

NEDERLAND ECONOMIC DEVELOPMENT CORPORATION

Minutes April 09, 2008

MEETING

A meeting of the Nederland Economic Development Corporation was called to order at 5:00 p.m. at the Nederland Economic Development Corporation Office, 1903 Atlanta Avenue, by President Nick Phillips.

QUORUM

Board members present: Debby Griffin, Mike Guidry, Stuart Kieschnick, Billy Neal, Nick Phillips, Bert Rogers and Eric Shaw. Others present: Jim Wimberley, NEDC Attorney; Tracie Killian, Executive Director and Marlinda Eastberg, Secretary, NEDC.

MINUTES

A motion was made by Billy Neal and seconded by Bert Rogers to approve the minutes of December 18, 2007. Motion carried.

Ayes: Griffin, Guidry, Kieschnick, Neal, Phillips, Rogers and Shaw.

Noes: None

FINANCIAL REPORTS

The board reviewed the income and expenses for the NEDC ending February 29, 2008.

RESCIND

Tracie Killian reported that as of November, 2007 the documentation required for incentive funding to Promise Hospital had not been received. In November, 2007 the board requested that Jim Wimberley, NEDC attorney draft a letter giving the client thirty (30) days to comply or the incentive would be rescinded.

Jim Wimberley reported that he had sent the letter and recent discussions with the client determined that the emails that were being sent from the client had been inadvertently diverted to an "email junk" box. Mr. Wimberley reported he has recently spoken with the hospital officials and they understand what documentation is needed. Mr. Wimberley requested the board give an additional thirty (30) days to Promise Hospital to provide the proper documentation.

BOSTON AVENUE PARKING

Ms. Killian reported she recently met with Vernon Castille, Gulfcoast Radiophone, concerning problems with flooding at 1126 and 1128 Boston Avenue. Mr. Castille has stated that during very hard rains, the water builds up on the west side of his property and enters the building in part due to the adjacent NEDC property being at a higher elevation than the building slab. In discussions with Mr. Steve Hamilton, Public Works Director Mr. Castile has made improvements suggested by him to alleviate these problems.

Mr. Castille is requesting the NEDC consider; 1) grade the vacant lot to allow the water to drain towards the alley or 2) reconsider constructing a parking lot which will add approximately twenty-four (24) parking spaces, as well as address the above mentioned drainage issues. Ms. Killian provided the documentation on project costs that initially were considered in November, 2007.

A discussion was held concerning the engineering costs and current construction prices. The board instructed Ms. Killian to determine what the current costs are and verify the engineering estimates.

BOARD TERMS

A discussion was held concerning the beginning and ending times for board term limits by the NEDC Bylaws, specifically, whether a member fulfilling an unexpired term counts toward a 2 year term. The board agreed that according to the bylaws a member fulfilling an unexpired term does not count toward the "maximum three (3), two (2) years terms" according to the current NEDC Bylaws.

DUES/MEMBERSHIPS

Tracie Killian reported Partnership of Southeast Texas (POST) voted to dissolve the organization on March 5th, 2008. The Southeast Texas Economic Development Foundation (SETEDF) appointed a 10 member steering committee of local economic developers from Hardin, Orange and Jefferson County to determine the services needed and develop the structure of how these services could be provided. This committee recommended forming a structure under the SETEDF to provide support services and raise funds through dues from EDC's to hire a professional economic development individual or consulting firm to coordinate regional economic development efforts for Southeast Texas.

Ms. Killian stated that the dues would be \$3,000.00 for one (1) year and would go to the Southeast Texas Economic Development Foundation, earmarked for regional economic development. This contribution would be evaluated each year and would replace the dues of \$3,500.00 that has been budgeted in the past for

POST. Ms. Killian reported she would be active in this effort and keep them informed of the progress.

UPDATES

Ms. Killian reported on the following projects:

Rao's Bakery and Café is open and doing very well. She stated that she has eaten there several times and encouraged each board member to visit and show their support.

Allied Plywood received their Certificate of Occupancy on April 9, 2008. Ms. Killian reported she has visited the store and it is very clean with bright lights. They are planning to open to the public later in the week. The contract should be finished soon and funding will take place later this month.

Candle Cottage closed on the property at 1234 Boston Avenue in March 2008 and held a ground breaking ceremony on March 5, 2008.

Ms Killian reported that the Boston Avenue Merchants Association (BAMA) has met several times and is in the planning stages to re-instate the Boston Avenue Brickwalk. The first event will be held the first Saturday in May and will raise money for a scholarship to be given to a Nederland student. She encouraged members to stop by and show their support to those businesses participating. The Boston Avenue Brickwalk will be held the first Saturday of each month.

EXECUTIVE SESSION

The regular meeting was recessed at 5:53 p.m. by President Nick Phillips for the purpose of conducting an Executive Session as authorized by the Texas Government Code, Chapter 551.087, to discuss the offer of an incentive to a business prospect; Texas Government Code, Chapter 551.071 to discuss litigation and/or legal advise; Texas Government Code, Chapter 551.072, to discuss acquisition, exchange, and/or release of property and Texas Government Code, Chapter 551.074, to discuss the position of Secretary.

RECONVENE

The regular meeting was reconvened by President Nick Phillips at 6:52 p.m. President Nick Phillips announced no action is needed on Texas Government Code, Chapter 551.087, to discuss and/or deliberate concerning financial and/or

commercial information received from potential business prospects regarding potential economic development incentive, Texas Government Code, Chapter 551.071 to discuss litigation and/or legal advice or Texas Government Code or Chapter 551.072, to discuss acquisition, exchange, and/or release of property.

President Nick Phillips announced the following action on Texas Government Code, Chapter 551.074, to discuss the position of Secretary.

A motion was made by Billy Neal and seconded by Mike Guidry to promote Marlinda Eastberg, NEDC secretary to the position of Administrative Secretary, Range 106, step 3, with a potential step raise annually in October after an employee evaluation until step 7 is reached.

Ayes: Griffin, Guidry, Kieschnick, Neal, Phillips, Rogers and Shaw.

Noes: None.

COMMUNICATION

Tracie Killian presented the Board with a written Executive Director's Report with each item detailing activities of the NEDC office since the last board meeting.

Ms. Killian informed members that Mr. Charles Simmons, who maintains the property, located at Highway 69 and Beauxart Garden Road has requested a price increase due to the rising cost of fuel. Ms. Killian reported Mr. Simmons is currently receiving twenty five dollars (\$25.00) per hour for thirty (30) hours of tractor work monthly and has increased it to (\$30.00) per hour for thirty (30) hours of tractor work, effectively immediately.

ADJOURN

There being no further business, a motion was made by Billy Neal and seconded by Stuart Kieschnick that the meeting be adjourned at 6:55 p.m. Motion carried.

Ayes: Griffin, Guidry, Kieschnick, Neal, Phillips, and Shaw.

Noes: None. **Absent:** Rogers

Nick Phillips, President

Billy Neal, Secretary/Treasurer