

# Greene County Industrial Development Authority

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

## GCIDA Board Meeting Minutes May 9, 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 Director*

*Rich Cleveland, Exec. Director Community Dev.*

*Mike Belding, Commissioner*

*Blair Zimmerman, Commissioner*

*Betsy McClure, Commissioner*

#### **Phone:**

*Greg Firely, AMO Environmental Decisions*

#### **Public:**

*Sheila Stewart, GCIDC*

*Corbly Orndoff, GCIDC*

*LaDana Maurin, LK Café*

*Tom Lukacs, LK Café*

*Daniele Frye, Blessed Valley Lodging*

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

*Mr. Hook explained we will be going into a short Executive Session after approval of the previous meeting minutes.*

### III. Approval of Minutes – April 11, 2023

*Mr. Hook requested a motion to approve the April 11, 2023 Meeting Minutes.*

*Motion to approve- Mr. Scull*

*Second- Ms. Semonick*

*All in favor.*

*Mr. Hook requested a motion to enter into Executive Session at 9:03 AM.*

*Motion to approve- Mr. Scull*

*Second- Mr. Fox*

*All in favor.*

*Mr. Hook requested a motion to exit out of Executive Session at 9:42 AM.*

*Motion to approve- Mr. Scull*

*Second- Ms. Semonick*

*All in favor.*

#### IV. Treasurers Report

- a. **Balance Sheet** as of April 30, 2023
- b. **Profit & Loss** as of April 30, 2023

*Ms. Bloom described the reports that were included in the Board packet. Ms. Mooney inquired why there is a negative balance for MRIE. Ms. Bloom mentioned she feels it is the how the payments have been processed and they are behind a month in payments. She added she has been in contact with them and the confusion is the payments made around the holiday. Ms. Bloom indicated their due date is the 10<sup>th</sup> of each month and they will be two months behind as of tomorrow. She added she has sent numerous emails and they have confirmed they agree with the information. Ms. Bloom asked if the Board would like for her to send a letter or if it should come from Mr. DeHaas. Ms. Mooney suggested waiting until the end of the week before sending a letter. Mr. Hook asked Ms. Bloom to reach out.*

*Mr. Hook requested a motion to approve the April 30, 2023 Treasurers report.*

*Motion to approve- Ms. Mooney*

*Second- Mr. Scull*

*All in favor.*

#### V. Deposits

##### **Revolving Loan Payments**

- a. 4/3/23 – **\$321.75**
  - i. Vending Solutions
- b. 4/11/23 - **\$299.25**
  - i. JCNH Rentals, LLC
- c. 4/11/23 - **\$299.25**
  - i. Hydraulic Solutions
- d. 4/14/23 - **\$261.73**
  - i. Adam Lewis Trucking #4
- e. 4/17/23 - **\$275.77**
  - i. Wilson Commons
- f. 4/19/23 - **\$300.00**
  - i. Momma Martins
- g. 4/21/23 - **\$300.00**
  - i. Mankind Gentleman's Cuts
- h. 4/28/23 - **\$950.00**
  - i. Pennsylvtucky Precision (Mar, Apr, May)

##### **SIP**

- a. 4/6/23 - **\$1,432.13**
  - i. MRIE

##### **General Account**

None

##### **EPA Assessment Grant**

- a. 4/11/2023 - **\$7,938.58.00**
  - i. ASAP Draw Down
  - i. AMO

**EPA Cleanup Grant**

- a. 4/11/2023 - **\$98.70**
  - i. ASAP Draw Down
  - i. Connie Bloom
- b. 4/11/2023 - **\$4,108.00**
  - i. ASAP Draw Down
  - 1. AMO

*Ms. Bloom explained she has sent out a couple of certified letters to Revolving Loan recipients who are behind on payments. She added one of those came in person and brought their account current including the late penalties. Ms. Bloom stated she has not heard from the other one. She explained she has also tried to reach out to Pizza Italia but has not been able to speak to anyone. Ms. Bloom indicated she will be sending a letter to them as well.*

**VI. Approval of Checks for Payment**

**General Account**

- b. DeHaas Law, LLC, Services - **\$1,560.00**
  - i. General Services - \$1,305.00
  - ii. NemaI vs. IDA - \$255.00
- c. Credit Reporting Services - **\$12.00** (Ratify)
  - i. LK Café Credit Report
- d. Barone Murtha Shonberg & Associates – **\$1,400.00** (Ratify)
  - i. Appraisal 50% down payment
- e. Barone Murtha Shonberg & Associates - **\$1,400.00** (Ratify)
  - i. Appraisal balance

**EPA Assessment Grant Account**

- a. AMO - **\$3,705.00**
  - i. April Invoice
    - 1. Complete Phase I ESA, community outreach letter, outreach meeting, EPA reporting

**EPA Cleanup Grant Account**

- a. AMO - **\$2,667.50**
  - i. April Invoice
  - ii. Mather site sub-contractor draft, site walk, EPA project reporting

*Ms. Bloom stated the invoices were emailed to the Board for their review. She reviewed all the invoices for the Board. Ms. Bloom explained there was a little bit of confusion for the EPA Assessment Grant and the amount for that invoice is \$3,705.00. She added the amount for the Cleanup Grant invoice is \$2,667.50. Mr. Scull mentioned in March the amount was \$5,135.00 and it mentioned the community outreach letter and now we are talking about it in April. Ms. Bloom explained some of those letters have come back so we have had to resend them to updated property owners or addresses. She added Mr. Firely has made phone calls as well to some of the property owners. Mr. Scull asked what Mr. Firely's cost was for preparing the draft of the contract. Ms. Mooney asked if the contract was pretty straight forward and intact when Mr. DeHaas received it and Mr. DeHaas confirmed it was. Mr. Firely indicated he charged about 4 hours to prepare the contract.*

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

*Motion to approve- Ms. Semonick  
Second- Ms. Mooney  
All in favor.*



## **VII. Brownfields Initiative**

- a. Assessment Grant**
  - i. Phase I ESA Completed - Parcel 07-07-103-D
  - ii. Mailing outreach
  - iii. Site Access Agreements
  - iv. EPA Reporting
- b. Cleanup Grant**
  - i. Spartan Specialty Solutions Contract

*Mr. Firely explained the Phase I Assessment was completed for 07-07-103-D and no issues were identified. He added there has been some success with the certified letters Ms. Bloom mailed out. Mr. Firely stated with those responses another site is ready to go. He added it was a former gas station and they are preparing to schedule a site walk. Mr. Firely mentioned another property owner is interested; however, he has not been able to get in touch with her. He added another site owner is very interested and we are just waiting on some documentation before moving forward. Mr. Firely explained EPA quarterly reports have been submitted.*

*Mr. Firely explained the Board has the contract that was drafted for Spartan. He added a start date will need to be discussed because they will need some time to get things moving. Ms. Bloom mentioned the Board wanted to wait to start the project until school was out due to the bus schedule. Ms. Bloom will contact Jefferson Morgan School District and find out their last day of school. Ms. Mooney stated she feels the start date must be in June.*

*Mr. Hook requested a motion to authorize the execution of the contract with Spartan upon finding an acceptable start date in June.*

*Motion to approve- Mr. Scull*

*Second- Ms. Mooney*

*All in favor.*

## **VIII. New Business**

- a. SIP Compliance**
  - i. Wayne Lumber, LLC

*Ms. Bloom stated within the Board packet is the SIP compliance for RG Building Supply, LLC. She added this is their third and final SIP compliance review and the project was completed previously and only payroll needs reviewed. Ms. Mooney explained they are consistent with the information from 2022 and are now hiring summer help. Mr. Scull asked Ms. Bloom how she came up with eight full time employees and Ms. Bloom replied she counted A. Berdine because she is considered full time in the summer.*

*Mr. Hook requested a motion to approve the third and final SIP compliance review for Wayne Lumber, LLC.*

*Motion to approve- Mr. Scull*

*Second- Mr. Fox*

*Abstain- Ms. Mooney*

*All in favor.*

ii. Cree Farm, LLC

*Ms. Bloom stated this is Cree Farm, LLC third and final SIP compliance review. She added the project was completed and approved during their first compliance review there was no change at all in the payroll.*

*Mr. Hook requested a motion to approve the third and final SIP compliance review for Cree Farm, LLC.*

*Motion to approve- Ms. Mooney  
Second- Ms. Semonick  
All in favor.*

b. RLF Guidelines update

i. Definition of Greene County Business

*Ms. Bloom explained this is something the Board wanted to discuss in more detail to ensure we have a good definition of a Greene County business. Mr. Hook asked if there has been any further discussion and Ms. Mooney stated she read what was submitted by Mr. DeHaas and doesn't disagree with what was submitted, however, still feels it is arbitrary. Ms. Mooney added no matter what is put in writing there will still be instances that it will have to be discussed. Mr. Hook mentioned the discussion about payroll taxes; however, Ms. Semonick explained you could live in Washington, but work in Greene and the payroll taxes will be paid to Washington. Ms. Bloom offered to perform a site visit prior to the approval of the loan as she does for the SIP compliance. Mr. Hook asked if the definition that Mr. DeHaas provided has some discretionary element in it for the Board and Mr. DeHaas confirmed. Mr. DeHaas explained he feels that Ms. Bloom's suggestion about physically visiting the location is a good idea. Mr. Scull stated he would feel comfortable adding the site visit part to the definition. Mr. Fox stated this has two parts, what does the Board consider a Greene County business and how do we affirm that. He added some of these issues may warrant a sub-committee. Mr. Hook stated he has no issue with that. He added he is happy as long as someone is bringing money into the community that wouldn't be there otherwise. Ms. Mooney stated she would like a physical entity which is changing due to the work from home environment. She added she is looking for somewhere if she has a problem she can physically go and have her concern addressed. Ms. Semonick added we need to take every case as it comes but they should physically be here in the County.*

*Mr. Hook requested a motion to approve the definition of a Greene County Business with the addition of a site assessment.*

*Motion to approve- Mr. Scull  
Second- Mr. Fox  
All in favor.*

c. RLF Applicant

i. LK Café

*Ms. Bloom explained this was tabled from the last meeting under some of the financial review concerns were addressed. She added one of the concerns was the letter of intent for the lease and how the property owner could sell the property and that could cause issues for the loan. Ms. Bloom stated she included an updated letter of intent in the Board packet. Mr. Hook stated a letter of intent is non-binding. Mr. DeHaas explained the Board could approve; however, a condition would be that there has to be a signed lease before any loan funds can be disbursed. Mr. Hook and Mr. Scull agreed. Mr.*



Lukacs, representing LK Café, stated nothing structural needs to be done for the business to open. He added the electrical has been updated and the improvements that need to be done are cosmetic. Ms. Scull stated he was in there about 8 years ago and it didn't appear to be viable. Mr. Lukacs explained they have redone the floors and other things to get it up to code. Ms. Bloom mentioned that Mr. Lukacs stated the owners were no longer interested in selling the building. Mr. Lukacs continued, they have a café in Carmichaels and another location in Southpointe. He added the items they will be offering doesn't require fire suppression. Mr. Lukacs stated they will be hiring 6 people and be open 7 days a week. He explained they have a couple of nail salons and they can use those buildings as collateral. Mr. Hook asked about the loan to value ratio. Ms. Bloom stated the loan is for \$50,000 and the application states the value of LaDana's Unlimited is \$80,000. Ms. Mooney asked what the risk was according to the financial review and Ms. Bloom replied the lease agreement and the ability to sell with a 90-days notice. Mr. Scull and Mr. Hook stated as long as the collateral is there, they are fine with the loan.

Mr. Hook requested a motion to approve LK Café for a \$50,000 Revolving/Emergency Loan at 1% for 15 years contingent upon collateral, loan to value ratio and the execution of a lease.

Motion to approve- Mr. Scull

Second- Mr. Fox

All in favor.

**d. PIONEER Grant**

Ms. Bloom explained there is a spreadsheet with updated information within the Board packet. She added five have been completed, one declined, waiting on proof of payment for one, waiting on payment request for two, and two we have made partial payment and are waiting on a request for the balance. Ms. Bloom stated all money has been allocated and there is no additional funding for the PIONEER grant at this time, although the Commissioners have mentioned they would be willing to review any request that are received. Ms. Mooney asked if there is a timeframe for them to expend the money and Ms. Bloom indicated they are all different and will check. Mr. Scull stated it seems the majority of them are waiting for paperwork to be submitted. Ms. Bloom added there was a little bit of confusion on how to payment process was to work. Mr. Scull asked if the Townships were able to use in-kind as submittable invoices and Ms. Bloom confirmed. Mr. Scull suggested if this program continues that should not be the case.

**IX. Old Business**

**a. FASBA**

**i. Miller Company Electrical Contractors Appeal**

Ms. Bloom stated there is no update on the appeal.

**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.*

e. Airport Property

*Discussed during Executive Session.*

f. USDA RLF grant application

*Ms. Bloom mentioned that we should hear sometime in May on the grant application. She added she did submit the updated guidelines to include the Air BnB and received a reply that they are back logged due to the grant applications.*

g. Southern Comfy RLF

*Ms. Bloom mentioned the judgement was entered on May 24, 2023. Mr. Hook asked if she defaulted and Mr. DeHaas stated it was a confession of judgement.*

h. NemaI vs. IDA

*Mr. Hook added this as Old Business. He explained that a judgement has been entered and there is a potential of \$176,000 liability. Mr. Hook asked if anyone has spoken to the other co-defendant. He added he is frustrated it has progressed this far and feels that it should have had a motion filed to dismiss early on. Mr. Hook is concerned with the potential large liability and would like to know who at the County to speak with about this. Mr. DeHaas stated the emails came into himself and a county employee and he inquired if this was being passed onto any else at the County. Ms. Bloom added it had not been forwarded to anyone in the County so she started doing so. Mr. Hook asked who at the County is going to be responsible at the County and Ms. Bloom stated she is not sure she is forward to Mr. Marshall. Mr. Hook requested a conversation with the whoever is handling it for the County. Mr. Hook asked if Mr. Barnes is representing the IDA and the County. Mr. DeHaas replied he is not sure, the only reports he receives are from Mr. Barnes. Commissioner McClure stated she feels it is the liability insurance company who is responsible and Commissioner Zimmerman added it would be P-Corp. Commissioner Zimmerman stated Mr. Marshall is the person to speak with because he is in contact with the insurance carrier.*

*Ms. Mooney asked if the Board should be contacting the Solicitor directly or should it go to a county employee and then to the Solicitor. She added a one point there was some one included in an email thread that should not have been included. Mr. DeHaas replied he sends his emails to the Board and does not copy anyone from the County other than Ms. Bloom. Ms. Mooney is concerned about increasing Mr. DeHaas's time for him to respond to all the comments individually or should the Board have a conversation and then Ms. Bloom present it to Mr. DeHaas. Commissioner Zimmerman stated he feels the Board should send their concerns to Ms. Bloom who can then forward them onto Mr. DeHaas. Mr. Scull recommended channeling the emails through Ms. Bloom. Mr. Hook stated Ms. Bloom can't answer any of the questions he is asking and Mr. Scull replied it is up to her to manage it. Ms. Bloom stated once the Board receives an email from Mr. DeHaas, they will send any responses to Ms. Bloom and then she will compile them into one email and send to Mr. DeHaas. Mr. DeHaas mentioned a concern he has is that the latest report doesn't reflect that the Authority had assigned this twenty years ago.*

X. Public Comment

*None.*

## **XI. Executive Session**

*Mr. Hook requested a motion to enter into Executive Session at 10:41 AM.*

*Motion to approve- Mr. Scull*

*Second- Mr. Fox*

*All in favor.*

*Mr. Hook requested a motion to exit out of Executive Session at 10:56 AM.*

*Motion to approve- Ms. Semonick*

*Second- Mr. Scull*

*All in favor.*

*Mr. Hook requested a motion to authorize the option agreement with the County regarding the Crucible property.*

*Motion to approve- Ms. Mooney*

*Second- Mr. Scull*

*All in favor.*

*Mr. Hook requested a motion to authorize the option license agreement with Mr. Bokat; any minor revisions from Mr. Bokat will be sent via email to the Board for approval and then ratified at the next meeting.*

*Motion to approve- Ms. Mooney*

*Second- Ms. Semonick*

*All in favor.*

## **XII. Next Meeting – June 13, 2023**



**XIII. Adjournment**

*Mr. Hook requested a motion to adjourn the meeting at 10:59 AM.*


*Motion to approve- Mr. Scull*

*Second- Ms. Semonick*

*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 June 13, 2023.

  
\_\_\_\_\_  
Chairman, Greene County Industrial Development Authority

  
\_\_\_\_\_  
Vice Chairman, Greene County Industrial Development Authority

  
\_\_\_\_\_  
Secretary, Greene County Industrial Development Authority

