



NAME

1/19/2022 IDA Board Meeting Part Two

DATE

February 17, 2022

DURATION

40m 42s

11 SPEAKERS

James Malcolm
Rose Woodworth
Daniel Savona
All
Richard O. Jones
Faye Storms
Phil Ernor
Joe Scott
Michael J. Ham
Orlando Reece
William Kembel

START OF TRANSCRIPT

[00:00:00] James Malcolm

And no worries.

[00:00:02] Rose Woodworth

Ok, it's on.

[00:00:05] James Malcolm

Everything is on? We're live?

[00:00:07] Rose Woodworth

Yeah, we need a motion to go back into regular session.

[00:00:12] James Malcolm

I need a motion to go back into regular session. It's at 9:40 A.M. Can I have that motion from a board member, please?

[00:00:21] Daniel Savona

I'll make that motion.

[00:00:21] James Malcolm

Thank you Orlando. Second, Daniel Savona. All those in favor, Aye.

[00:00:26] All

Aye.

[00:00:27] James Malcolm

Carry, moving forward. Financials.

[00:00:30] Rose Woodworth

Real quick. No action was taken during the Executive Session. Did Rick disappear?

[00:00:42] James Malcolm

I don't know.

[00:00:43] Rose Woodworth

I'm sorry, hold on. I'm looking for him, so I guess Rick must have disappeared. I don't know if he'll be back, but I can do the financials in the meantime. Ok, so for these are preliminary reports, as it says up top, there's some adjusting entries that have to be done at year end for accruals, but, for the most part this will be the final information. We closed on the Kingstonian the last couple days of the year, and so that, there's, that's reflected in the project closing fees and then administrative fees pass through. That's just for Loewke Brill and any fees for that were invoiced out at that point for the Kingstonian, for things like their public hearing expenses, et cetera, that'll get recognized out of escrow. There were the regular administrative fees. The legal fees paid there reflects January through October, so we'll have to get the last two months of the year of legal fees from Joe to finalize that part of the budget. Then there's the live stream expenses and just some general office expense, and the dues for the EDC were paid for the year, also reflected here. Bank balances for the IDA total about \$900,000. There's a large receivable on the books for year end. Most of that is reflects the balance due from the Kingstonian for the remainder of their fees to us. And then their escrow is a large balance now, also because of the Kingstonian's deposit to us for Loewke Brill, for what will be the construction period. And then Rick just came back on, so, Rick, I'll let you know, I just did the Financials. You are muted.

[00:03:07] Richard O. Jones

Don't know what happened to my internet, but I'm back. Thank you.

[00:03:10] James Malcolm

All right. That's it for the financials.

[00:03:13] Rose Woodworth

That's it Chair.

[00:03:14] James Malcolm

Can I have a motion to accept them as presented?

[00:03:16] Faye Storms

I'll make that motion.

[00:03:20] James Malcolm

Thank you Faye. Do I have a second? Michael, all those in favor?

[00:03:27] All

Aye.

[00:03:27] James Malcolm

Opposed? Carry. Rose, I noticed a couple of requests in the chat room regarding where to get an agenda and certain things like that, so. Um, if we can take care of that, either today or moving forward, whatever.

[00:03:45] Rose Woodworth

So, yeah, I can just let them know the same thing I had said during the Governance meeting. That information is on our website. You can get it there. Also, since its Legislator Ernor, I sent the packet to J. Mahler when I sent it out to our board as well. So I know she knows that it should have been distributed to the legislators as well.

[00:04:08] James Malcolm

Good stuff. Good morning, legislator. How are you?

[00:04:12] Phil Ernor

Good morning. Fine, thank you,

[00:04:15] James Malcolm

Very winterized with your hat on and your beard looking good today. All right.

[00:04:22] Phil Ernor

Thank you.

[00:04:23] James Malcolm

All right. The Chair's report, so, you know, very, very busy, there's a lot of things out there right now. It'd be premature to mention projects because no one has come to us, but all you have to do is pick up the newspaper in and around the county, and there seems to be a lot of activity. It's starting to look as though we're we're a group that people want to come to take a look at, get our position on things. So that's about it. We're we're being hamstrung sometimes. Like every other business out there, because our vendors, maybe or even you can't get qualified people, there's just not a workforce. So we're putting patches on things. We're doing everything we can to meet our deadlines and satisfy our board members, the Legislature, our constituents that are out there in the county. So bear with us. I think we're I give credit to the CEO and our attorney and our chairs of various committees and all the board members as a whole, because it's it's really difficult right now, but they're doing a good job. So thank you very much. And that is the Chair's report.

[00:05:50] Rose Woodworth

Um, I have quite a bit of stuff today, but luckily Joe will be able to talk for most of my report. First, let me just go through the normal stuff and then we have resolutions to cover for the annual housekeeping matters. So as I think you know, the New York State Economic Development Council's annual conference got moved. It was supposed to be today, but because of COVID, they've moved it to February 28th because they want to still keep it in person. Both Diane and I will be attending that up in Albany. The annual site visits will finally be done tomorrow. Ulster NH and Golden Hill ended up not showing up for our annual meeting, and after the discussion we all had at the last board meeting, I decided not to track them down further as they're no longer a project anyway. As of right now, I believe the only one that we couldn't get in touch with was Rocking Horse Ranch. Their project had expired in 2020, but the county clerk, because of delays with COVID, didn't get the final paperwork recorded until January 7th of 2021, so we're required to report on their project and should have done a site visit. I had made this clear to them last year, but they don't seem to be willing to meet. I did send an email to Steve Turk because his team wasn't responding and I know he is very responsive. He responded this morning that he would give me a call today, so I'll figure out something hopefully quickly on that and be done. And Danny, your muted. I don't know if you were trying to say something.

[00:07:21] Daniel Savona

Yes, I was aware that Steve Turk had tried to reach out to the office on a couple of occasions and they were playing phone tag. But obviously you got an email from him. I just wanted to let you know he was trying to reach out.

[00:07:33] Rose Woodworth

Never an issue. Ok. Our annual reporting questionnaire has gone out via email. This year, we put the questionnaire on Google Forms and asked for the projects to snail mail or email in the additional information that we require besides just filling out the forms. We also let them know about it during our site visits and about the change from paper to Google forms there were no other changes to what we were asking from them. I sent an email this morning to legislator Cahill because it's already time for another quarterly update to the EDTPHT committee, but they're not ready for us to join them quite yet because of course, they still have to figure out who is on what committee. Legislator Cahill said he wants to still be the chair of the committee, but that's obviously not up to just him. It has to go through the Legislature as a whole, so once they get their committee established, we'll be in touch and meeting with them again to keep them updated on what we're doing. We had a pre-screen for one of our projects that is looking to restructure, and I expect the application to come before the board at our next meeting. I got an email. This one is exciting. I got an email from the EDC that New York State Legislature passed a law which extends provisions of the law authorizing public bodies to meet remotely and this time instead of putting a sunset date on it, it says, until the state emergency declaration either expires or is terminated by the New York State Health Commissioner. The EDC has been advised by their counsel that this applies to public meetings and public hearings this time. So Governor Hochul signed the bill into law on Friday. Joe, has your firm had a chance to review that yet?

[00:09:27] Joe Scott

We have not, and I'm not sure, frankly, where they're getting that information about holding public hearings remotely. There is a technique that you can use to have the public hearing held remotely that we have signed off on, which is to have the public hearing within the body of a regular meeting. And that would work. But we'll we'll look at the language and be back to you.

[00:09:53] Rose Woodworth

Ok, so I wanted to obviously get our attorney to weigh in and not just the EDC's attorney. And then just as an FYI, I've been attending the UCEDA meetings for the past month or so, and I plan to continue doing that as we keep trying to work together on important initiatives. Now, the rest of what I have here are the housekeeping resolutions. The first one is for the election of Chair. Joe, is there anything that you need to weigh in on before this? Ok, so then, Jimmy.

[00:10:28] Joe Scott

No, this is, this follows a format of what we've used the last several years. We have three resolutions. The chair, the other officers and then a housekeeping resolution.

[00:10:41] James Malcolm

Ok, that being said, I have a little bit of expertise in this kind of thing. I haven't done it for a million years. I like to open the floor for nominations for chairman of the Board of the IDA. Do I have anyone out there?

[00:10:55] Daniel Savona

Chair, I would like to nominate James Malcolm as Chairman for the IDA.

[00:11:01] James Malcolm

Do I have a second?

[00:11:05] Daniel Savona

I'll second that.

[00:11:07] James Malcolm

Ok, thank you. Anyone else? Anyone else? Anyone else? There being no other people, I need a nomination, I'm sorry, I need a motion, I should say, to close the nominations for Chairman of the board.

[00:11:25] Faye Storms

I'll make that motion.

[00:11:26] Daniel Savona

Go ahead. Go ahead.

[00:11:28] James Malcolm

Thank you, Faye. Thankyou, Danny on a second. All those in favor?

[00:11:32] All

Aye.

[00:11:33] James Malcolm

Carried. The last few months. We've had some getting into the next part of it. I don't want to get outside of Robert's rules. But I've spoken to all the board members prior to this meeting regarding their wishes or their concerns, and asked each and every one of them counsel if they'd like to maintain the positions they currently hold. And it was an affirmative. It was an affirmative up and down the line. Can I do a blanket motion, ask for a blanket motion on that or do I have to follow Robert's?

[00:12:12] Rose Woodworth

Jimmy, are you doing a motion for all of the resolutions? Because I need a roll call for your election.

[00:12:21] James Malcolm

Oh, ok. Let's go back to a roll call then for mine. There was no one else besides me nominated, so I closed the nominations.

[00:12:32] Rose Woodworth

Right, so, ok, so Joe, do I not? I'm just looking at the resolutions.

[00:12:34] James Malcolm

Ok, ok. Can we have a Roll-call vote, please?

[00:12:38] Rose Woodworth

James Malcolm?

[00:12:39] James Malcolm

Yes, me.

[00:12:41] Rose Woodworth

Diane Eynon is absent with notice. Faye Storms?

[00:12:44] Faye Storms

Yes.

[00:12:46] Rose Woodworth

Michael Ham?

[00:12:47] Michael J. Ham

Yes.

[00:12:48] Rose Woodworth

Orlando Reece?

[00:12:50] Orlando Reece

Yes.

[00:12:52] Rose Woodworth

Daniel Savona?

[00:12:58] Daniel Savona

Yes.

[00:13:03] Rose Woodworth

And Richard Jones?

[00:13:04] Richard O. Jones

Yes.

[00:13:05] Daniel Savona

It was too easy,

[00:13:09] James Malcolm

By the way, your pizza sucks. Ok, thank you very much. Election for the balance of officers. I will go back to. I'll go back to counsel. Can I do a blanket motion on that or should I go through the whole thing?

[00:13:28] Joe Scott

That resolution covers all the officers, so that would be sufficient Chair. Yes.

[00:13:34] James Malcolm

You need a roll call for that or...

[00:13:37] Rose Woodworth

Need a motion and then a roll call.

[00:13:38] James Malcolm

Ok, I'll make a motion that we hold a Roll-call vote, second?

[00:13:44] Faye Storms

I'll second.

[00:13:45] James Malcolm

Thank you Faye. All those in favor, aye.

[00:13:50] All

Aye.

[00:13:50] James Malcolm

Thank you.

[00:13:52] Rose Woodworth

James Malcolm?

[00:13:53] James Malcolm

Yes.

[00:13:55] Rose Woodworth

Again, Diane Eynon is absent with notice. Faye Storm?

[00:13:58] Faye Storms

Yes.

[00:13:59] Rose Woodworth

Michael Ham?

[00:14:01] Michael J. Ham

Yes.

[00:14:02] Rose Woodworth

Orlando Reece?

[00:14:04] Orlando Reece

Yes.

[00:14:06] Rose Woodworth

Daniel Savona?

[00:14:08] Daniel Savona

Yes.

[00:14:09] Rose Woodworth

Richard Jones?

[00:14:11] Richard O. Jones

Yes.

[00:14:13] James Malcolm

Let the record reflect it was unanimous. Ok, what housekeeping resolutions do we have?

[00:14:21] Rose Woodworth

Um, so the last resolution is the annual housekeeping resolution. It's just to reaffirm the confirmation I can run through it real quick. The Agency meeting schedule, which it will be 9:00 A.M. the third Wednesday of each month. The appointment of the, reaffirming the appointment of the Chief Executive Officer as me, Rose Woodworth appointment of the CFO Richard Jones, staff of the agency from Chris O'Connor, CPA. Appointment of accounting firm of the agency as UHY. Appointment of agency and bond counsel both as Hodgson Russ LLP. The Bank for the Agency and accounts as Bank of Green County and M and T Bank. Also to reaffirm all of the policies that we have at the moment, I won't read them all. Appointment of the contract officer also me, because of what the bylaws say and the appointment of the investment officer of Richard Jones again and the appointment of the FOIL officer, according to our FOIL policy is whoever the CEO is, so again me.

[00:15:30] James Malcolm

So we handle this in the same fashion, ask for a Roll-call vote?

[00:15:35] Rose Woodworth

Yes.

[00:15:36] James Malcolm

First off, I'll ask for a motion to go to a Roll-call vote.

[00:15:41] Orlando Reece

Chair, I make a motion.

[00:15:44] James Malcolm

Thank you, Orlando, do I have a second?

[00:15:47] Richard O. Jones

Second.

[00:15:47] James Malcolm

Ok, Rick Jones, anything on the question? Are there any? Ok, well, we can go to a roll call vote, but let me just hold off on that one second. Are there any questions on any of the resolutions? Before we move in to it? There being none, I don't see anything. We'll proceed to the vote.

[00:16:11] Rose Woodworth

James Malcolm?

[00:16:12] James Malcolm

Yes.

[00:16:15] Rose Woodworth

Diane Eynon is absent with notice. Faye Storms?

[00:16:17] Faye Storms

Yes, yes.

[00:16:17] Rose Woodworth

Michael Ham?

[00:16:20] Michael J. Ham

Yes.

[00:16:21] Rose Woodworth

Orlando Reece?

[00:16:24] Orlando Reece

Yes.

[00:16:24] Rose Woodworth

Daniel Savona?

[00:16:26] Daniel Savona

Yes.

[00:16:26] Rose Woodworth

And Richard Jones?

[00:16:28] Richard O. Jones

Yes.

[00:16:30] Rose Woodworth

Thank you.

[00:16:33] Rose Woodworth

Um, just to let everybody know just to direct your attention to it, page 24 of the packet has the 2022 Board of Directors meeting schedule. Again, it's obviously just the third Wednesday of every month, but just so you have all the dates in one spot, it's on page 24. Chair That's it for my report.

[00:16:53] James Malcolm

Rick, you have a question?

[00:16:55] Rose Woodworth

Rose. I just have one question if I may Chair, or suggestion. I don't know if this is possible, Rose, but could we set a standard date per month or per quarter for all the other meetings like audit, governance, finance? It's been the last quarter, partially COVID related. My guess, but it's been a real, there's been some difficulty with changing meetings, given changing schedules. So I'm wondering if we can nail down so everybody can get it on the calendar? And I guess the second question more for Joe. We have three members on each of the committees governance, audit and finance. I think it's three members on finance. We could actually go to four, right? Because these are regular meetings and they go...

[00:17:45] James Malcolm

You can have as many as you want. You could have everybody on on each committee. I just figured that things would get done with three and get it back. But I understand where you're coming from. If we only have one person there, then we don't have a quorum so we can't have it. If we have two people there, they're going to bring back a suggestion. But at, I will speak with the the Chairs of the various committees, Rick. And you know, it never hurts to have another voice in the meeting. Quite honestly,

[00:18:16] Richard O. Jones

Just so we don't have to cancel meetings because we don't have a quorum.

[00:18:19] James Malcolm

No, I gotcha pal. And I think your idea about... I'm sorry, Orlando?

[00:18:25] Orlando Reece

No, I just want to say if if we set up those meetings, it'd be great if we could just lock them in the calendar. If Rose could send out the meeting notices now. So people are looking into, let's say, July, they see that they have a meeting and could schedule things around it.

[00:18:38] James Malcolm

I was just, you know, I was just going to say that. That I thought it was a good idea because, you know, maybe you have a couple of stumbles the first month, a couple of months, whatever. But after that. Mid-year or just before mid-year, you're moving right along. So I think it's a good idea. Good stuff. Thank you, Rick. All right. So let's get into committee reports audit.

[00:19:07] Rose Woodworth

So Diane asked me to do her report for her since she wasn't able to attend this morning unexpectedly. For Inness, the total head count was 20. 20 workers were reported. Out of the 20, all of them were compliant. None were not compliant, meaning all of them were part of the contiguous counties. And so their monthly compliance average was one hundred percent this month. We had an audit committee meeting on January 6th. We went over our third quarter financials as Rick had mentioned, we were a little bit late on having the third quarter meeting just because of, well, because of illness, et cetera, and scheduling issues. So we plan to have the fourth quarter one shortly. At the third quarter meeting, we went over all of the third quarter information as well as going over an update on project post-closing affidavits. I gave them an update on where we're at with the audit for the for 2021 with UHY, and we revisited the information that we'll discuss that was discussed at annual site visits and what was going out to the projects for year end reporting. Because this meeting had gotten pushed to, nobody's fault. The year-end reporting went out a little bit later than what normally goes out, because we wanted to run it through this audit committee first. But like I had mentioned in my report, nothing we sent them was any different than any other year. And when I had met with them prior to any projects I met with prior to this meeting, I let them know that it was going to go out a little bit later, but they should expect all the same information. And then there was a review of the administrative staff time to make sure that the committee had looked over the timesheets and there was a review of the local construction labor policy, which then ended up being pushed over to governance for some changes to be made. So that's it for the audit committee report chair.

[00:21:11] James Malcolm

And that, where are we at? You covered the monitoring?

[00:21:17] Rose Woodworth

Yep.

[00:21:17] James Malcolm

Yeah. Ok. Can I get a motion to accept the audit committee report as presented? I have a motion from Mr. Ham. I have a second by Mr. Savona. Anyone on the question? No, all those in favor, aye.

[00:21:33] All

Aye.

[00:21:33] James Malcolm

Ok. That brings us to finance. Ok. Your...

[00:21:40] Rose Woodworth

You're muted. But no report.

[00:21:42] Faye Storms

I have a 90 pound dog here that is chewing very loudly, a huge bone. So I'm muting in between.

[00:21:51] James Malcolm

I have that once in a while too.

[00:21:55] Faye Storms

There was no Finance Committee meeting this month Chair.

[00:21:57] James Malcolm

Okay, thank you very much. Appreciate that. On to Governance. Mr. Hamm.

[00:22:03] Michael J. Ham

Thank you, Chair. So governance met last week and we started opening up with the mentoring program update. Currently Rose is looking into creating a pamphlet to put out there. Other than that, the mentoring program, we spoke about this in the past that it's always a work in progress, so things will be added to it as we go along. And it basically in that pamphlet, it'll outline whether or not the IDA is a good fit for your project. Um, we created policies to be created was the IDA's shared fees with the CRC and created a draft that a resolution drafted a resolution. Rose, do you want to touch base on the shared policies?

[00:22:53] Rose Woodworth

So we had, I had reached out to ABO, and I had also reached out to Joe to confirm whether or not the IDA projects would be able to give some of their fee to the CRC, rather than all of it to the IDA, so that the CRC is able to because the CRC is able to use the money differently than the IDA is allowed to use. And that would give us the ability to provide grants or do other important things with the funds, rather than just using it for administrative purposes. Both the, I mean, the ABO said that basically to refer to our attorney and then Joe and I were working on figuring out the best ways to word it and to make sure that we were compliant with everything we were doing.

[00:23:48] Michael J. Ham

Ok.

[00:23:50] Faye Storms

That was a yes, then? That was a yes, then?

[00:23:52] Rose Woodworth

Yes.

[00:23:54] Faye Storms

Ok.

[00:23:56] Joe Scott

And just to supplement what Rose said, my direction, I believe, is to have something ready for the next meeting of the board.

[00:24:04] Michael J. Ham

Correct.

[00:24:05] Rose Woodworth

Yes, in February it was because we had met so close to this meeting. It wasn't enough time to get resolutions and amendments together in order to get them to the board in a timely fashion ahead of the meeting.

[00:24:21] James Malcolm

Is that it Michael?

[00:24:25] Michael J. Ham

Next thing we did chair, we had policies to be amended, we have a, we had a good amount of those, so we were trying to get within a good some timing on this because we were having technical difficulties also with the live streaming. So we started with the procurement policy. We discussed adding the NDA and the RFP. We feel as though the board feels as though there should be an NDA. And currently, we don't have a formatted NDA out there for when we procure services. So we feel as though that not only does the owner of who we're dealing with on the service end should have the NDA, but any employee dealing with the IDA that works for the employer should also sign off on an NDA with us also.

[00:25:17] James Malcolm

Does that include, do you put a covenant in there about second and third level?

[00:25:22] Michael J. Ham

Correct. Correct. We were going to follow the steps all the way down. We've also discussed in Section seven the procurement policy review of contracts for professional services valued over five thousand per year. We feel as though, as a board, it should be increased to ten thousand dollars a year. Five thousand just, it's a little too low and there's a lot of work to be done there at five thousand on most of the stuff that we deal with, so...

[00:25:53] James Malcolm

How long was that number in place?

[00:25:56] Michael J. Ham

The five thousand?

[00:25:57] James Malcolm

Yeah, just spitball. What do you think?

[00:26:02] Michael J. Ham

Since I've known it's been there since we've had the we had the procurement policy since, since the beginning of the inception on it, I don't remember seeing that increase.

[00:26:11] Rose Woodworth

What Rose?

[00:26:12] Rose Woodworth

We had, we had changed it. The procurement policy used to be anything 5,000 and over, we would get three written or three written quotes. And then when we made changes in an effort to be more transparent, et cetera, we had said we wanted to do RFPs every three years for services that were over X amount of money and then confirm contracts annually in an effort to be in compliance with what ABO would want from us. And so we realized that five thousand is too low because it would cost us almost almost two or three thousand dollars just to do an RFP. So it doesn't make sense to do that.

[00:26:50] James Malcolm

The reason I ask is costs keep going up and when you make a change without and I say this in such a way without justifying it, meaning why are we doing it? Because things keep going up. So that's the only reason I ask. Thank you. Where are we at with the mentoring?

[00:27:12] Rose Woodworth

So I had created the brochure that we had talked about, and then I showed it to the Governance Committee, but they decided that we wanted to do something a little bit more formal and also to wait until we deal with the marketing companies or a communications person to help us with it. In the meantime, I was going to print copies of what I had so far at Staples just to get a few copies in case there are projects that come to us, but not to use it as something for outreach quite yet.

[00:27:45] James Malcolm

Ok.

[00:27:48] Michael J. Ham

From there Chair, we have the Compensation Policy Amendment. In that, Rose once again speaking with the ABO and an Attendance Policy. The Compensation Policy is going to be amended to read compensation policy, Compensation and Attendance Policy. There was no real minimum attendance from the ABO, but, there was, you know, there is participation, I mean, we need people to show up at these meetings, obviously.

[00:28:22] James Malcolm

It's not anything that we really have a problem with, and I don't believe that there's been any times where these board members haven't gotten out to somebody more and more often than not in advance and said they weren't going to be able to be there. So they think they take their mission seriously. So. But you do have to have a policy.

[00:28:42] Michael J. Ham

Correct. And you'll read in there underneath the time and attendance paragraph in the third paragraph of that policy that you know, five or more absences per year by a member could be reported to the IDA's oversight entity, so the ABO. So we really want to stay on top of that. Also, we did throw it around there and we discussed annual site visits. Which we know, Rose, you know we get inundated with those. So I think that towards the end here, after discussing it as an entire board and putting it out on emails, we had good attendance for those finishing up strong. So, you know, it was a good job by everybody. Um, the next one to be amended was the local labor, local construction labor policy. In there was pretty much just cleaning up some numbers. Paragraph three, applicants receiving UCIDA benefits that utilize at least seventy five percent labor for their projects will receive, it said three points. We did change that a while ago in the UTEP to one point. So we had to clean up the language in that. Paragraph five also had the three point referral to it. We cleaned that up with the one point. We did discuss also that we want to make sure that Loewke Brill was checking on all the OSHA training certificates that everybody there had them. Was a little confusion there for a while that they didn't know if all trades and all trades need an OSHA card on these projects.

[00:30:21] James Malcolm

You know, I'll put it this way is it stated in our contracts council that they meet the minimum standard? Because if it's not, then I believe we need to have that in our contracts because essentially we're partnering and we're a public entity and worker safety and occupational safety and health, that should be a bare minimum.

[00:30:45] Michael J. Ham

Mm hmm.

[00:30:47] Joe Scott

Well, all of our IDA documents require them to comply with applicable law. So I think it's covered that way.

[00:30:55] James Malcolm

But a private project, I don't know if it's applicable law, but a public project I know it is. Unless the owner calls for it. So with that being said, it's easy enough for us just to put that in there instead of simply. Yeah. So moving forward, if governance would take that up in our next committee meeting and see if we can make that part and parcel. Anybody want to add on to that or we'll wait till it comes back. All right, thank you, I'm sorry for interrupting.

[00:31:26] Daniel Savona

No, not a problem. So due to timing and everybody had to be on to other meetings, we had to table out the last two. The housing policy and the UTEP and Matrix updates. But in executive session, we did discuss the housing and we had a workgroup that met to discuss different avenues on how to bring housing into the fold here. So currently we have a moratorium, which I believe came to fruition on the 15th correct? Yes?

[00:32:04] Faye Storms

Yes.

[00:32:06] Michael J. Ham

So with that, the board felt as though although there was a lot of good input on what was going on, the board felt as though we should. We should extend the moratorium as per the resolution, three more months to discuss a couple of issues that are out there yet. And we will be meeting as a work group again and putting a different work group together to include everybody's input here.

[00:32:36] James Malcolm

So that being said, you want to extend it? Do we need to take that to a Roll-call vote counsel?

[00:32:45] Joe Scott

I would recommend that I, the the original policy, Chair, permits an extension for three month periods with by resolution, so I would recommend a full resolution with a motion, you know, a second and a roll-call. And based on my understanding of the discussion at the Governance Committee. The board members, the Governance Committee board members also wanted the ability or the flexibility to to cut short that three month period if that was determined by the IDA Board.

[00:33:20] James Malcolm

I think we have that ability. I guess what I'm asking you is do I have to wait for a resolution to come back from your office? or can we take that up today.

[00:33:29] Richard O. Jones

Sorry, I misunderstood you. We can do that right now, and I'll paper it for the file.

[00:33:35] James Malcolm

Chair of Governance, is it your opinion that you'd like to go to a Roll-call vote?

[00:33:41] Michael J. Ham

It is my opinion to go to a Roll-call vote.

[00:33:43] James Malcolm

Ok, Rose.

[00:33:46] Rose Woodworth

James Malcolm?

[00:33:47] James Malcolm

Yes.

[00:33:50] Rose Woodworth

Diane Eynon is absent with notice. Michael Ham?

[00:33:52] Michael J. Ham

Yes.

[00:33:52] Rose Woodworth

Faye Storms?

[00:33:56] Faye Storms

Yes.

[00:33:57] Rose Woodworth

Orlando Reece?

[00:33:59] Orlando Reece

Yes.

[00:33:59] Rose Woodworth

Daniel Savona?

[00:34:01] Daniel Savona

Yes.

[00:34:03] Rose Woodworth

Richard Jones?

[00:34:04] Richard O. Jones

Yes, to the resolution to extend this for three months, this being the housing moratorium.

[00:34:14] James Malcolm

Governance, you done? Or no?

[00:34:17] Michael J. Ham

And that's my report, chair, thank you.

[00:34:19] James Malcolm

I need a motion to accept the Governance Report as presented.

[00:34:23] Faye Storms

I'll make that motion.

[00:34:24] James Malcolm

Thank you. I have a second with Rick. All those in favor, aye.

[00:34:29] All

Aye.

[00:34:30] James Malcolm

Opposed? Nothing. All right. Brings us to Old Business. Status of Pending Projects. Rose?

[00:34:36] Rose Woodworth

Joe, I'll let you take it away.

[00:34:43] Joe Scott

Thank you, Rose. Thank you, Chair. If you go to Page Twenty Six with respect to pending projects, as Rose indicated. Kingstorian closed last month. The pending project that we have that's close to closing is the Romeo project. And the other projects of note, Bayside, we're talking about a public hearing. I think there's been communication on TDI, the transmission project, and I've heard nothing on Magruder Solar. So that's my report on pending transactions. I would expect that Romeo will close if not this month, early in the month of February.

[00:35:28] James Malcolm

Any questions for counsel on any of these projects, Rick? You look like you...

[00:35:33] Richard O. Jones

Yeah, just Joe. I'm surprised TDI, or Chair, hasn't come back. It was a pretty big ask and also a big opportunity for the, for the community. Do you know why it's taken up so long? It's been two months since we've heard from them.

[00:35:50] Rose Woodworth

Well, I reached out to them and not heard back. Sorry, go ahead, Joe.

[00:35:57] Joe Scott

I would expect that we will get a follow up from them. Rick, the matters in other jurisdictions are moving, moving along very quickly with a lot of pressure. So I would expect that, that they will be back to us in the next month or two. It's frankly a question of focus. Given the number of projects that they have.

[00:36:23] James Malcolm

We seem to, it seems to be this the standard operating procedures for a lot of applicants, and I'm not painting anybody with a brush, but all of a sudden the world is coming to an end and they need you to do something that day. We acquiesce a lot, you know we're here to work along with. But it's, it's not good business to to operate in that fashion. And the responsibility here falls back on applicants. It doesn't fall back on us to make sure paperwork gets in in a timely fashion. That's something that again, when we end up with a mentoring program or anything else, we can expect that gap to be closed because quite honestly. It, it really, it doesn't do anything but impede the progress of the project in my mind, but that's just a personal take on it, so. Thank you, Joe, for your report. Um, Status of Pending Enforcement Matters.

[00:37:31] Joe Scott

That's Page Twenty seven, candidly, chair, I'm a little behind on this. The fourth quarter of 2021 was very challenging. The first couple Amthor and Viking are just a matter of me doing some quick file review, so those should be deleted by the next meeting. Greenhouse and Darian. I've got conceptual approval on both transactions, so I expect to have papers signed and delivered, so hopefully those will be gone by the next meeting. And then Golden Hill is simply a matter of me checking with the City Assessor with respect to determining a quote recapture amount so we can get a bill out to them. But there's been no follow up or no pushback on the frankly significant action taken by the board last year with respect to putting that project back on the tax rolls. So that's my report on enforcement.

[00:38:27] James Malcolm

Questions on enforcement matters by anyone?

[00:38:32] Faye Storms

Well, I'm sorry, Golden Hill. I've been watching that for the last like three meetings that it was supposed to be checked in with the City Assessor. Is that a phone call?

[00:38:43] Richard O. Jones

It is a phone call. You're absolutely right, Faye. I will take care of that for the next meeting. Yep.

[00:38:50] James Malcolm

Ok. All right. If nothing else, that brings us to New Business. I will entertain a motion to adjourn or I'll entertain a motion, anybody want to make a motion?

[00:39:09] Michael J. Ham

Make that motion, chair.

[00:39:10] James Malcolm

Ok, Michael, thank you. A second?

[00:39:13] Orlando Reece

Second.

[00:39:14] James Malcolm

All those in favor, Aye.

[00:39:16] All

Aye.

[00:39:16] James Malcolm

Opposed? Ok, so we're going to for our board members and our guests, what do we say about? It's it's 20 after. Let the Record show, we closed the meeting at 10:20. How about we say 10:30? We come back on for the CRC. Does that work? Hi Bill.

[00:39:36] William Kembel

I have a question pertaining...

[00:39:40] James Malcolm

The meeting has been...

[00:39:42] William Kembel

Well, I would ask ? anyway, that's... I prefer not to extend a meeting beyond its God given length, so it's better to wait. When Michael was speaking about the housing, he mentioned that you went into executive session to discuss the housing moratorium. I'm curious as to the parameters around that. How does what exemption under the open meetings law did that fall under when?

[00:40:10] James Malcolm

I will forward that to counsel? So you get the correct response.

[00:40:17] Joe Scott

Thank you, Bill, for that question. That, that we went into executive session to discuss or to get the advice of counsel on legal matters.

[00:40:31] William Kembel

Ok.

[00:40:31] James Malcolm

All right. So we've adjourned and we have about 10 minutes, and want to hang around for the CRC? By all means hang around.

END OF TRANSCRIPT



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