1,500,000
NEW AMERICAN CAREER BUILDER	\$402,000	30%	\$624,000 DRI ROUND IV (SECURED) \$250,000 ONEIDA COUNTY ARPA FUNDS (SECURED) \$50,000 THE CENTER STAFF SUPPORT (SECURED) \$25,000 JRM FUND (ANTICIPATED) \$13,000 STATE FARM FOUNDATION (ANTICIPATED)	\$1,364,000
PROPEL	\$626,000	37%	\$946,000 OHM BOCES (SECURED) \$100,000 MVCC (SECURED)	\$1,672,000
THRIVING COMMUNITIES GRANT FOR RURAL TRANSPORTATION	\$1,000,000	16%	\$4.0M US DOT THRIVING COMMUNITIES NATIONAL CAPACITY BUILDER PROGRAM (ANTICIPATED) \$1.0M NORTHERN BORDER REGIONAL COMMISSION GRANT (SECURED) \$173,033 USDA RURAL PLACEMAKING INNOVATION CHALLENGE (SECURED) \$100,350 BROWNFIELD OPPORTUNITY AREA GRANT (SECURED) \$50,000 USDA ENGINEERING STUDY (SECURED)	\$6,323,383
RURAL HEALTHCARE WORKER TRAINING	\$700,000	66%	\$350,000 US DOL RURAL HEALTHCARE GRANT (SECURED)	\$1,050,000
EXPERTISE PROJECT	\$600,000	100%	TBD	\$600,000
PROJECT SEARCH AND TRANSITIONS	\$500,000	40%	TBD LEXINGTON ARC STAFFING AND DONATIONS (COMMITTED) TBD FULTON-MONTGOMERY COMMUNITY COLLEGE (COMMITTED) TBD SUNY COBLESKILL (COMMITTED) TBD HERKIMER COMMUNITY COLLEGE (COMMITTED) TBD PROJECT SEARCH USA (COMMITTED)	\$1,250,000
MOHAWK VALLEY HOME RUN	\$2,500,000	50%	EFC, ESD, DEC, HCR (ANTICIPATED)	\$5,000,000
TOTAL	\$16,628,000	32%	\$43,316,325 TOTAL LEVERAGE (NOT INCLUDING TBD AMOUNTS)	\$63,192,587

FULTON COUNTY INDUSTRIAL DEVELOPMENT AGENCY

Policy No. 10-05

2023 IDA Board Performance Questionnaire

Criteria	Agree	Somewhat Agree	Somewhat Disagree	Disagree
Board members understand the mission and purpose of the IDA.	6			
The policies, practices and decisions of the IDA are consistent with this mission.	6			
Board members comprehend their role and fiduciary responsibilities and hold themselves and each other to these responsibilities.	6			
The Board has adopted policies, by-laws, and practices for the effective governance, management and operation of the IDA and reviews these annually.	5	1		
The Board sets goals to accomplish its mission.	6			
Board decisions are arrived at through independent judgment and deliberation, free of political influence, pressure or self-interest.	6			
Board members communicate effectively with the Executive Director and are well informed of all important issues.	6			
Board members are knowledgeable of IDA programs, financial statements, reporting requirements, and other transactions.	6			
The Board meets to review and approve all documents and reports prior to public release and is confident that the information being presented is accurate and complete.	6			
The Board knows the statutory obligations of the IDA and if the IDA is in compliance with state law.	5	1		
Board and Committee meetings facilitate open, deliberate and thorough discussions and the active participation of members.	6			
Board members have sufficient opportunity to research, discuss, question and prepare before decisions are made and votes taken.	6			
Board members feel empowered to delay votes, defer agenda items or table actions if they feel additional information or discussion is required.	6			
The Board exercises appropriate oversight of Executive Director and CFO, including setting performance expectations and reviewing performance annually.	5	1		
The Board has identified the areas of most risk to the IDA and works with management to implement risk mitigation strategies before problems occur.	6			
Board members demonstrate leadership and vision and work respectfully with each other.	6			

FULTON COUNTY INDUSTRIAL DEVELOPMENT AGENCY

2023 Performance and Measurement Report

I. **FISCAL YEAR:** January 1, 2023 – December 31, 2023

II. **ENABLING LEGISLATION:**

Industrial Development Agencies (“IDAs”) are formed under Article 18-A of New York State General Municipal Law, as public benefit corporations. IDAs were created to actively promote, encourage, attract and develop job and recreational opportunities and economically-sound commerce and industry in cities, towns, villages and counties throughout New York State. IDAs are empowered to provide financial assistance to private entities through tax incentives in order to promote the economic welfare, prosperity and recreational opportunities for residents of a municipality.

III. **MISSION STATEMENT:**

“The IDA’s mission is to create and promote economic growth and prosperity for both residents and entrepreneurs in Fulton County. The IDA’s role in Fulton County’s Economic Development Program is to develop and maintain an inventory of shovel-ready sites for new and expanding businesses, offer financial incentives, as may be required, to encourage the creation of new and retention of existing jobs and expand the County’s tax base. In doing so, the IDA strives to make Fulton County a desirable place to live and do business.”

This revised Mission Statement was adopted on August 23, 2012. The Authority Budget Office (ABO) notified the IDA in 2012 that its original Mission Statement was not acceptable. As a result, the IDA Board adopted this revised Mission Statement which was accepted by the ABO.

IV. **IDA STAKEHOLDERS:**

Fulton County Board of Supervisors

V. **IDA BENEFICIARIES:**

Fulton County residents and all local taxing jurisdictions

VI. **IDA CUSTOMERS:**

Existing businesses in Fulton County and new businesses desiring to locate into Fulton County.

VII. 2023 PERFORMANCE MEASURES:

- Comply with the Public Authorities Accountability Act.
- Assist businesses in creating and retaining jobs by providing financial assistance.
- Identify additional sites for business development.

VIII. GOVERNANCE CERTIFICATION:

1. Have IDA Board members acknowledged that they have read and understood the IDA’s Mission Statement?

Yes

2. Who has the power to appoint the management of the IDA?

Board of Directors

3. If the IDA Board appoints management, is there a policy the IDA Board follows when appointing management?

No

4. Briefly describe the role of the Board and management in the implementation of the Mission Statement.

The IDA Board provides strategic input, guidance and oversight of the IDA’s mission, adopts policies, adopts a budget, appoints an Executive Director, Chief Financial Officer, Counsel and Auditor. The Board provides direct oversight of its Executive Director and Chief Financial Officer.

The Executive Director has the responsibility for the day-to-day operations of the IDA, collaborates with the IDA Board in strategic planning and implements policies and programs established to achieve the IDA’s mission.

5. Has the IDA Board acknowledged that they have read and understood the responses to each of these questions?

Yes

I hereby certify that the IDA Board met on January 9, 2024 and approved this Report:

Mike Fitzgerald, Chairman

Date

FULTON COUNTY INDUSTRIAL DEVELOPMENT AGENCY

2023 Assessment of the Effectiveness of Internal Financial Controls

I. BACKGROUND:

1. Section 2800(1)(a)(9) and Section 2800(2)(a)(8) of Public Authorities Law require all public authorities to complete an annual assessment of the effectiveness of their internal control structures and procedures.

II. INTENT:

1. The intent of the Fulton County Industrial Development Agency's (IDA) system of internal control shall be to:
 - a) Promote effective and efficient operations so as to help the IDA carry out its mission.
 - b) Provide reasonable assurance that the IDA's assets are safeguarded against inappropriate or unauthorized use.
 - c) Promote the accuracy and reliability of accounting data and financial reporting to ensure transactions are executed in accordance with the IDA' Board's authorization and recorded properly in accounting records.
 - d) Encourage adherence to the IDA Board's policies and procedures for conducting programs and operations.
 - e) Ensure compliance with applicable laws and regulations.
2. This system of internal control includes performing an annual assessment to identify potential weaknesses in policies or procedures and to implement corrective actions.
3. This assessment shall identify significant weaknesses in controls, recognize emerging or inherent risks, and to enable early detection of existing or potential problems. If an internal control system is working effectively, the IDA Board will have a reasonable indication of the reliability of its operating practices and the accuracy of the information it is using to measure its activities and performance. Any deficiencies identified as a result of the assessment shall be addressed by the IDA Board.

III. INTERNAL FINANCIAL CONTROL SYSTEM:

1. SUMMARY:

- A. The Fulton County Industrial Development Agency utilizes an internal control system to preserve the assets of the organization.
- B. System procedures shall be reviewed annually by the independent auditors who will make recommendations to the Board of Directors for suggested changes.
- C. In addition, during the year, changes may be recommended by IDA's management. However, such changes shall not be implemented until reviewed by independent auditors and approved by the IDA Board.

2. CASH RECEIPTS:

- A. The Chief Financial Officer shall open the daily mail and make copies of the checks received and file same.
- B. The Chief Financial Officer shall prepare and make a bank deposit as needed.
- C. Upon completion of the deposit, the Chief Financial Officer shall enter the deposit in the appropriate Agency's records.
- D. All bank accounts shall be reconciled monthly.

3. CASH DISBURSEMENTS:

- A. All purchases shall be made according to the IDA's Procurement Policy. The IDA's Procurement Policy shall be reviewed annually by the IDA Board.
- B. All invoices received shall be reviewed by the Chief Financial Officer and verified for accuracy and completeness. The Chief Financial Officer shall then forward them to the Executive Director for review for completeness and accuracy.
- C. All invoices received that do not have prior authorization by the IDA Board shall be submitted to the IDA Board at their next regularly-scheduled meeting to get authorization to pay.
- D. All invoices received that IDA Board authorization has been given and once reviewed and approved by both the Chief Financial Officer and Executive Director, the Chief Financial Officer shall transfer the necessary funds and prepare a check for payment.
- E. All IDA checks shall have two (2) signatures. One shall be by the Chief Financial Officer. The second shall be by an authorized member of the IDA Board. In the absence of the Chief Financial Officer, the second signature can be by another member of the Audit Committee. The Executive Director shall not be an authorized signer.
- F. An authorized signer may not sign his/her check for reimbursement of approved travel, unless signed by a second IDA Board member.

4. BUDGET REPORTS:

- A. Budget Reports shall be prepared regularly by the Chief Financial Officer in a format approved by the Board of Directors.
- B. Budget Reports includes the following information:
 - List of all IDA Accounts
 - Current Year Budgeted Amount for each Account
 - Year to Date Expenditures for each Account
 - Balance in each Account
 - Current Balances for all Investments
- C. All Budget Reports shall be reviewed by the Executive Director prior to presentation to the IDA Board.
- D. All investment of IDA funds shall be in accordance with investment policies. Investment activities shall be reported to the Board monthly. All investment decisions must have the Executive Director's approval after review for compliance with current investment policies.

5. QUARTERLY TAX RETURNS:

- A. Quarterly Federal and State Tax Returns shall be signed by the IDA Treasurer or any member of the Audit Committee.

6. BANK STATEMENT:

- A. The Chief Financial Officer shall provide at each IDA Board of Directors' meeting a copy of the latest Bank Statement to verify the funds actually in the IDA's bank account. (Added January 9, 2018.)

7. MONTHLY BANK ACCOUNT RECONCILIATION FORMS:

- A. The Chief Financial Officer shall provide, at each IDA Board of Directors' meeting, Monthly Bank Account Reconciliation Forms for each IDA bank account that a member of the Audit Committee will review and, if found acceptable, sign.

8. TREASURY BILLS:

- A. The IDA Board shall determine whether to invest funds into Treasury Bills.
- B. The CFO shall invest funds into Treasury Bills as directed by the IDA Board.
- C. The CFO shall provide monthly reports to the IDA Board regarding the status of all investments in Treasury Bills.

IV. IDA'S INTERNAL CONTROLS ASSESSMENT PLAN:

1. Define the IDA's Primary Functions:

- a. Annually review the mission of the IDA and verify that its primary operating responsibilities, operations and functions that will help fulfill its mission.
- b. Annually evaluate the IDA's written mission statement to ensure that it clearly defines the IDA's purpose.
- c. Define IDA's objectives and ensure they are understood by IDA staff.
- d. Review policies, procedures and guidelines to ensure that they guide IDA staff in the operations of the IDA and provide methods and procedures to assess the effectiveness of those functions.

2. Determine Risks:

- a. Assess the internal and external risk exposure and associated vulnerability of each function of the IDA and assign a corresponding risk level (i.e. high, medium, or low).
- b. If a risk is identified, the IDA Board shall determine how to best handle it by evaluating its significance, likelihood, and cause.
- c. Based on the assigned risk levels, the IDA Board shall determine how frequently to review the controls in place for each function.

3. Review Existing Internal Control Systems in Place:

- a. The IDA Board and staff shall annually review and be aware of the policies and practices in place to ensure that the IDA is effective and to address the risks that are relevant to the operation.

4. Assess the Extent to Which the Internal Control System is Effective:

- a. The assessment of internal controls should be a structured and monitored process to identify and report any weaknesses of the internal control structure to the IDA Board.
- b. This process should determine if the existing control structure and procedures are adequate, to then mitigate risk, minimize ineffectiveness and deter opportunities that could lead to the abuse of assets.
- c. The assessment should provide the IDA Board with information as to whether the IDA's policies and operating practices were understood and executed properly, and whether they are adequate to protect the organization from waste, abuse, misconduct, or inefficiency.
- d. This assessment shall be completed through a combination of inquiry and observation, a review of documents and records and by replicating transactions to test the sufficiency of the control system.

5. Take Corrective Action:

- a. When a weakness is identified, a corrective action plan should be developed, adopted by the IDA Board and then monitored by the IDA Board to ensure that the vulnerability is addressed.

V. INTERNAL CONTROL CERTIFICATION:

1. Section 2800(2)(a)(8) of the Public Authorities Law:

- a. To satisfy the requirement of Section 2800(2)(a)(8) of Public Authorities Law, the IDA shall incorporate, either within its annual report or as a separate document, a statement explaining that the authority has conducted a formal, documented process to assess the effectiveness of their internal control structure and procedures, and indicating whether or not the internal controls are adequate.
- b. This statement should eventually be posted to the IDA's website.
- c. The IDA shall retain documentation to support the assessment of its internal controls.
- d. If the IDA finds any deficiencies with the internal controls over its functions or operations, additional documentation should be maintained to demonstrate that the IDA has adopted corrective action plans to address these weaknesses.
- e. This documentation should be made available upon request to the IDA's independent auditor or to ABO compliance review staff.

2. Public Authorities Reporting Information System (PARIS):

- a. As part of the PARIS Annual Report tab, the IDA will be required to indicate whether or not they have prepared this assessment and to provide the URL link to the statement, if available.

VI. IDA BOARD'S 2023 ASSESSMENT OF THE EFFECTIVENESS OF THE INTERNAL FINANCIAL CONTROL SYSTEM:

“The IDA Board has documented and assessed the internal financial control system of the Fulton County Industrial Development Agency for the year ending December 31, 2023. The IDA Board determined that existing internal financial controls are acceptable.

Approved by IDA Board of Directors on March 9, 2011.
Approved by IDA Board of Directors on March 23, 2012.
Approved by IDA Board of Directors on January 31, 2013.
Approved by IDA Board of Directors on January 14, 2014.
Approved by IDA Board of Directors on February 5, 2015.
Approved by IDA Board of Directors on January 6, 2016.
Approved by IDA Board of Directors on February 9, 2017.
Approved by IDA Board of Directors on January 9, 2018.
Approved by IDA Board of Directors on January 16, 2019.
Approved by IDA Board of Directors on January 14, 2020.
Approved by IDA Board of Directors on January 12, 2021.
Approved by IDA Board of Directors on January 11, 2022.
Approved by IDA Board of Directors on January 10, 2023.
Approved by IDA Board of Directors on January 9, 2024.