

Meeting Minutes
Bellville Economic Development Corporation

The regular meeting of the Bellville Economic Development Corporation was called to order by David Ottmer at 5:30 P.M., Tuesday, March 11, 2003, in the Council meeting room at City Hall, Bellville, Texas.

Present were Wayne Browning, Jerome Peters, Warren Scott, David Ottmer, Nancy Allen and Bob Simpson. Kenneth Stein was absent, but there was a quorum.

Warren Scott made a motion the Agenda be approved. The motion was seconded by Jerome Peters and carried unanimously.

Warren Scott made a motion the Minutes of the February 11, 2003 meeting be approved. Bob Simpson seconded the motion. Jerome Peters requested the Minutes be corrected to reflect the following changes which he provided to the recording secretary:

Agenda Item #13 – Nancy Allen moved for approval of the full amount requested by the Boys & Girls Club. Wayne Browning seconded the motion. Jerome Peters moved to amend the motion for clarification of what portions of the program were to be funded. The motion did not receive a second; Nancy Allen said that such clarification was not necessary since the whole program was to be funded. President Ottmer called for the vote; the results were five (5) votes in favor and one (1) vote against. David Ottmer abstained from voting on the application because of a possible conflict of interest.

Agenda Item #17 – ...Kenneth Stein moved a grant of \$30,000 be awarded to the Chamber of Commerce if it is determined such an expense for tourism is allowed in Section 4B of the Development Corporation Act of 1979. Additionally, his motion included the necessary amendment of the BEDC budget to cover such an expenditure as appropriate. The motion was further amended to specify all funds would be given to the Chamber of Commerce for disbursement: \$12,500 to be disbursed for advertising and \$17,500 to be disbursed for Bellville Heritage Gathering expenses. Wayne Browning seconded the motion as amended.

Jerome Peters moved to further amend the motion. A citizen in the audience (Cindy Kendrick) protested any additional amendments, The Board continued without consideration of the introduced motion. The main motion as amended was carried by a resulting vote of four (4) in favor and one (1) against. Bob Simpson, currently a Director of the Chamber of Commerce, abstained from voting.

The minutes were approved as corrected.

Bob Simpson distributed a Treasurer's Report for the period February 1, 2003 to February 28, 2003. A beginning balance of \$246,898.58 and an ending balance of \$262,618.77 were reported. The sales tax check from the City for February was in the amount \$16,349.30. A more informative description of expense items will be included in future reports. Nancy Allen made a motion the Treasurer's Report be accepted as reported. Jerome Peters seconded the motion and it was carried unanimously.

Agenda Item #7

Workshop Session with Frank Morgan of LCRA and Jeff Moore of the

Office of the Attorney General

Frank Morgan of the LCRA introduced himself and then introduced Jeff Moore. Mr. Moore distributed a handout, "Section 4A & Section 4B Sales Tax – Permissible Projects – Definition of 'Project', Development Corporation Act of 1979, Article 5190.6". He gave an overview of Section 4A and 4B and answered questions from those in attendance. The most salient points:

- • What expenditures does the city's ballot authorize?
- • Sen. Ratliff is expected to file a House bill narrowing the scope of the definition of "acceptable project".
- • Projects may be considered "at the Board's discretion"
- • There is no policing or oversight policy
- • Opinions from the Attorney General's Office are usually received 180 days following the request.
- • A seminar will be held in Weslaco after the current legislative session, approximately June 12
- • E-mail addresses: texasedc.org and oag.state.tx.us.gov

Agenda Item #8

Public Comment

No members of the public completed a request to address the Board.

Agenda Item #9
Review and Approve Contract with Bellville Chamber of Commerce

No contract was presented for approval.

Agenda Item #10
Report from Nancy Allen on Legislative Day Held in Austin
on Thursday, February 27, 2003

Nancy Allen reported all BEDC members except Bob Simpson were able to make the trip to Austin which was very favorable overall. Resolutions were received from both the Texas Senate and the House of Representatives.

Agenda Item #11
Development of a Policy Letter Concerning
Absences by EDC Board Members

Jerome Peters invited John Harle to attend the meeting as a former Board member and attorney to advise the current Board on the development of a policy letter regarding absences. Discussion of the topic included a reminder that the BEDC is a volunteer board and no one wants to infringe upon their privacy. Also, it was mentioned that members serve at the pleasure of the City Council and the Mayor can remove anyone from the board at any time at his discretion. Though not mentioned in the By-Laws or in a previous resolution, John Harle recommends a policy letter be prepared and volunteered to put together a draft for the Board's review at the next regularly scheduled meeting.

Jerome Peters made a motion such a policy letter be developed and Nancy Allen seconded the motion. The motion carried unanimously. The wording of such a policy letter is to include, but not be limited to the following wording:

*Resolved, that as a courtesy to the other members of the BEDC Board and
the community they serve, members are to notify the president or the secretary*

of any expected absences. Failure to do so will constitute an unexcused absence and causes the inconvenience of possibly not having a quorum present. It is the president's responsibility to call members who miss three meetings and determine the circumstances of the absences and their desire to continue to serve.

Agenda Item #12
Adjustment of Budget and Budget Policy to Coincide with BEDC Policy and with the Economic Development Act of 1979, as Amended

Jerome Peters stated that because we currently are on a six-month cycle for applications, it is difficult to judge what funds we will have available for a full year. He recommends the budget be restructured for review every six months and that all funds be made available for the budget. Following discussion, he made a motion to restructure for a six-month budget and anticipate income to be received over the next six months. All available funds are to be used and no funds will be held in reserve. All money must be spent on projects. There was no second to the motion, but discussion ensued regarding the advisability of keeping some funds in reserve for future undetermined use. Jerome agreed to contact other EDC boards to see if they have a policy regarding reserves. Bob Simpson made a motion this agenda item be tabled for a future meeting. Warren Scott seconded the motion and it carried.

Agenda Item #13
Establish a Date for a Workshop with the Board and Membership of the Bellville Swimming Pool for Consideration of Possible Future Grant Opportunities

Jerome Peters stated he had requested this agenda item be considered. Nancy Allen stated such a workshop was not our responsibility under Section 4B. The Board of the Bellville Swimming Pool has made no effort to counsel with the BEDC board since making their initial application. Bob Simpson stated there were just too many unanswered questions about the organization of the pool; it is not a clear cut organization. He stated his belief it was not a worthwhile project for consideration. More financial information is needed and more than one bid for work to be performed should be presented. John Harle stated he believed the group needs to reorganize. The corporation owns the property and stock certificates were issued to original members. Jerome asked if he was authorized to speak to members of the Swimming Pool Board and was advised he should not do so as a representative of the BEDC. Following further discussion, it was decided the BEDC Board should take no action on this agenda item.

The Swimming Pool Board should come to the BEDC with a plan to develop a public pool, not the other way around. It was also mentioned in closing that the BEDC does not have the funds to finance such a project which was estimated at ± \$300,000.00.

Agenda Item #14

Consideration of any Action Necessary and Related to the Organization and Operation of a Corporation formed under Chapter 4B of the Economic Development Act of 1979, as Amended

Bob Simpson suggested a motion be made that only one signature is required on checks in amount's less than \$100.00. Two signatures would continue to be required on checks over \$100.00. Nancy Allen made such motion and it was seconded by Bob Simpson. The motion carried unanimously.

Jerome Peters gave a report on the property owned by Burlington Northern-Santa Fe. He stated BNSF would pay for a Phase I Environmental Survey. Clay Kistler has submitted the low bid on appraisal of the property. The size of the property is approximately 34 acres and Jerome thought the cost would be \$380,000 - \$500,000. Jerome was questioned on what he had learned about the possible widening of Hwy 36. He reported Judge Bilski and Mayor Harrison had attended a meeting in La Grange which included discussion on this topic.

There being no further business to come before the BEDC, the meeting was adjourned at 7:40 p.m.

Respectfully submitted,

Suzanne C. Edwards

Recording Secretary