

NEDERLAND ECONOMIC DEVELOPMENT CORPORATION

Minutes December 21, 2011

MEETING

A meeting of the Nederland Economic Development Corporation was called to order at 4:35 p.m. at the Nederland Economic Development Corporation Office, 1903 Atlanta Avenue, by President Larry Ducharme.

QUORUM

Board members present: Don Albanese, Talmadge Austin, Larry Ducharme, Stuart Kieschnick, Jim McNeill, Erik Shaw and Randy Sonnier Absent: None. Others present: Jim Wimberley, NEDC Attorney and Marlinda Eastberg, Secretary, NEDC. Guest present: Chris Duque, Nederland City Manager and Bert Rogers, Nederland City Councilman.

MINUTES

A motion was made by Stuart Kieschnick and seconded by Don Albanese to approve the minutes of October 27, 2011.

Motion carried.

Ayes: Albanese, Austin, Ducharme, Kieschnick, McNeill, Shaw and Sonnier.

Noes: None. **Absent:** None.

PUBLIC HEARING

The regular meeting was recessed at 4:36 by President Ducharme for the purpose of conducting a public hearing regarding the potential expenditure of funds for economic development for the construction of a brick wall and trash clean up in between Creel Investments and George Peterman, CPA located in the 1100 Block of Boston Avenue, Nederland, Texas.

President Larry Ducharme stated that it had brought to the NEDC's attention at the last board meeting of an "eye sore" in the 1100 Block of Boston Avenue. A bid was received from Triple P Construction in the amount of two thousand one hundred ninety five dollars and no/100 (\$2,195.00) for the clean-up of trash in between Creel Investments and George Peterman, CPA buildings and the construction of a twelve inch brick wall in front of and in between the two businesses on Boston Avenue.

Mr. Wimberley explained that the EDC will require Creel Investments and George Peterman, CPA to make a joint application for an economic incentive asking that the NEDC provide payment of this work. Creel Investments and George Peterman, CPA would enter into a contract with Triple P Construction to make sure the work is done to their satisfaction. Once the work is finished, the economic assistance would include that the NEDC would pay the

contractor on their behalf or otherwise reimburse said costs, not to exceed the sum of the contract (\$2,195.00)

With no more questions and/or comments President Ducharme adjourned the Public Hearing at 4:45 p.m.

CREEL INVESTMENTS AND GEORGE PETERMAN, CPA

A motion was made by Don Albanese and seconded by Talmadge Austin to the grant of an economic incentive requiring the expenditure of funds in the amount of two thousand one hundred ninety five dollars and no/100 (\$2,195.00) for the benefit of Creel Investments and George Peterman, CPA (the "Recipients"), provided that the Recipients (i) submit a application for such assistance to the NEDC and (ii) the Recipients contract directly with Triple P Construction for the stated improvements.

Motion carried.

Ayes: Albanese, Austin, Ducharme, Kieschnick, McNeill, Shaw and Sonnier.

Noes: None. **Absent:** None.

PRIDE PROGRAM

A discussion was held regarding applications for the PRIDE Program.

An application was received from TAT Commercial Investments, Inc. for a project which consists of painting, new sign and additional concrete parking located at 3105 Nederland Avenue in Nederland, Texas. They are requesting seven thousand nine hundred fifty six dollars and 42/100 (\$7,956.42) for a project totaling fifteen thousand nine hundred twelve dollars and 84/100 (\$15,912.84).

A motion was made by Randy Sonnier and seconded by Erik Shaw to approve the PRIDE Program application for TAT Commercial Investments, Inc. in the amount not to exceed seven thousand nine hundred fifty six dollars and 42/100 (\$7,956.42) for painting, new sign and additional concrete parking at 3105 Nederland Avenue in Nederland, Texas.

Motion Carried

Ayes: Albanese, Austin, Ducharme, Kieschnick, McNeill, Shaw and Sonnier.

Noes: None. **Absent:** None.

An application was received from J. Martin Seafood for a project which will consist of a new concrete parking lot located at 3324 Nederland Avenue, Nederland, Texas. They are requesting ten thousand dollars and no/100 (\$10,000.00) for a project totaling twenty five thousand four hundred seventy dollars and no/100 (\$25,470.00).

A motion was made by Talmadge Austin and seconded by Don Albanese to approve the PRIDE Program application for J. Martin Seafood in the amount not to exceed ten thousand dollars and no/100 (\$10,000.00) for new concrete parking at 3324 Nederland Avenue, Nederland Texas.

Motion Carried

Ayes: Albanese, Austin, Ducharme, Kieschnick, McNeill, Shaw and Sonnier.
Noes: None. **Absent:** None.

An application was received from CROP Investments, LLC for a project which will consist of new concrete parking, new sign and landscaping located at 2008-2012 Avenue H, Nederland, Texas. They are requesting ten thousand dollars and no/100 (\$10,000.00) for a project totaling twenty three thousand dollars and no/100 (\$23,000.00).

A motion was made by Randy Sonnier and seconded by Stuart Kieschnick to approve the PRIDE Program application for CROP Investments, LLC in the amount not to exceed ten thousand dollars and no/100 (\$10,000.00) for new concrete parking, new sign and landscaping at 2008-2012 Avenue H, Nederland, Texas.

Motion Carried

Ayes: Albanese, Austin, Ducharme, Kieschnick, McNeill, Shaw and Sonnier.
Noes: None. **Absent:** None.

FINANCIAL REPORT

President Ducharme stated that there were no financials available for review as of this board meeting.

PERSONNEL

President Ducharme reported that approximately fifty (50) resumes and/or applications had been received and that the job posting has closed. President Ducharme appointed a three (3) person committee to review the applications and make recommendations to the board.

EXECUTIVE SESSION

The regular meeting was recessed at 5:05 p.m. by President Larry Ducharme for the purpose of conducting an Executive Session as authorized by the 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 advise; Texas Government Code, Chapter 551.072, to discuss acquisition, exchange, and/or release of property and Texas Government Code, Chapter 551.074, discussion regarding the position of Executive Director.

RECONVENE

The regular meeting was reconvened by President Larry Ducharme at 6:00p.m. President Larry Ducharme announced no action is needed on Texas Government Code, Chapter 551.071 to discuss litigation and/or legal advice, Texas Government Code, Chapter 551.072,

to discuss acquisition, exchange, and/or release of property or Texas Government Code, Chapter 551.074, discussion regarding the position of Executive Director.

President Larry Ducharme announced that the following 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.

Mr. Wimberley reported Beauty Basics has exceeded expectations and fulfilled their obligations to the NEDC. Beauty Basics received an incentive of ten thousand dollars and no/100 (\$10,000.00) on April 2, 2007 with a payback of 2.3 years. Mr. Wimberley recommended that the monitoring of the above mentioned client be closed.

A motion was made by Stuart Kieschnick and seconded by Erik Shaw to close the monitoring process for Beauty Basics.

Motion Carried

Ayes: Albanese, Austin, Ducharme, Kieschnick, McNeill, Shaw and Sonnier.

Noes: None. **Absent:** None.

Mr. Wimberley reported Twin City Specialty Clinic has exceeded expectations and fulfilled their obligations to the NEDC. Twin City Specialty Clinic received an incentive of twenty thousand dollars and no/100 (\$20,000.00) on March 15, 2004 with a payback of 3.0 years. Mr. Wimberley recommends that the monitoring of the above mentioned client be closed.

A motion was made by Talmadge Austin and seconded by Don Albanese to close the monitoring process for Twin City Specialty Clinic.

Motion Carried

Ayes: Albanese, Austin, Ducharme, Kieschnick, McNeill, Shaw and Sonnier.

Noes: None. **Absent:** None.

Mr. Wimberley reported that Dawn Fitzgerald's Academy received an incentive of nineteen thousand dollars and no/100 (\$19,000.00) on September 18, 2000 with a payback of 4.4 years. Mr. Wimberley recommends that the monitoring of the above mentioned client be closed.

A motion was made by Stuart Kieschnick and seconded by Erik Shaw to close the file on Dawn Fitzgerald Academy on the recommendation of Jim Wimberley, NEDC attorney.

Motion Carried

Ayes: Albanese, Austin, Ducharme, Kieschnick, McNeill, Shaw and Sonnier.

Noes: None. **Absent:** None.

COMMUNICATION

The board was reminded of the Nederland Chamber of Commerce annual banquet on Thursday, January 12, 2012.

ADJOURN

There being no further business, a motion was made by Randy Sonnier and seconded by Erik Shaw that the meeting be adjourned at 6:06 p.m.

Motion carried.

Ayes: Albanese, Austin, Ducharme, Kieschnick, McNeill, Shaw and Sonnier.

Noes: None. **Absent:** None.

Larry Duchame, President

Randy Sonnier, Secretary/Treasurer