



NAME

04-30-2020 Governance Meeting <https://www.youtube.com/watch?v=y-N-poMerJc>

DATE

May 20, 2021

DURATION

49m 20s

10 SPEAKERS

Paul Andreassen  
Rose Woodworth  
Richard Jones  
Daniel Savona  
Randall Leverette  
James Malcolm  
Joe Eriole  
All  
Faye Storms  
Bob Murray

START OF TRANSCRIPT

**[00:00:00] Paul Andreassen**

OK take a moment to read the, review the minutes of December 4th, two thousand nineteen. That was our last Governance committee meeting. If there's any change,

**[00:00:13] Rose Woodworth**

I just want to make sure everybody has the last packet that was sent around 5, 6 o'clock.

**[00:00:18] Paul Andreassen**

Yes. The updated packet.

**[00:00:20] Rose Woodworth**

Yes.

**[00:00:22] Richard Jones**

I got it Rose. Thankyou

**[00:00:23] Rose Woodworth**

Yup, great.

**[00:00:25] Richard Jones**

Paul. I was able to read it. I just had one adjustment. Paul, can you hear me?

**[00:00:33] Paul Andreassen**

Yes, Rick.

**[00:00:34] Richard Jones**

OK. On the third page from the back of the minutes is the page where there's a whole laundry list of motions and votes down towards the bottom. My recollection of the motion that was made, it says Richard Jones, seconded, seconded by Michael Ham to present this to the board for its consideration in voting. And subsequent to that, it says transmit. I believe it should be meet. Subsequent to that, meet with the county's economic development committee on the board approved changes to the UTEP. And then we went forward, I, I withdrew my motion not to vote on the UTEP until we met with the Economic Committee. I remember. Danny, you're shaking your head. You and I.

**[00:01:27] Daniel Savona**

I remember.

**[00:01:28] Richard Jones**

A vigorous discussion. So it was not transmit, but meet with the the amendment we voted unanimously so Paul that's the one change that I think needs to be made.

**[00:01:39] Randall Leverette**

Well, everybody's recollection is different than mine, but OK, because I thought that's why Danny, Mike withdrew his recommendation because he didn't. I mean, the conversation that we had was. We should send it to the Economic Development Committee and meeting with them would give them an opportunity to converse and suggest changes. And we didn't want, based on Joe Scott's point of view, is that it was providing outsized participation and it should be equal with everybody else's. And so we should send them our comments or send them to our changes. And then we could if they had comments, they could provide them to us in the comment period like everybody else, as opposed to sitting down and meeting. That's what that was my recollection, which is essentially what I did was I transmitted the document to the committee for their comment because I didn't think the committee wanted us to sit down and meet with them. I thought that was the...

**[00:02:40] Richard Jones**

Well, that's what we approved, Randall. We approved the words meet. And of course, I would defer to those reviewing the recording, in which case I would ask that we not vote to approve these minutes. But my recollection was the words meet not transmit.

**[00:02:59] Paul Andreassen**

We can withhold approving the minutes until it's clarified.

**[00:03:04] Richard Jones**

Rose, can you check the recording?

**[00:03:07] Paul Andreassen**

Ok. They're up online, too, right Rose?

**[00:03:10] Rose Woodworth**

Yeah, it should be. I'll double check. This one is just because we had a few minutes and everything. I'm not sure I can double check.

**[00:03:20] Randall Leverette**

The meet the minutes for the meeting should be on the on the website anyway though. Right.

**[00:03:26] Rose Woodworth**

Right. They should be. But I know we were not necessarily back months ago. So I'm not sure if we were.

**[00:03:32] James Malcolm**

Excuse me, Mr. Chair.

**[00:03:34] Paul Andreassen**

Yes.

**[00:03:35] James Malcolm**

Would it be possible to make a motion to approve the minutes contingent on whatever it turns out, looking at me like I'm crazy. Can you hear me?

**[00:03:45] Paul Andreassen**

Yes, I can hear you.

**[00:03:47] James Malcolm**

Approve the minutes contingent on whatever the changes are, but they stay the same based on review. Otherwise, it's now it's going to take a long time.

**[00:03:57] Paul Andreassen**

Yeah, that's that's fine. We hear a second on that. We'll just clarify it.

**[00:04:01] Joe Eriole**

(INAUDIBLE) If I may folks. Are you saying that you just are looking for clarification on that one, sort of key word.

**[00:04:10] Paul Andreassen**

Correct.

**[00:04:10] Joe Eriole**

Because I wouldn't want to leave too much to interpret. What if that's what you're looking for, then I think you're fine there.

**[00:04:17] Rose Woodworth**

Go. It was Jimmy.

**[00:04:19] James Malcolm**

I think I just said that. Right. (inaudible) I make a motion accept the minutes is presented contingent on that one issue. Just clarify that in the minutes.

**[00:04:31] Richard Jones**

I'll second, Jimmy's motion said, I believe it should be me not transmit.

**[00:04:35] Rose Woodworth**

Ok, the question when I it is clarified, do I send it? We haven't done do I send it to the whole committee?

**[00:04:42] James Malcolm**

I would put it in the minutes as part of this meeting after reviewing the judgment. yes.

**[00:04:48] Rose Woodworth**

OK, great. Thank you.

**[00:04:51] Richard Jones**

Thanks. Thanks, Jimmy, for that.

**[00:04:53] James Malcolm**

You're welcome.

**[00:04:55] Paul Andreassen**

We're all in favor.

**[00:04:57] All**

I

**[00:04:58] Paul Andreassen**

Any he opposed. Extension's. Motion approve. OK so we move on to number four, project compliance (inaudible) in your pocket, and we'll let Rose direct you to the proper page.

**[00:05:25] Rose Woodworth**

I sent the second one that had page numbers stamped at the bottom,

**[00:05:30] Randall Leverette**

Page eight, I think.

**[00:05:31] Rose Woodworth**

Right, page eight. And it's basically it looks like an Excel spreadsheet right after (inaudible).

**[00:05:39] Randall Leverette**

And just a little bit of the background as you guys look at these. As you know, in December, we prepared a memo for all of the project applicants, not project applicants, but projects to let them know exactly what it is that they need to provide, as outlined in their project, closing documents. And we also made personal visits to each and every one of the sites I accompanied Rose on some others, went on others, and Rose did a bunch by herself, the project representatives. We took a copy of that memo that we had sent to them digitally by mail, and we asked them. We explained what it was that we were looking for and when it was due. And I believe we asked them to sign that as an acknowledgement that they we had gone over that with them. Is that correct Rose?

**[00:06:51] Rose Woodworth**

I when I met them, they all signed the document that I gave them that if they had submitted passed January 31st, that they were going to be late fees and I stressed to every single one that we don't want your fees. We just want the information in a timely manner so that we can report back to the ABO as required.

**[00:07:16] Randall Leverette**

Right. And we the material we're due the thirty first of January. The only thing that most projects, actually all projects are unable to provide to us by that date is the state S-T 304 or 340. It's one of the forms that they fill out showing the tax material that they have used throughout the year. But that's not due until the twenty ninth or the twenty eighth. That's the last day of February. So they can't be held as out of compliance for not having that form because it's not due to the state. So they probably need to adjust that. We have a (inaudible). Being anybody for not having that form, so what you had in front of you are the projects that we received information from, didn't receive information from. And as you can see from the percentages at the at the bottom, we've got projects. Twenty six percent of them are missing documents, which are documents that are required under the closing documents, which essentially is a contract that those projects have with the agency. The other twenty six percent of the projects, according to this, is they're underperforming, meaning they are not meeting their job numbers as promised to the agency and the taxing municipalities. And the total projects out of compliance is what we have here. Forty six percent. So..

**[00:08:51] Daniel Savona**

So the promises that you have in the red, the percentage that's how far under the under performing they are.

**[00:08:58] Rose Woodworth**

Yeah, so each one in red, each one that has a red spot shows you where the non-compliance issue is. So, for example, if you took the you know, I don't want to call one out, but let's just say the one on the top of the list here,

**[00:09:15] Daniel Savona**

Yup.

**[00:09:16] Rose Woodworth**

One at the top of the list here, it's marked red in the day the information is not verified. So it looks like the information that they sent us that they have one hundred and twenty one percent of which was promised, which is great, but unfortunately, it hasn't been verified. So their non-compliance issue is that we don't have the information to verify that if they're red in the present promised, that means that they're under the 80 percent that are rules that allow for.

**[00:09:48] Richard Jones**

And Rose aren't some of the no's closed projects.

**[00:09:57] Rose Woodworth**

So, yes and no. If you look down at I can tell you which ones are the sort of issues there in (inaudible)

**[00:10:07] Randall Leverette**

MHVFTU is one.

**[00:10:14] Rose Woodworth**

I couldn't hear you Mike.

**[00:10:14] Randall Leverette**

And The Emerson. And what's happened there is that both those projects had instituted closure with counsel, and they either had it had not been done, which meant under the law, we must still report them, even if they're still on the books and they are closed and finished by state law, we have to continue to report them until we actually close out and remove the IDA's names/ participation on their project.

**[00:10:52] Daniel Savona**

We had discussed at the last meeting about we're talk to Joe about this, to fill you in, going through and closing out these other ones and just getting them off or getting the paperwork and any movement on that.

**[00:10:52] Joe Eriole**

Yeah, so I, I followed up with Joe Scott and Hudgson Russ to find out where they were on all these, and most of them, they had successfully closed out. There were a couple that they were waiting for documentation back from the company or companies council because they have to sign certain things in order to record the final documents with the county clerk's office. They had chased those folks and hadn't gotten responses yet. And then there were a couple that they just needed to file, that Joe's firm just needed to file with the county clerk, which they you know, which I asked them to do. They had hoped to be able to do all of that by the end of March. I did check again today and on a couple of those files, they just got documentation back and expect to file by the end of next week. And the reason I'm not being more specific is I had some trouble in the Zoom meeting on my laptop, so I went back to my phone. So I don't have the I was using one for the documents and one for the conference, so I don't have my copy. But Rose does have that.

**[00:12:21] Daniel Savona**

Joe about how many of these are closed out.

**[00:12:24] Faye Storms**

Right. What percentage is out of compliance?

**[00:12:28] Rose Woodworth**

So the two that were starred, we were not considering out of compliance, the Emerson (inaudible) Ventures and MH(inaudible), Hurley Avenue. So those should have been closed out and it wasn't one thing or another was not done properly. So we weren't holding them accountable.

**[00:12:49] Paul Andreassen**

OK.

**[00:12:50] Rose Woodworth**

So considering them out of compliance. (inaudible)

**[00:12:53] Faye Storms**

Are they counted in that forty six percent then or not?

**[00:12:57] Rose Woodworth**

They're counted as overall number of projects but not projects out of compliance.

**[00:13:02] Daniel Savona**

Ok.

**[00:13:03] Richard Jones**

Rose wasn't Kingston Hospitality closed out also.

**[00:13:07] Rose Woodworth**

No, we thought so. And that was when we double check before the meeting and no final documents were not signed off.

**[00:13:15] Richard Jones**

So they shouldn't, they shouldn't be counted as being out of compliance.

**[00:13:18] Rose Woodworth**

Well, they are there. They're out of compliance because they didn't close up.

**[00:13:25] Richard Jones**

They didn't close up.

**[00:13:25] Rose Woodworth**

Yes. Because of what was wrong. So I, Joe did provide me with all that information today because he was able to get the rest of it. And we will have a document for the entire board for that board meeting.

**[00:13:39] Richard Jones**

So I just, Paul, I just have a question about process tonight.

**[00:13:44] Paul Andreassen**

Yes.

**[00:13:46] Richard Jones**

And thanks for organizing zoom meeting. And your bookshelves are great. But aside from that, is it our intent to come up with an approach for each one of the projects that is out of compliance, which then, of course, means we need to talk about each one of them out of compliance and what our approach is going to be? Or is it simply your intent to present this to the board, to the governance, and then to do some subsequent work presumably with Rose to come up with a story for each of these and to reach out and find out why they haven't complied? I'm thinking of one that was not in compliance last year either, and we forced it to be in compliance, not to go into details. But I'm just wondering what what you thought how we thought you thought we should approach this and or if other members stand by whoever has thoughts about how we should approach tonight, go project by project or allow governance and growers to come up with an approach for each one of these. And given my background on audit and knowing these projects and some of the players, you know, I'd be happy to go through that as well with you Paul. But so that's a question for you, Paul. Sorry I was so long winded.

**[00:15:02] Paul Andreassen**

My intention for tonight was not to go through each and every one. We would be here for a long time.

**[00:15:11] Daniel Savona**

Thank you Paul.

**[00:15:11] Paul Andreassen**

And there's not and there's not going to be any action taken tonight with regard to the noncompliance or removing the project from the tax jurisdictions or anything of that nature. We're simply going to discuss this as a as a board. We've all really just received this material. We're not that familiar with it. I will say that and I'm sure everyone agrees with me of that. And I'm not going to play a Sunday morning quarterback. But will we have projects that are forty seven percent out of compliance. I just feel that's you know, we really we need to just, you know, ensure that these companies that we're involved with. You know, really maybe reiterate to them what the you know, what their obligations to the IDA are and then our obligations to them, so, you know, we're not we're not going to be punitive if we go through this and and hopefully come up with a strategy to deal with all the rest who just identify where the what missteps might have taken place here. If there was any lack of communication, we'll certainly make it better. And and hopefully we'll get these people into compliance and close out the ones that need clothes out.

**[00:16:46] Paul Andreassen**

Yes. Dan.

**[00:16:46] James Malcolm**

No, Jimmy, may I say something could possibly utilize Rose and our lawyer Joe to come up with some sort of boilerplate. And that way we're looking at something as a group. And we can add to it or we can take away from it, because the problem here is a lack of consistency and it doesn't fall on the shoulders of this board. This is a culture which has to be, you know, I'm all for growing business, but there's certain parts of the growth of the business that you have to jump in. I mean, all of this is not new to them. They know this going forward, things that they have to provide to this board. So I would ask if Rose would work along with council to come up with some sort of boilerplate language. And I like that you don't want to be punitive. I get that. But come up with something that you can, we can work on from there. We can do it, too. We can take away from something that we're comfortable with. And we're going to get the best results we can, but not drive people out of want to do business with us. You know, just an idea.

**[00:18:01] Daniel Savona**

No, Jim, I got to agree with.

**[00:18:06] Randall Leverette**

You know, looking to to shut down either and there are extenuating circumstances always, but as you say, I mean, these are things that they sign on and agree to when they come in to play with us. And while we can be lenient, we you know, the danger for us is that it doesn't help us when we have to satisfy our requirements under the state law. And that is the reporting for these things. I mean, you know, if there's a I think we give a 20 percent leeway, if you're I mean, I think it's that leeway for for jobs, you know. But if there's a consistent period, where it's the same thing over and over, or if you ask for documents and you don't get them and you keep getting excuses or you get the material or the information, like some today, some two weeks,

**[00:19:14] Daniel Savona**

We send him a tax bill, Randle. Send the, a tax bill.

**[00:19:16] Randall Leverette**

It was done in...

**[00:19:16] James Malcolm**

Deficit spending. You don't want to spend 10 to collect five.

**[00:19:23] Joe Eriole**

Right

**[00:19:23] James Malcolm**

OK, we don't want to beat people over the head, but we're in the business of doing business.

**[00:19:29] Faye Storms**

Well we're not going to solve this any time soon. Having a meeting like this, we have to find a committee that we get together, a few of us, and work with Rose and get the ideas out and figure out what the problems are and the issues so we know how to create something.

**[00:19:29] Paul Andreassen**

Well, I think Jimmy's, Randall, Randall.

**[00:19:52] Randall Leverette**

Governance committee. I'm sorry. Go ahead, Paul.

**[00:19:53] Paul Andreassen**

I just want to I want to keep this meeting as brief as we can, and I think we'll just talk over each other. So I think, Jim, your idea for several of us can get with Rose and Joe E. and come up with some boilerplate language that says, here's here's the stipulation. Let's move on from here. Let's make the future projects clear, concise to the point, and then we will maybe we won't have these problems in the future. And instead of having forty seven percent out of compliance, we'll have 10 percent out of compliance. That sound good.

**[00:20:34] Richard Jones**

I think Paul's approach and Jim's approach are great. Each project is unique and to come up with a story for each project is the issues. There's a letter here from the other gentleman on the phone explaining some of the issues that he is, who he represents came up with. What if we get a story on each of the ones out of compliance for the board the Governance Committee to review the governance committee can review those in the quietude of their home office and then come back and try to do a story for each one of them. But we do need more detail. And given what we're up against economically, we need to be operating from a point of some flexibility.

**[00:21:20] Randall Leverette**

The other thing, too, that we need to to do and it's one of the things that that I've talked about with Rose is as we go into the closing documents, one of the plans is to try and develop an easy checklist for projects that when we close with a with a particular applicant so that they can put it on a sticky board or a whiteboard or whatever and know exactly what the dates are and the things that we're supposed to give them so that there's no surprise when the letter comes in December so that they are fully aware of it Jimmy's right, we can't spend five thousand dollars to collect, you know, a thousand dollars. And that's...

**[00:22:06] Daniel Savona**

Rose you sent these notices back out in late October, correct?

**[00:22:11] Rose Woodworth**

No, they went out in December.

**[00:22:14] Daniel Savona**

Didn't we don't we discuss we're going to send them out earlier because of the holiday and whatnot.

**[00:22:19] Rose Woodworth**

We had originally, but they physically cannot gather the documents until year end. So we didn't want to send it out three months before they could even possibly get it together.

**[00:22:29] James Malcolm**

But a reminder never hurts.

**[00:22:32] Daniel Savona**

Thank you.

**[00:22:33] James Malcolm**

A reminder never hurts, I mean, even for blasting it out...

**[00:22:38] Daniel Savona**

Because when they start getting it, they put it off in December. If they start put it out on October a little sooner. You know, let me just say, this is an example. You know, that PPP money is coming out for small businesses and stuff. And, you know, we're in line for some of that and the guidelines in which I have to follow for this money or, you know, they're detailed, you know, and if I don't follow these guidelines, I'm going to be on the hook for the money at the end. You know, so same example is here. They come to us on bended knees. And you know me, I'm not punitive and you guys know my philosophy, but they come to us asking for help. Then once they have the money, they're not they're not willing to reciprocate and give us back. So, you know, I'm in support of anything you guys want to move forward on.

**[00:22:38] Joe Eriole**

And I think if I may Dan, to follow up on that. And what Mike has said is, well, one of the other things we've been discussing since I've been involved at the tail end of this, after notices went out and initial efforts to contact these folks went out, I do think that in addition to the idea of a simple checklist that makes it easier for applicants to follow what is required of them, because not all applicants, as you know, are built the same administratively,

**[00:23:49] Daniel Savona**

Absolutly.

**[00:23:49] Joe Eriole**

Some of them bigger, better, more efficient staffs, for they're more used to this kind of thing. So that's one thing. The other thing is that I do think we can improve in our closing documents, not that our closing documents right now are are they're frankly pretty, pretty standard in the industry. But in my experience, I think there are some places where we could do better in terms of the level of detail that we provide for what they need to do for us. And and what exactly, for lack of a better word, the rules are that I think will help us to collect, because, again, if they're out of compliance, we're still left with the problems that it's people like Rose and the IDA staff that have to do the reporting one way or another. So it doesn't help us for them to be out of compliance.

**[00:23:49] Daniel Savona**

Like a year end closing report, something like that that they should have with their closing papers.

**[00:24:43] Rose Woodworth**

They get that.

**[00:24:43] Daniel Savona**

A year end closing report or something financial.

**[00:24:46] Randall Leverette**

They get that. (inaudible) We send them. But what I'm thinking is when they close, it might be easier. I mean, because what happens is you if you've seen one of the closing documents, it's probably 50, 60 pages long. What I'm thinking, we can be.

**[00:25:01] Daniel Savona**

Part of the problem.

**[00:25:02] Randall Leverette**

Do a check list to cover it, to say that, you know, so that you don't have to go rifling through the.

**[00:25:09] Daniel Savona**

Absolutely.

**[00:25:09] Randall Leverette**

Document. Here's here are the things that you will need to provide to us. And the times that you will need them so that you know that you need to start getting them together. The other important thing that I think we need to to be clear about when we do these things is to make sure that we're just not dealing with some staff person who doesn't know anything about what's going on. And this stuff gets dumped in their lap. And, you know, we spend an inordinate amount of time basically teaching them what they have to provide to us.

**[00:25:42] James Malcolm**

Do you know what we've done. Randall, in the past, some say, we'll say project labor agreements when it comes to benefits being paid in in a timely fashion. We'll make them dedicate a confident person from a company. You know, you're the person that we're going to reach out to. If there's an issue, we're not going to get pushed around. We're not going to talk to 15 other people. We're going to talk to a dedicated person who's receiving the incentive that might make it easier for Rose definitely would make it easier because she's dealing with the same person every time.

**[00:26:18] Faye Storms**

I mean, if that's a contact person initially, but that could change at any moment. So...

**[00:26:22] James Malcolm**

They can notify us. But there can only be one.

**[00:26:26] Rose Woodworth**

But I want to say, you know, I'm not disagreeing. I do think that each one has a story that's going to go with the reason that they're out of compliance. And I do think it's important to gather that information. But I want to just make sure that the committee is aware that, you know, nobody was slapped with a thousand dollar fee without any notice. We made multiple attempts to contact them. And then we originally I don't know if you all remember, but there was a five hundred dollar late fee, a seven fifty, one thousand and it was going to go up each as we kept getting closer. We didn't assess smaller fees because we didn't do it right away, because we kept just trying to get the documents. The thousand dollars was of a final straw of what we had to do. And then even then, most of them, as you can see, based on what was received, most of them still have not complied. And then at that point, we sent a, I would say, pretty firmly worded letter from Joe telling them that, look, we've tried to tell you what you need to do. Here's what's going to happen if you don't do what we've asked you to do. So, you know, it's not being just a flat we sent a late fee in the mail just because they didn't send it.

**[00:27:41] Faye Storms**

Right. Right.

**[00:27:42] Randall Leverette**

And the other the other thing and unfortunately, we don't have the ability to to do that. But one of the things I thought would be important or helpful would be for you guys to be able to see the amount of time that staffs spent collecting this information.

**[00:28:03] Daniel Savona**

I can only imagine. (inaudible).

**[00:28:03] Randall Leverette**

Yeah, the cost incurred with having to go after people and ask them for things and then they not send it. And then, you know, because once we get some of it, some of it had to go out to the CPA for them to verify the numbers, to make sure that the exact jobs were being maintained or achieved. So when you don't send the stuff at the right time when it's due, that puts everything off and then we've got to go back and check. So it's really not as simple as just sending it in. It's there are other people who are looking at it who are who are reviewing this data and giving it back to us so that it can be appropriately placed in the in the Paris report. So, I mean, the time that's spent in in doing this cost the agency. And when we have to bring the attorney into the picture, that's an additional added fee to it. So, I mean, we may want to be generous, but at the end of the day, we're being penalized with we don't have a ginormous budget. But these costs are borne by the agency. And we don't get any taxpayer money. We don't get any money from the state. The money we have comes from projects, the application fees. So when it's spent up chasing people to get data from them that they're technically legally required to provide to us when we ask it for us and they don't, it costs us money. So it's something to keep in the back of your minds as we go through all of this, I'm, you know, like everybody else not looking to be punitive with people, but there is you know, there's a period in time when it's like, you know, you can't keep accepting excuses for things when you know you have an obligation. If your mortgage payment is X number of dollars, if you send them half of that, the bank is not going to be OK with the fact that you've sent them half of it.

**[00:30:10] Richard Jones**

So given this environment that we're in, Paul. I think it'd be great if you trust that you can get together with Rose and in the governance community, whoever else can help, come up with a story for each of these projects within the governance committee to review and decide what they're going to do, a project by project. (inaudible).

**[00:30:39] Paul Andreassen**

I'd like to reiterate that, you know, with the Paris report, this is a public document. And we're under a lot of scrutiny, too. Not to mention all of us on the board, there might be some misinformation out there, but we're all volunteers as nobody gets paid on this board. So it's very complicated. And I like the analogy with (inaudible). It is a contract and we certainly are or all of us are pro-business and we want everyone to thrive. We were saddened that some of these projects are stalling or having difficulties. So I think that's what we're going to do, is get with staff and come up with and counsel. So, you know, some wording that we can present to these applicants, these project sponsors and move on from there. So we won't belabor that any further tonight.

**[00:31:44] Daniel Savona**

Chair, can I ask Rose when was the date of the Paris report due?

**[00:31:49] Rose Woodworth**

Do what it was due, it was due March...

**[00:31:54] Daniel Savona**

Did we get an extension, is my question. With everything going on,

**[00:31:57] Rose Woodworth**

If there was no finalized date and you couldn't it wasn't just a free for all extension. It was if there was a real valid reason because of COVID, then you could. So, I mean, there's only so far we could push it. We did submit the report finally. And I you know, I did some projects did come in after March 30th. If we got the information, I was more than happy to. I mean, I'm more than happy, but I did update.

**[00:32:28] Daniel Savona**

OK

**[00:32:28] Rose Woodworth**

The other thing I just wanted to call attention to, part of what we're doing here, the CPA report, was we verified the numbers. We verify the numbers of what a lot of projects sent us. It was kind of interesting. Some projects were actually underreporting the job figures that they had sent us.

**[00:32:53] James Malcolm**

Oh, no.

**[00:32:54] Rose Woodworth**

Yeah, somewhere over reporting. And I think there's also been an issue of people gave us the wrong numbers to start with. So, for example, if you come to us and tell us you have one hundred jobs, we don't verify that. And that number is stuck in the Paris system from now until the project is over. So now it's look like they're underperforming when really it's because they gave us the wrong information. And I think I do think that this idea of a packet is going to be really crucial, because if you can't get information from people (inaudible).

**[00:33:33] Randall Leverette**

Like we have to teach them to calculate the FTE'S, we probably need to help them figure, I mean, there's a lot of spoon-feeding that I think probably should have been done. And most I mean, as you know, we've only induced two new projects this year. We've had one that was a transfer and one that was started a while ago that was pretty much in the works. And they were trying to get their financing together. But we've had two new ones that started this year for a total of four, for twenty nineteen, which is about average for the agency. But it would be helpful if we, as we modify and adapt intake forms and so on and so forth. It would be helpful if we figure out ways in which we can help them calculate the FTE's and other reporting documents that they need so that it'll make it easier for them and for us because we get them. And then sometimes we have to recalculate them because they did them wrong. That's how we figure out that that's they're not right. The same thing goes for when we report things on there application. And I know that we have to do an addendum for one of the projects that the new project that we did, the employee numbers are wrong. So we need to go back and switch that because that means the particular applicant can basically, quote unquote, cheat us out of 10 jobs because the numbers were wrong on their original in their closing documents. So those are things that we need to be a bit more consistent with and make sure that they happen, because at the end of the day, once these things all get up to the state and ABO and the New York State Comptroller start looking at them, we have to come up with the answers for why this is wrong or why this is so. We we just need to be a bit more diligent than we were in the past. And I think we've gotten there I've been on the panel for a while and the documents that you will see in front of you, and I think Jimmy will attest to this, I don't think we've seen this kind of information before. And I think it's helpful.

**[00:35:59] James Malcolm**

I have a problem. Problem understanding. What are we looking at? Thirty five hours as an FTE?

**[00:36:07] Randall Leverette**

Yeah. Yeah.

**[00:36:08] James Malcolm**

How can you go to an entity and say, how many man hours did you work this year total within that environment. Oh thirty five hundred. OK, guess what, that's one hundred FTE's.

**[00:36:08] Rose Woodworth**

Yeah.

**[00:36:20] James Malcolm**

It's not that hard.

**[00:36:21] Randall Leverette**

Yeah.

**[00:36:22] Rose Woodworth**

No right. That's why this year we made a push to get the payroll journal summarized by employing the total hours that each employee worked for the year because also what we were asking for before, there was no way for us to verify FTE. So, yeah, I think we're doing I think we're doing a good job of trying to get the right information out there. It was just a little disappointing...

**[00:36:48] Paul Andreassen**

Result.

**[00:36:48] James Malcolm**

I always thought, Rose, quite honestly, you can redact all the names, you can redact Social Security numbers, send us your, send us a copy of your payroll quarter.

**[00:36:59] Rose Woodworth**

They do that also. So they send me an INS-45, but it doesn't have the hours. So that's why we asked for the payroll journal.

**[00:37:06] James Malcolm**

But doesn't do us any good then.

**[00:37:08] Rose Woodworth**

Right. Right. It gives us the gross wages, which is something that they put in their application and it's something they tell us they're going to do.

**[00:37:16] James Malcolm**

But again that skews it because remember when we talk and I'm sorry, Chair, I don't want to take up the time, but remember we talked about restaurants, bars, things like that where some people work. X amount and others, and all of a sudden it skewed the number of FTE's, so I guess more important than gross wages or as important is a breakout. And again, we don't need anybody's name just to break out of what that represents as far as man hours worked.

**[00:37:48] Rose Woodworth**

Right.

**[00:37:48] James Malcolm**

And then we just divide it.

**[00:37:50] Rose Woodworth**

Right? That's what we did. That's what we did this year. So that's what we had the CPA verified. And that's why we have some good data from those that were willing to share it.

**[00:38:03] James Malcolm**

They have to put a little bit of time in.

**[00:38:06] Rose Woodworth**

Yeah.

**[00:38:07] Randall Leverette**

Yeah.

**[00:38:07] Randall Leverette**

And one other thing (inaudible).

**[00:38:14] Randall Leverette**

I'm sorry. Go ahead Mike.

**[00:38:15] Paul Andreassen**

Rose, if I could ask you, in other words, on the verification certification report, there's, I think five of them to have known that it was that no data presented or no data, they didn't have any data.

**[00:38:29] Rose Woodworth**

No no data presented. The only one that had no data to present and was accurately not presenting data was Star Estate, which is why they gave us zero jobs, that appears accurate because that's accurate. If it says no data, that means they didn't give us the information to calculate the number of hours, which means they can give us what we were asking for so we couldn't verify it.

**[00:38:53] Paul Andreassen**

Ok, so I think when we when we have this meeting with several of us and and you, Rose and probably Joe E, we'll come up with with some language to make this a little clearer going forward. And unless some unless someone else wanted to add anything else,

**[00:39:17] Randall Leverette**

I just have one other quick thing to add. Again, it's a clarification so that we can avoid the problems going forward. We've had a couple of projects that have actually switched over or sold without informing the agency. So the transfers and whatever were not necessarily done properly. So I think it's important that projects are aware of that, too, because that causes potential problems for us as it relates to reporting and other things as well.

**[00:39:55] Richard Jones**

Transfer of ownership. Are you referring to transfers of ownership?

**[00:40:02] Paul Andreassen**

Yes.

**[00:40:04] Faye Storms**

Yeah. Yeah.

**[00:40:04] Richard Jones**

Transfers or ownership. OK.

**[00:40:08] Randall Leverette**

As you as you remember from last year. The bond thing with one of the projects (inaudible).

**[00:40:14] Paul Andreassen**

So I think we'll move on.

**[00:40:26] Richard Jones**

Danny what are you doing feeding the dog?

**[00:40:29] Paul Andreassen**

Anybody have any does anybody have any board, any committee members have anything else to add otherwise we'll move on to public comments on the agenda item only please. So if anybody has any questions and I know this one that Rose sent in at the 11th hour, I, from reading it and I read it's probably 20 minutes to seven of there's no action going to be taken on that this evening. So whoever the council is on that.

**[00:40:59] Rose Woodworth**

There are two. There's that's the one that I just want to add is at the end of the packet, there's an email from Medical Properties his attorney and there's also a letter here from (inaudible) attorney. I apologize. It was sent late but unfortunately (inaudible).

**[00:41:18] Paul Andreassen**

That's OK. But I just want to reassure them if they are on the line or their counsel, that we're not taking any action on this, this evening. So they don't have to worry about that. So we'll move on to public comment. Does anybody have any questions from the public?

**[00:41:40] Bob Murray**

Mr. Chairman, and this is Bob Murray. Thank you for your comments. (inaudible) properties. And, you know, I want to assure you that as the new owner of the facility, we certainly no one appreciate the need to confirm the employment numbers for the benefit of the residents of Ulster County. Absolutely. All day long. And as an attorney who represents several other IDA's around the state, I appreciate on behalf of the board getting that information timely and correctly to the ABO because they're there, they like making trouble for IDA's. Look, I can assure you were and there several representatives from the company here because we are taking this very serious. I don't want to take up anybody's more time, we appreciate your not taking action. We've been have been working with the IDA over the last several weeks. We made good progress today in securing the required NYS-45 forms with three of our four tenants, where we're hopefully getting the fourth set of forms imminently. We're tracking down the human resources person. The company did put its one thousand dollars late payment in the mail today so that you'll have that. But we are striving to get the required information to you ASAP. No one wants to hear a lawyer talk. I'll stop talking. But there are representatives from Kingston Medical Properties and the Westchester Medical Center on the line if anybody has any questions.

**[00:43:20] Paul Andreassen**

Great. Thank you.

**[00:43:23] Daniel Savona**

I appreciate you bringing it to our attention and being here to talk to us about it, so, I mean, that show's moving in the right direction. I think what bothers us most is were ignored and no response is what really gets to us. So you being here means a lot to us and we appreciate that.

**[00:43:41] Richard Jones**

I'll second that.

**[00:43:42] Randall Leverette**

And a timely response to the initial request. Yeah, I think Danny hit it right on the head. It's being ignored and then getting it. I hope you guys sent your late fee.

**[00:43:54] Rose Woodworth**

Yeah. Thanks, Bob and Terry. I see you're here, too. So that's that's great. We appreciate you taking it seriously.

**[00:44:01] Paul Andreassen**

Anybody else have any questions?

**[00:44:01] James Malcolm**

You know, I just I want to piggyback on I've had some dealings with Michael Israel and a few of the other upper level people in Westchester Medical, and they've made a they've made a huge investment in this area and in the lower Hudson Valley as well. And believe me, it's oversight. It's oversight. That's fine. I get it. But they're an entity that, you know, they're here and they are certainly investing in this area. They stuck with the projects that are going on around here. And it's a very professional organization, much better than a lot of the other possible organizations I've had to deal with.

**[00:44:50] Paul Andreassen**

Well, like we said, we all of us on the board, the IDA certainly want all these businesses to thrive and survive. You know, we don't want it and we welcome them here. So is there anybody else in the public? I know there were a few other folks on the line. Otherwise we'll move on to. Compliance summary, I think we can. We can pretty much just. Rose, you have anything to add on that.

**[00:45:22] Rose Woodworth**

I just it just doesn't need to be any kind of official directive or motion telling us to telling Joe Eriole and I to gather more information on the project or we just go ahead and do it.

**[00:45:37] Paul Andreassen**

Yeah, I think, yeah, the meeting itself is a reaffirmation that you're just going to be continuing that staff to follow up on this stuff. And then we'll have a meeting to go over that with Joe on on the language of the letter or...

**[00:45:57] Randall Leverette**

What I'll do, Paul, is I will work with Joe and Rose and we'll work on something. We'll get it to you and then we can figure out whether we want to meet again or how are we going to send it out or what we're going to do and we'll go from there.

**[00:46:12] Paul Andreassen**

Well, I think we should probably at that point, this is a recommendation from the governances to do this, so to speak. We don't I don't think we necessarily need a a motion for that. But I think we can come up with some language and as the full board meets and we can agree on that language, how does that sound?

**[00:46:33] Randall Leverette**

Works for me.

**[00:46:34] Rose Woodworth**

Yep. Is there a deadline for you to have us? So, like, I'm going to try to get more information (inaudible) an example, you here, we're going to try to get the rest (inaudible) medical properties. Do we have an additional deadline of when we expect or need that (inaudible) by, so that there's not an open ended date here?

**[00:46:58] Paul Andreassen**

I would just say as soon as possible. Yeah, we can leave it at that. We understand the covid has thrown everybody's business and lives and in turmoil. So just as soon as they can would be fine.

**[00:46:58] Rose Woodworth**

OK, great.

**[00:47:21] Faye Storms**

So is this a committee of people working on this or is this just the chair and the attorney and Rose working on this?

**[00:47:30] Paul Andreassen**

I'll be involved with it to Faye. Yes, I think we can we can pass the language around to everyone.

**[00:47:37] Faye Storms**

OK, great.

**[00:47:38] Paul Andreassen**

And everybody will be on board. You know, everybody will be informed.

**[00:47:42] Faye Storms**

Right. And they can be informed.

**[00:47:44] Paul Andreassen**

And then at the time you can tweak it. You might put some information in there. We can tweak it and then convene as a full board to make a decision whether we adopt it or not. OK, is anybody on the board of any questions?

**[00:48:06] Randall Leverette**

Nope, nope, I'm good.

**[00:48:08] Paul Andreassen**

So we call for an adjournment.

**[00:48:13] Randall Leverette**

So moved.

**[00:48:14] Richard Jones**

Second.

**[00:48:15] Paul Andreassen**

All in favor.

**[00:48:18] All**

I

**[00:48:18] Paul Andreassen**

OK. Meeting is adjourned.

**[00:48:22] Randall Leverette**

All right.

**[00:48:23] Paul Andreassen**

Thank you, everybody.

**[00:48:24] All**

Thank you, everybody. Take care.

**[00:48:28] Faye Storms**

Bye.

END OF TRANSCRIPT



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