

Greene County Industrial Development Authority

93 E. East High Street
Waynesburg, PA 15370
Tel: 724.852.5259

GCIDA Board Meeting Minutes February 14, 2023

I. The meeting was called to order at 9:00 AM. Those present were as follows:

Phil Hook, Chairman

George Scull, Vice Chairman

Greta Mooney, Secretary

Cheryl Semonick, Treasurer

Tim Fox, Board Member

Ernie DeHaas, Solicitor

Connie Bloom, IDA Manager

Blair Zimmerman, Commissioner

Betsy McClure, Commissioner

Mike Belding, Commissioner

Phone:

Greg Firely, AMO Environmental Decisions, Inc.

Public:

Mike Palkendo, AMO Environmental Decisions, Inc.

Jeremy Rafferty, Iron Senergy

Lisa Miller, Miller Company Electrical Contractor

Daniele Frye, Blessed Valley Lodging

Mercedes Badeaux-Frye, Blessed Valley Lodging

John Bokar, Compliance Services

Board Bencheck Engineer

II. "If a potential conflict exists, you are duty bound to disclose."

III. Approval of Minutes – January 10, 2023

Mr. Hook requested a motion to approve the January 10, 2023 Meeting Minutes.

Motion to approve- Ms. Mooney

Second- Mr. Scull

All in favor.

IV. Treasurers Report

a. **Balance Sheet** as of December 31, 2022

b. **Profit & Loss** as of December 31, 2022

Ms. Bloom stated all items are normal. Ms. Bloom explained she did update the balances for those SIP recipients who were forgiven in 2022. She added she confirmed with Cypher and Cypher that she is able to enter the adjustments as compliances are approved. Ms. Bloom mentioned the updated EPA grant spreadsheets are current through January 31, 2023.

Mr. Hook requested a motion to approve the January 31, 2023 Treasurers report.

Motion to approve- Ms. Semonick

Second- Mr. Scull

All in favor.

V. Deposits

Revolving Loan Payments

- a. 1/3/23 – **\$299.25**
 - i. Hydraulic Solutions
- b. 1/3/23 – **\$299.25**
 - i. JCNH Rentals, LLC
- c. 1/3/23 – **\$275.77**
 - i. Wilson Commons
- d. 1/3/23 - **\$321.75**
 - i. Vending Solutions
- e. 1/3/23 - **\$1,4312.13**
 - i. MRIE (Deposited in RLF account in error.)
- f. 1/5/23 - **\$261.73**
 - i. Adam Lewis Trucking #4 (Feb)
- g. 1/10/23 - **\$375.00**
 - i. Greene County Land Development #3
- h. 1/17/23 - **\$300.00**
 - i. Mankind Gentleman's Cuts
- i. 1/23/23 - **\$350.00**
 - i. Momma Martins

SIP

- a. 1/11/23 - **\$1,432.13**
 - i. MRIE (Dec 2022)
- b. 1/23/23 - **\$1,432.13**
 - i. MRIE (Jan)

EPA Assessment Grant

- a. 1/10/2023 - **\$7,705.00**
 - i. ASAP Draw Down

EPA Cleanup Grant

- a. 1/10/2023 - **\$2,365.00**
 - i. ASAP Drawn Down

Ms. Bloom mentioned she has been in contact with Pennsylvtucky Precision and he indicated he would get his account current at the end of February. She added MRIE paid both December and January so they are current as well.

VI. Approval of Checks for Payment

General Account

- b. DeHaas Law, LLC, Services - **\$420.00**
 - i. General Services
- c. Observer Reporter - **\$102.18**
 - i. Reorganization Meeting Legal Notice
- d. Connie Bloom - **\$40.75**
 - i. Tax Forms

EPA Assessment Grant Account

- a. AMO - **\$2,080.00**
 - i. January Invoice
 - 1. Site Inventory Review, Update and Mapping

EPA Cleanup Grant Account

- b. AMO - **\$3,865.00**
 - i. January Invoice
 - 1. Rail Tie Removal Bidding Documents

Ms. Bloom stated the invoices were emailed to the Board for their review. Ms. Bloom reviewed the checks for payment.

Mr. Hook requested a motion to approve the checks for payment.

Motion to approve- Mr. Scull

Second- Ms. Semonick

All in favor.

VII. Brownfields Initiative

- a. Quarterly Reports
- b. Assessment Grant
 - i. Inventory Outreach/Canvassing Update
- c. Cleanup Grant
 - i. Subcontractor Advertising Update
 - ii. Site Visit
- d. GCBRAC Meeting – March 14, 2023

Ms. Bloom explained Mr. Firely completed the quarterly reports for both the Cleanup and the Assessment grants. She added there was a Mather site visit with four contractors who were interested in submitting a proposal for the rail tie cleanup RFP. Mr. Firely added we have been receiving questions from the potential bidders and once they are all compiled will share with the IDA for responses. Ms. Bloom mentioned one contractor asked to bring a mini excavator to move some rail ties to gain some additional information and Ms. Bloom informed them due to the liability they cannot. Mr. Firely explained the timeframe from the EPA in regards to the site inventory. He added that once an owner is identified it would be about six months until the assessment is complete. Mr. Hook asked the reasoning behind not reaching out to everyone. Ms. Bloom replied some of the sites on the inventory are currently in use and Ms. Mooney added we know some of the owners won't be receptive. Mr. Scull mentioned there are some sites that are current industrial sites in use. Mr. Hook asked if we should identify some priority sites to move forward. Mr. Firely commented the inventory list is constantly evolving and growing. Mr. Hook inquired on who was handling the outreach and Mr. Firely stated he was instructed to wait on the Board. Mr. Scull stated he reviewed the list and came up with two that are promising. Ms. Bloom asked Mr. Scull what are the numbers Mr. Scull would like to contact. Mr. Scull replied #14 and #21. Ms. Mooney recommended coming up with a list of 6 or 7 to move forward. Ms. Semonick added a property to the list in Executive Session that will be added to the list. Ms. Mooney inquired on the location of #24. Mr. Hook asked Mr. Firely what the cost would be to contact everyone on the list and Ms. Bloom explained there were sites on the list that are not vacant and we shouldn't waste our time and grant funding contacting them. Ms. Bloom compiled the list of sites to contact; 14, 21, 24, 32, 92, and the one from Executive Session. Mr. Firely is to send a script of what needs to be asked when speaking with the site owners. Ms. Mooney recommended Mr. Firely contact these six property owners.

VIII. New Business

- a. Statement of Financial Interest

Ms. Bloom explained these are required for the Board for year 2021.

b. Signature Cards

Ms. Bloom explained the letters for both banks are in the signature file for Mr. Hook and Mr. Scull signatures. She added this will update the signature cards and Board information at Community Bank and First National Bank.

c. RLF Application update

Ms. Bloom discussed the application for the USDA Small Business Development Grant. She added she participated in a phone call with both the USDA and Delta regarding the application and the amount of funding. Ms. Bloom explained the program has changed since the last time the IDA applied for the grant. She added due to the amount of funding available our initial application was going to be for \$500,000, however during the phone call, it was determined that would not be funded so the application will be for less. Ms. Bloom mentioned that once the money is awarded the IDA only has 12 months to get the money out to the businesses. She added she is working on getting all the information needed to Delta for the application. Commissioner Belding asked if leveraging means current and Ms. Bloom replied yes. Ms. Bloom stated we can use the RLF account as leverage, but she will have to show the temporary contribution from the Commissioners due to the balance of the account. Ms. Bloom stated the forms are in the signature folder that will be included in our application. Ms. Bloom indicated that she will get the information to Delta and move forward with the application.

d. Airport Property

Mr. Hook requested a motion to enter into an agreement with the Commissioners to regarding the 6 acres located at the airport.

Motion to approve- Ms. Semonick

Second- Mr. Scull

All in favor

IX. Old Business

a. FASBA

Ms. Bloom explained the reporting is complete with the exception of the last contract that includes Miller Electric. She added at the February 9, 2023 Commissioners meeting at the recommendation of the IDA Board and agreement from DCED the Commissioners voted to recapture the FASBA funds from Miller Electric. Ms. Bloom explained those funds had to be repaid to the CDBG fund by February 10, 2023. Mr. Hook explained that he doesn't feel with the information presented today that the Board will change their recommendation for recapture. Commissioner Belding added three separate entities agreed to recapture the funds, IDA Board, Commissioners and DCED, therefore not sure what else can be done. Ms. Bloom asked if the official letter for recapture will come from the Commissioners and Commissioner Belding replied the Commissioner will send since they took the action. Mr. Fox asked what the criteria is to establish a business is a Greene County business. Mr. Hook agreed. Mr. DeHaas explained in this case Miller Electric defined. Mr. Hook requested Mr. DeHaas look into the criteria to define a Greene County business. Ms. Bloom mentioned the other business that was mentioned receiving FASBA and only being a lay down yard was already a Greene County Business.

b. Robina Mine Site

Ms. Bloom stated there was no update.

c. Mather Gateway

Ms. Bloom stated there was no update.

d. Crucible Property

Discussed during Executive Session.

X. Public Comment

Daniele Frye requested the IDA Board to consider her revolving loan application. She is opening an Air BnB in Holbrook. The plan is to turn two school buses into Air BnB's on her property near their pond. Ms. Frye explained one bus will accommodate 4 and the other 6. She discussed has created an LLC and has been in contact with the Chamber of Commerce and Tourism. She also mentioned Air BnB's are required to pay the tourism and hospitality taxes. Ms. Frye stated she has letter of support from the CTC, West Greene School District, and local businesses. She explained her plan is to incorporate local businesses; the CTC is going to make bird houses and West Greene School District will be making the signs. Ms. Frye explained her goal for this year is to get both busses ready for lodging and the following year restore a house on the property to include, a gift shop, office, vending machines and arcade. She added catch and release fishing and hiking will be available as well. Ms. Mooney asks if an application had been submitted and Ms. Frye stated no because of the question of eligibility due to the nature of the business. Ms. Mooney suggested applying for funding for the gift shop if the Air BnB is not eligible currently. Ms. Frye asked if there were specific reasons in the guidelines for this not to be funded. Mr. DeHaas replied it appears that this does not meet the guidelines in place. He added rental properties are eligible and that an Air BnB is a short-term rental and unlike a hotel/motel since there are not employees who work onsite daily. Ms. Frye stated the goal is to have the busses ready before the gift shop. She continued that she plans to move forward with the Air BnB even if she doesn't get the funding, although it may take longer to get up and running. Ms. Frye indicated she does feel she qualifies because she will always have someone there on the property. She added she has had various contractors out and was looking for this funding to move forward. Commissioner Belding asked Mr. DeHaas to explain the difference between a hotel and a rental property that does not. Mr. DeHaas suggested revising the guidelines if the Board feels the need to broaden eligibility. Mr. Hook requested a copy of the application and guidelines. Mr. Hook asked if there will be an employee onsite at all times and Ms. Badeaux-Frye replied yes, there could be three-five on the property. She added they live on the property about three hundred yards from where the busses will be located. Ms. Badeaux-Frye commented that they would be paying the occupancy tax and a landlord does not pay that which shows they are not a residential rental business. Mr. DeHaas indicated the guidelines doesn't deal with what taxes are paid only the type of use. He added that when the guidelines were approved for the use, this was not a type of business that existed. The Board suggested Ms. Frye submit her application and all supporting documentation for the Board to review. Commissioner McClure commented this is a very unique idea and feels it goes well with Greene County. Mr. Scull added we are not opposed to progress but have to follow the guidelines.

Lisa Miller stated she was attending the meeting to discuss the letter she received from Mr. Hook regarding the FASBA award recapture for their electrical business. She added the letter indicated they did not meet the criteria and she disagrees. Ms. Miller explained the electrical business had been in Fayette County for over 100 years and has been located in Greene County since January 2021 as a secondary location. Ms. Miller stated she decided to contact the IDA to see about a loan for a pole building to house inventory for the business. She added she did complete the paperwork but she was also familiar with FASBA and completed the application for that to be used for the construction on a building. Ms. Miller stated she found out that was not an eligible expense, however, payroll, benefits, insurance could qualify. She added they also had to retain one job within the County and all of that has been met. Ms. Miller stated through the entire process the building always seemed to be an issue and she continued to provide letters to confirm they would be constructing a building. She added they finally got a contractor to commit and could start the middle or late December. Ms. Miller stated she then received a letter regarding her building permit and that they had to take the building down. She explained there was no building at that point, it didn't get started until January. Ms. Miller discussed she doesn't understand the letter from Mr. Hook regarding the recapture because the contract is with the Commissioners not the IDA and has nothing to do with the building. She added she has written letters to all three Commissioners stating she would like to appeal this decision. Ms. Miller discussed she was born and raised Greene County and supports bring business and people here. Mr. Hook explained the funds for FASBA came through the CDBG program and are controlled by the Commissioners, who had the IDA administer the review and recommendations for the program. Mr. DeHaas explained the representation in the application and supported by multiple letters was that Miller Electric was relocating to Greene County. He added a letter in May 2022 states that and the FASBA agreement that was signed by both parties states in part that Miller Electric shall use 100% of the grant to pay business expenses for a business facility in Greene County. Mr. DeHaas continued another part of the agreement states if the party fails to adhere to those conditions it shall repay to the county the full amount of the grant within thirty days of the notice. He added in November 2022 a letter was sent requesting a thirty day extension with respect to the building. Mr. DeHaas explained those letters from Miller Electric show a business presence was not established in Greene County and that was the term and condition on which the whole application was approved. Ms. Miller stated initially she did indicate constructing a building on the application, however, that was not eligible so they did not move forward. Mr. DeHaas explained whether the money could be used for the building itself or not is not the point, the point is the money was going to be used to relocate the facility to Greene County and that hasn't happened. Ms. Miller discussed the building is there and they have worked out of trailers and storage units since January 2021. Ms. Miller stated she was never told that she had to erect the building as a condition of FASBA. Ms. Mooney inquired as to who signed the contract and Ms. Bloom replied Curt Miller. Ms. Mooney asked if he was aware the FASBA funding was awarded to move the business to Greene County and Ms. Miller replied the business had been in Greene County since January 2021. Ms. Miller stated it was a secondary location since they do work in Greene County. She added she did not have the FASBA guidelines when she completed the application initially. Ms. Miller stated that she was told the building does not qualify but that since she was already a Greene County business it is okay. She added was never told she had to construct the building for FASBA. Mr. DeHaas read the letter dated May 21, 2022 on Miller Electric letterhead that confirms that the company will be relocating to 4th Street Greensboro within the next 6 months. He continued to read, the company was formed in Brownsville in 1936 and has been located in Fayette County since that time. Mr. DeHaas read that the decision had been made recently to relocate to Greene County and the FASBA grant was requested in order to assist in making the move. Mr. DeHaas stated that clearly shows that business was not located in Greene County but was going to be moving. He added another letter from Curt Miller dated November 14, 2022, is asking for a thirty-day extension for relocating. Mr. DeHaas explained in December 2022 the IDA Board determined the business had not been relocated and that is the reason for the recommendation. Ms. Miller stated the business has been in Greene County since January 2021. She added the business rents two storage units and has a box trailer for the inventory. Mr. Scull stated the Board based their decision on getting additional business here and it

appears it has been here all along. Ms. Miller explained it was to create a job in Greene County. Ms. Mooney stated Miller Electric was a Fayette County business, whether a yard was located in Greene County to feed inventory, looking to move to Greene County. She added, this money was Greene County money that was being used to help and support Greene County businesses. Ms. Mooney explained the determination to approve went through a couple meetings and was tabled to give the Board time to be comfortable that this would be a substantial Greene County Business. Ms. Mooney stated the Board had requested a building permit and it was provided in May as a commercial building permit and that satisfied the Board that it would be a real business located in Greene County. Ms. Mooney explained it was not how you were going to use the money, but the fact that you were going to be a Greene County business and the building was proof you were going to be a Greene County business. Ms. Mooney stated until the building was constructed you were not a physical location until that point and as of today you are still not a physical location other than a yard with a trailer on it. Ms. Miller corrected Ms. Mooney and stated there is a building now. Ms. Mooney confirmed there is a commercial building now and Ms. Miller replied yes. Ms. Mooney explained she does not remember that coming through the Planning Commission. Ms. Miller stated in November she spoke with Mr. Brian Sokol and explained that they will be constructing a commercial building for inventory but it would also include an efficiency apartment for her son. She added Mr. Sokol indicated he would discuss with Mr. Jeremy Kelly. Ms. Miller discussed Mr. Sokol then told her she could apply for a residential permit and still operate the business due to the zoning in the township. Ms. Miller stated there is an updated building permit to reflect residential. Ms. Miller reiterated that there is a building and the business is and has been a Greene County business. Mr. Hook thanked Ms. Miller for her time and if there are any other questions the Board will reach out. Ms. Miller thanked the Board.

XI. Executive Session

Mr. Hook requested a motion to enter into Executive Session at 9:00 AM.

Motion to approve- Ms. Mooney

Second- Mr. Scull

All in favor.

Mr. Hook requested a motion to exit out of Executive Session at 10:22 AM.

Motion to approve- Mr. Scull

Second- Ms. Mooney

All in favor.

XII. Next Meeting – March 14, 2023

XIII. Adjournment

Mr. Hook requested a motion to adjourn the meeting at 11:35 AM.

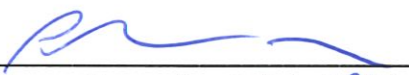
Motion to approve- Ms. Semonick

Second- Mr. Scull

All in favor.

MEETING MINUTES CERTIFICATION

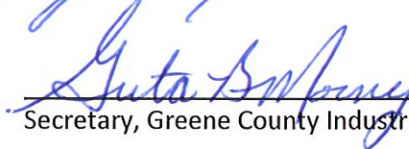
We, the undersigned, agree that the minutes taken above were approved in their entirety by the Greene County Industrial Development Authority on March 14, 2023.



Chairman, Greene County Industrial Development Authority



Vice Chairman, Greene County Industrial Development Authority



Secretary, Greene County Industrial Development Authority