

**MINUTES OF THE MEETING OF THE  
BOARD OF DIRECTORS OF THE  
BORGER ECONOMIC DEVELOPMENT CORPORATION  
A TEXAS INDUSTRIAL DEVELOPMENT CORPORATION**

**Time and Place**

The following are the Minutes of the Board of Directors of the BORGER ECONOMIC DEVELOPMENT CORPORATION, a Texas Industrial Development Corporation organized under Section 4A of the Development Corporation Act of 1979, 1111 Penn St., Borger, Texas on January 17, 2019 at 11:30 a.m., said meeting having been held on the call of the incorporators.

Present at the meeting were MICHELLE GRIFFIN, LISA A. JONES, JESSE SHUFFIELD, SCOTT MILLS and NORMAN SARGENT as Directors of the Corporation.

Also present were:

Katie Lingor, Executive Director, Borger EDC  
Sue Headlee, Office Manager, Borger EDC  
Eddie Edwards, City of Borger  
Joe Price, City of Borger  
Marci Curry, Triple C's

President Michelle Griffin called the meeting to order at 12:04 p.m.

1. Michelle Griffin confirmed the presence of a quorum.
2. **Consider and take appropriate action on the approval of the Minutes of the December 11, 2018 regular meeting.**

Jesse Shuffield made the motion to approve the Minutes of the December 11, 2018 regular meeting. Scott Mills seconded the motion. Motion carried.

3. **Consider and take appropriate action on December 2018 Financials and Expenditures.**

Following review and discussion of the financials, Scott Mills made the motion to approve the December 2018 Financials and Expenditures. Jesse Shuffield seconded the motion. Motion carried.

**4. Presentation of unemployment data for Hutchinson County and the overall Panhandle Region.**

Executive Director Katie Lingor presented unemployment data to the Board and the positive factors in Borger/Hutchinson county employment statistics. The Directors discussed the statistics and how the BEDC can use this information to encourage industry in Borger/Hutchinson County. Fritch and Stinnett need to be considered in the impact of employment in Borger.

**5. Presentation of Small Business Incentive Program (SBIP) application by Triple C's.**

Marci Curry of Triple C's presented a request to the Board for funds to update the building's plumbing and add signage in front of the building.

**6. Presentation of proposed Small Business Incentive Program (SBIP) agreement extension submitted by Neumann & Bailey.**

Executive Director Katie Lingor presented a request by Neumann and Bailey for an extension until February 15, 2019 to report expenses on completion of their SBIP project. The updates have been completed, but they have not received all invoices for work completed.

Director Scott Mills made the motion to approve an extension until February 15, 2019 to report expenses for the SBIP project for Neumann & Bailey. Norman Sargent seconded the motion. Motion carried. Michelle Griffin abstained from the vote.

**7. Executive Session-Pursuant to Texas Government Code, Chapter 551, Section 551.087 (deliberation regarding economic development negotiations), and Chapter 551, Section 551.071 (pending or contemplated litigation, the Board will enter into closed Executive Session at 1:18 p.m. to discuss the following:**

- A. Deliberate on the SBIP application submitted by Triple C's.
- B. Deliberate on the proposed SBIP agreement extension submitted by Neumann and Bailey.
- C. Consultation with attorney regarding on-going litigation with K D Precision Pump & Industrial Maintenance, LLC, including possible settlement.
- D. Consultation with attorney regarding on-going litigation with Blue Creek Mercantile, LLC, including possible settlement.

8. **Board returned to Open Session at 2:17 p.m.**

9. **Consider and take appropriate action on the SBIP application submitted by Triple C's.**

Norman Sargent made a motion to table this item until applicant could produce an updated business plan that includes obtaining all equipment necessary to fully operate the proposed business. Jesse Shuffield seconded the motion. Motion carried.

10. **Consider and take appropriate action on the proposed SBIP agreement extension submitted by Neumann & Bailey**

Motion was made following presentation.

11. **Consider and take appropriate action regarding on-going litigation with K D Precision Pump & Industrial Maintenance, LLC, including possible settlement.**

Norman Sargent made the motion to authorize the BEDC's attorney to negotiate this matter on the BEDC's behalf and present a final agreement to the Board for approval. Lisa Jones seconded the motion. Motion carried.

12. **Consider and take appropriate action regarding on-going litigation with Blue Creek Mercantile, LLC, including possible settlement.**

Norman Sargent made the motion to authorize the BEDC's attorney to negotiate this matter on the BEDC's behalf and present a final agreement to the Board for approval. Lisa Jones seconded the motion. Motion carried.

13. **Consider and take appropriate action on proposed Commercial Building Program.**

Jesse Shuffield made the motion that the Borger EDC create the Commercial Building Incentive Program as part of its business recruitment strategy. The amount of the allocation of funds will be up to 50%, with limits decided on a case-by-case basis. Non-profits will not be eligible. Additional program considerations:

***Eligible projects*** - Limited to: façade improvements, interior finish-out, and new construction. Structural improvements (such as roof replacement, parking improvements, etc) will be considered on a case-to-case basis. The

property is not eligible if it is currently occupied. Properties occupied by businesses need to apply for funding through the Small Business Incentive Program, if they are eligible.

**Location** - Eligible commercial buildings must be located within Borger's city limits and in Neighborhood Services, Retail, Central Business, Commercial, Light Industrial, or Heavy Industrial zoning.

**Reimbursement** - The program is a reimbursement program. The property owner has eighteen (18) months to complete the Project and have a qualified commercial business occupy the premises. Property owner will receive up to fifty percent (50%) reimbursement, with the maximum reimbursement determined on a case-by-case basis (subject to available funds) UPON occupancy by a qualified business. No back-funding.

- A qualified commercial business is:
  - defined as a primary business, or a business whose main activities including the service and support of industrial or manufacturing businesses; or,
  - a business that generates taxable sales; **and** is open to the public for a minimum of 30 hours per week; **and** has a minimum of one (1) full-time equivalent employee.

**Deadline** - If, within eighteen (18) months of approval the Project is not complete and the property is still not occupied by a qualified commercial business, the property owner will not receive the reimbursement.

**Continued Occupancy** - Upon initial occupancy, the property must be continually occupied by a qualified commercial business for a minimum period of time, determined at the time of project approval. If not, the property owner must pay back the 100% of the reimbursement grant.

**Other Requirements** – The CBIP will mirror the SBIP's other requirements, such as a consumer credit check, mandatory insurance on the property, and current on property taxes.

Lisa Jones seconded the motion. Motion carried.

**14. Consider and take appropriate action on proposed Training, Prospect Development, Professional Development, and Travel expenses for the 2018-2018 fiscal year.**

Scott Mills made the motion to approve the proposed Training, Prospect Development, Professional Development, and Travel expenses for the 2018-2019 fiscal year as presented by Executive Director Katie Lingor. Jesse Shuffield seconded the motion. Motion carried.

**15. Comments from Directors or City Staff.**

City Manager Eddie Edwards showed the Board a rendering of improvements proposed for the Aluminum Dome. The City is looking into a venue tax on hotel and motel rooms to fund the project. The entire project will cost up to \$9MM, including furniture, fixtures, and equipment. The amount the City can cover with venue tax and tourism funds is approximately \$6MM. The objective is to raise the rest of the money through local industry. The City is also looking into naming rights for industry's financial participation.

Assistant City Manager Joe Price gave an update on the Comprehensive Plan. The City will finish receiving RFQs in February. Joe asked if two Board Members from the EDC would consider being volunteer advisors during the planning process.

Eddie also commented that it looks as if the City and Borger and Nutrien will move forward on creating plans for a proposed fire sub-station on Nurtien's property, across from the Business Park on FM 1551.

**15. Adjourn**

Motion to adjourn was made at 2:54 p.m. by Jesse Shuffield. Second was made by Lisa Jones. Motion carried.

President \_\_\_\_\_  
Michelle Griffin

Secretary-Treasurer \_\_\_\_\_  
Lisa A. Jones

Item #13 was amended to add that Lisa Jones seconded the motion and that the motion carried. The amendment was approved at a regular meeting on April 9, 2019.