

**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 February 12, 2019 at 10:30 a.m., said meeting having been held on the call of the incorporators.

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

Director JESSE SHUFFIELD was absent.

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  
Jesse Heredia, Jesse's Pizza Company

President Michelle Griffin called the meeting to order at 10:30 a.m.

1. Michelle Griffin confirmed the presence of a quorum.
2. **Presentation of Small Business Incentive Program (SBIP) application by Jesse's Pizza.**

Jesse Heredia presented a request to the Board for a SBIP grant to reimburse 50% of the cost of two new ovens that will produce more pizzas per hour than the ovens in current use, funds to change signage facing the roadway and to purchase POS software that will allow for better management of operations. He is also purchasing new tables and chairs. The total amount for these items is \$41,000. Jesse is requesting a \$20,000 grant for these improvements.

3. **Presentation of revised SBIP application by Triple C's.**

Marci Curry of Triple C's presented a revised Small Business Incentive Program Application. The application is for a reimbursement grant to expand and relocate

the business from its current location at 920 N. McGee to 1055 Coronado Cir. Marcy Curry estimated Triple C's would spend \$9,800 on kitchen equipment, fire suppression equipment, and a new sign for the new property. The kitchen equipment includes a commercial vent hood and walk-in cooler from the previous tenant of the new space. A new insulated warming cabinet and commercial range and oven would also be purchased. If her application is approved, the BEDC's obligation for reimbursement would be about \$5,000.

**4. Presentation of 2017-2018 Fiscal Year Audit by Lani Hall, CPA of Connor, McMillon, Mitchell & Shennum.**

Lani Hall, CPA presented the 2017-2018 Fiscal Year Audit report to the Board. BEDC received an Unqualified Audit Opinion, which is the best Opinion an entity can receive. Lani explained the necessity of restating the 2016-2017 Financials and also adjustments to the 2017-2018 financials.

**5. Consider and take appropriate action to accept the 2017-2018 Fiscal Year Audit.**

Scott Mills made the motion to accept the 2017-2018 Fiscal Year Audit by Connor, McMillon, Mitchell & Shennum. Norman Sargent seconded the motion. Motion carried.

**6. Consider and take appropriate action on the approval of the Minutes of the January 17, 2019 regular meeting.**

Lisa Jones made the motion to approve the Minutes of the January 17, 2019 regular meeting. Norman Sargent seconded the motion. Motion carried.

**7. Consider and take appropriate action on January 2019 Financials and Expenditures.**

Executive Katie Lingor presented the January 2019 Financials and Expenditures. Following review and discussion of the financials, Scott Mills made the motion to approve the January 2019 Financials and Expenditures. Norman Sargent seconded the motion. Motion carried.

**8. Consider and take appropriate action on investment program recommendations, including reinvestment of CD maturing March 22, 2019.**

Following discussion, Lisa Jones made the motion that we close the \$100,000.00 CD with Borger InterBank upon its maturity on March 22, 2019; and that we open a \$100,000.00 CD with Amarillo National Bank for 9 months at 2.3% APY. Lisa Jones and Jesse Shuffield will be signers for the new CD. Norman Sargent seconded the motion. Motion carried. Michelle Griffin abstained from the vote.

**9. 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 11:14 a.m. to discuss the following:**

- A. Deliberate on the SBIP application submitted by Jesse's Pizza.
- B. Deliberate on the SBIP application submitted by Triple C's.
- 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.

No action was taken during Executive Session.

**10. Board returned to Open Session at 11:39 a.m.**

**11. Consider and take appropriate action on the SBIP application submitted by Jesse's Pizza.**

Norman Sargent made the motion to approve the SBIP application submitted by Jesse's Pizza. Lisa Jones Seconded the motion. Motion carried. Michelle Griffin abstained from the vote.

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

Norman Sargent made the motion to approve the SBIP application submitted by Triple C's. Scott Mills seconded the motion. Motion carried.

**13. Consider and take appropriate action on the SBIP agreement extension submitted by Coffee Ranch.**

Scott Mills made the motion to approve a 90 day extension on the SBIP agreement with Coffee Ranch in order for them to complete equipment installation. No additional funds were requested. Norman Sargent seconded the motion. Motion carried. Michelle Griffin abstained from the vote.

**14. 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 accept the compromise as presented by the BEDC's attorney on the BEDC's behalf and present a final agreement to the Board for approval. Lisa Jones seconded the motion. Motion carried.

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

This item was tabled.

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

City Manager Eddie Edwards reported to the Board on the possibility of a new housing development which would include 14-15 lots. He also reported on the need for a new Fire Department Substation near the Nutrien (Agrium) plant.

Assistant City Manager Joe Price reported on the progress for an "All American City" 50<sup>th</sup> anniversary celebration for Borger. The date has been tentatively set for September 14.

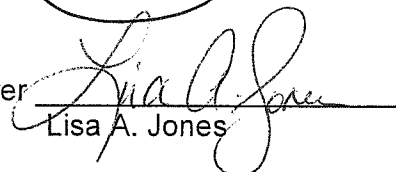
**17. Adjourn**

Motion to adjourn was made at 11:52 a.m. by Lisa Jones. Second was made by Norman Sargent. Motion carried.

President

  
Michelle Griffin

Secretary-Treasurer

  
Lisa A. Jones