

# NEDERLAND ECONOMIC DEVELOPMENT CORPORATION

## Minutes February 24, 2021

### MEETING

A meeting of the Nederland Economic Development Corporation was called to order at 11:30 a.m. at the Nederland Economic Development Corporation Office, 1519 Boston Avenue, by President Brian Swindel.

### QUORUM

Board members present: Mitch Macon, Billy Neal, Mike Roebuck, Sylvia Root and Brian Swindel.  
Absent: Don Albanese and Bret Duplant. Others present: Jim Wimberley, NEDC Attorney, Kay DeCuir - Executive Director and Christinia Herrmann, Executive Secretary.

### MINUTES

**A motion was made by Billy Neal and seconded by Sylvia Root to approve the minutes of January 20, 2021.**

**Motion Carried.**

**Ayes: Macon, Neal, Roebuck, Root and Swindel**

**Noes: None. Absent: Albanese and Duplant.**

**A motion was made by Billy Neal and seconded by Sylvia Root to approve the minutes of January 28, 2021.**

**Motion Carried.**

**Ayes: Macon, Neal, Roebuck, Root and Swindel**

**Noes: None. Absent: Albanese and Duplant.**

### EXECUTIVE SESSION

The regular meeting was recessed at 11:33 a.m. by President Swindel 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; or Texas Government Code Chapter 551.071 to discuss litigation and/or legal advice; or Texas Government Code Chapter 551.072 to discuss acquisition, exchange and/or release of property.

### RECONVENE

The regular meeting was reconvened by President Swindel at 12:24 p.m. President Swindel announced no action was needed on Texas Government Code Chapter 551.071 Litigation and/or legal advice or, Texas Government Code Chapter 551.072 to discuss acquisition, exchange, and /or release of property.

President Swindel announced action was needed on Texas Government Code, Chapter 551.087 regarding Economic Development Negotiations.

**A motion was made by Mitch Macon and seconded by Mike Roebuck to approve Inland Environments LTD's bid of twelve thousand eight hundred seventy-five dollars and no/100 (\$12,875.00) for asbestos abatement at 1132 Nederland Avenue in Nederland subject to Inland Environments LTD providing Environmental Insurance Coverage verification for job, acceptable by Nederland EDC's counsel and verification of Job Plan of Execution by Total Safety.**

**Motion carried.**

**Ayes: Macon, Neal, Roebuck, Root and Swindel.**

**Noes: None. Absent: Albanese and Duplant**

**A motion was made by Sylvia Root and seconded by Mike Roebuck to approve Total Safety as Project Manager for the Villa Motel abatement, in an amount not to exceed two thousand four hundred ninety dollars and no/100 (\$2490.00).**

**Motion carried.**

**Ayes: Macon, Neal, Roebuck, Root and Swindel.**

**Noes: None. Absent: Albanese and Duplant**

### **PRIDE**

An application was received from a business, Better Living Medical, for a project consisting of digital signage at 1039 North Twin City Hwy in Nederland, TX. They are requesting ten thousand dollars and no/100 (\$10,000.00) on a project totaling thirty-three thousand one hundred twenty-nine dollars and no/100 (\$33,129.00).

**A motion was made by Sylvia Root and seconded by Mitch Macon to approve the PRIDE Program application for Better Living Medical in an amount not to exceed ten thousand dollars and no/100 (\$10,000.00).**

**Motion carried.**

**Ayes: Macon, Neal, Root and Swindel.**

**Noes: None. Absent: Albanese, Duplant and Roebuck (left meeting before PRIDE)**

An application was received from a business, Health Source Chiropractic, for a project consisting of painting of the exterior of building, parking lot striping and landscaping at 2916 Nederland Avenue in Nederland, TX. They are requesting six thousand nine hundred thirty dollars and .87/100 (\$6,930.87) on a project totaling thirteen thousand eight hundred sixty-one dollars and .74/100 (\$13,861.74).

**A motion was made by Sylvia Root and seconded by Mitch Macon to approve the PRIDE Program application for Health Source Chiropractic in an amount not to exceed six thousand nine hundred thirty dollars and .87/100 (\$6,930.87).**

**Motion carried.**

**Ayes: Macon, Neal, Root and Swindel.**

**Noes: None. Absent: Albanese, Duplant and Roebuck (left meeting before PRIDE)**

### **FINANCIALS**

Kay DeCuir shared the following from the financial reports received;

- Nederland's Sales Tax Revenue for December \$598,391.59 which is approximately 10% less than December 2019. Businesses did well in spite of Covid
  - Nederland's Sales Tax Revenue was above Port Neches and Groves and on heels of Orange.
- Revenue for First Quarter of Fiscal Year exceeded amount budgeted for 2020 – 2021. Currently have received 45 % of revenue budgeted with nine months remaining in fiscal year.
- November Sales Tax was \$100,832.96 and interest received was \$3,147.48
- Monitoring will be closed for Whataburger as they have met their obligation
- A demand letter was sent to Rad Graphics for Non-Compliance of Terms of their Incentive Agreement for not submitting quarterly financial reports. Sales Tax and Employee Payroll Reports were received on February 22, 2021 and a credit of \$326. was applied to account leaving a balance of \$1,498.00.
- Hargrove and DuGood are on tract with employee count. Brick Oven has a balance of \$7,800.00; Buckstin has a balance of \$34029.00

**COMMUNICATION**


Kay DeCuir shared that


- at the last City Council Meeting, a Council Member questioned the EDC being in the Real Estate business. She invited Council Member to stop by the EDC to discuss the type Economic Development items that the EDC could do and shared a list of properties that the EDC has purchased and sold/gifted to City, etc. in past years as part of Economic Development for Nederland.
- From 1995 – 2014 the EDC given \$3,970,286.00 to City of Nederland for various projects.

Jim Wimberley, Attorney shared that sometimes EDC's purchase dilapidated properties that investors won't buy. It's okay for EDC's to purchase such properties, improve them and then sell in order to improve the Community environment. He also stated that now is a good time for developers to buy as they may qualify for Covid SBA Loan.

**ADJOURN**

**There being no further business, President Swindel adjourned the meeting at 12:46 p.m.**

  
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Brian Swindel, President

  
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Mitch Macon, Secretary/Treasurer