

FULTON COUNTY INDUSTRIAL DEVELOPMENT AGENCY

TUESDAY
DECEMBER 10, 2024
8:00 A.M.

PLANNING DEPARTMENT CONFERENCE ROOM

AGENDA

PRESENT:

___ MIKE FITZGERALD, CHAIRMAN
___ SUE COLLINS, VICE CHAIRMAN
___ DR. GREG TRUCKENMILLER, TREASURER
___ JOSEPH GILLIS, SECRETARY
___ JOSEPH SEMIONE, MEMBER
___ DAVID D'AMORE, MEMBER
___ DAN ROUNDS, MEMBER
___ JAMES MRAZ, EXECUTIVE DIRECTOR
___ KARA LAIS, FITZGERALD, MORRIS, BAKER, FIRTH PC
___ SCOTT HENZE, PLANNING DIRECTOR
___ TOM ROEHL, LIASON ECONOMIC DEVELOPMENT & ENVIRONMENT COMMITTEE
___ WARREN GREENE, FULTON COUNTY CENTER FOR REGIONAL GROWTH

I. MINUTES FROM NOVEMBER 12, 2024 MEETING

MOTION :
MADE BY :
SECONDED :
VOTE :

II. BUDGET REPORT:

MOTION :
MADE BY :
SECONDED :
VOTE :

III. COMMITTEE REPORTS:

A. Nominating Committee:

- No report.

B. Audit Committee:

- Monthly Bank Reconciliation Report:

C. Governance Committee:

- No report.

D. Finance Committee:

- No report.

IV. FULTON COUNTY/FULTON COUNTY CENTER FOR REGIONAL GROWTH (FCCRG) REPORTS:

1. FCCRG Report: Warren Greene (See attached.)
2. Fulton County Report: Tom Roehl

V. OLD BUSINESS:

A. Nexus Renewables:

- Nexus is waiting for the Town of Johnstown Moratorium to expire so it can file an application for a new Special Use Permit (SUP).

IDA DISCUSSION:

B. Crossroads Park Housing:

1. Status:
 - Howard Hannah has shown the parcel to several parties.
 - Howard Hannah continues to distribute marketing materials on the site to housing developers in the Region.

IDA DISCUSSION:

C. Development Strategy

1. Three (3) Main Components

- a. Housing
- b. Tourism
- c. Economic Development

2. Fifteen (15) Priority Projects

a. Housing

1. Housing Coordinator Position
2. Pro-Housing Communities
3. Round-About Housing Hub
4. Tryon Residential Incubator Site
5. Landlord Registry and Code Enforcement

b. Tourism

1. Tourism Infrastructure Development
2. Trails Master Plan
3. Good Host Training Program
4. Enhance Public Beach Access
5. Improve Signage and Wayfinding

c. Economic Development

1. Building Demolition & Substation Supporting Tryon Technology Park
2. Advance Airport Site
3. Advance Johnstown Commerce Park
4. Advance Two Brownfield Sites
5. SMART Waters Infrastructure Expansion Project

IDA DISCUSSION:

D. Website Research Project

a. Scope of Work

- Perform customer development interviews
- Audit existing websites
- Define Target Audience
- Prepare plan to drive traffic and what users are searching for

b. Proposal

- The Group asked Emery Design for a cost proposal to perform the work tasks shown above for the Website Research Project.
- The four (4) partner agencies were asked to consider making a contribution toward the cost of this Project.
 - FMRC of C & FMS Workforce Solutions advised that they do not have funds to contribute towards the Project.
 - Fulton County Visitors Bureau is willing to make a contribution.
 - FCCRG wants to see the County's New Development Strategy before making a decision, The CRG wants to see if there is anything in the Strategy that may impact the need to conduct the Website Research Project.

IDA DISCUSSION:

E. Potential New Substation:

- At the October meeting, the IDA Board agreed to pursue developing a distribution level substation that could provide up to two new express feeder circuits into Tryon each providing 12MW+/- that could be split once in the Park and could serve the 4 sites Winstanley has identified on its Site Plan for Tryon. One feed could serve 2 parcels at 6MW each or a variation that would total 12MW. NG would not combine 12+12 to one parcel.
- A Zoom meeting was held on December 3rd to discuss the details about pursuing the development of a substation.
- National Grid, the IDA and Winstanley Enterprises participated in the Zoom meeting.
- Key points made during the meeting included:
 - Winstanley Enterprises (WE) estimates it may need 16-17 +/- MW of power for the 4 site at Tryon
 - Vireo estimates it may need 3-5 +/- MW of power to complete the buildout of its facility at Tryon
 - The total estimated demand for power is 22-24 MW
 - The only way to bring that much new power to Tryon would be to build a new substation that would tap the 115 kV transmission main about a mile east of Tryon. The project would include a 115 kV to 13.2 kV substation with express feeder lines to Tryon.
 - The discussion centered on a proposal to have a customer build this substation and turn it over to National Grid (NG) to own and operate. NG advised that they have never had a substation built by a customer and turned over to NG.
 - The 1st step would be for someone to execute a Support Services Agreement (SSA) with NG. The SSA would, in essence, be an engineering evaluation. This engineering evaluation would be conducted by NG and evaluate the feasibility of developing a new substation, prepare a preliminary cost estimate and prepare a tentative schedule.
 - NG estimates the SSA would cost \$50,000-\$100,000 and take 6-8 months to complete
 - Once the SAA was completed, a decision could then be made on whether to proceed with the project
 - NG estimated that it could take up to 4 years to develop a new substation
 - NG is drafting a SSA for review
- NG also advised that they are currently undertaking a project to bring 6-7 MW of additional power to the Tryon area from its Vail Mills substation. NG crews are currently running new lines from NYS Rt. 30 in Perth west along CR 107. This project will be completed in 2025.

IDA DISCUSSION:

VI. NEW BUSINESS:

A. Invoice from Fitzgerald, Morris, Baker, Firth(FMBF):

- IDA received the following invoice from FMBF:
-General Legal Services in 2024:

IDA DISCUSSION:

IDA ACTION:

MOTION: To authorize a payment in the amount of \$4,167.00 to Fitzgerald, Morris, Baker, Firth for legal services provided in 2024.

MADE BY:

SECONDED:

VOTE:

VII. OTHER BUSINESS:

A. Board Training:

I. Internal Financial Control System:

1. Summary:

- A. The Fulton County Industrial Development Agency utilizes an internal control system to preserve the assets of the organization.
- B. System procedures shall be reviewed annually by the independent auditors who will make recommendations to the Board of Directors for suggested changes.
- C. In addition, during the year, changes may be recommended by IDA's management. However, such changes shall not be implemented until reviewed by independent auditors and approved by the IDA Board.

2. Cash Receipts:

- A. The Chief Financial Officer shall open the daily mail and make copies of the checks received and file same.
- B. The Chief Financial Officer shall prepare and make a bank deposit as needed.
- C. Upon completion of the deposit, the Chief Financial Officer shall enter the deposit in the appropriate Agency's records.
- D. All bank accounts shall be reconciled monthly.

3. Cash Disbursements:

- A. All purchases shall be made according to the IDA's Procurement Policy. The IDA's Procurement Policy shall be reviewed annually by the IDA Board.
- B. All invoices received shall be reviewed by the Chief Financial Officer and verified for accuracy and completeness. The Chief Financial Officer shall then forward them to the Executive Director for review for completeness and accuracy.
- C. All invoices received that do not have prior authorization by the IDA Board shall be submitted to the IDA Board at their next regularly-scheduled meeting to get authorization to pay.

- D. All invoices received that IDA Board authorization has been given and once reviewed and approved by both the Chief Financial Officer and Executive Director, the Chief Financial Officer shall transfer the necessary funds and prepare a check for payment.
- E. All IDA checks shall have two (2) signatures. One shall be by the Chief Financial Officer. The second shall be by an authorized member of the IDA Board. In the absence of the Chief Financial Officer, the second signature can be by another member of the Audit Committee. The Executive Director shall not be an authorized signer.
- F. An authorized signer may not sign his/her check for reimbursement of approved travel, unless signed by a second IDA Board member.

4. Budget Reports:

- A. Budget Reports shall be prepared regularly by the Chief Financial Officer in a format approved by the Board of Directors.
- B. Budget Reports includes the following information:
 - List of all IDA Accounts
 - Current Year Budgeted Amount for each Account
 - Year to Date Expenditures for each Account
 - Balance in each Account
 - Current Balances for all Investments
- C. All Budget Reports shall be reviewed by the Executive Director prior to presentation to the IDA Board.
- D. All investment of IDA funds shall be in accordance with investment policies. Investment activities shall be reported to the Board monthly. All investment decisions must have the Executive Director's approval after review for compliance with current investment policies.

5. Quarterly Tax Returns:

- A. Quarterly Federal and State Tax Returns shall be signed by the IDA Treasurer or any member of the Audit Committee.

6. Bank Statement:

- A. The Chief Financial Officer shall provide at each IDA Board of Directors' meeting a copy of the latest Bank Statement to verify the funds actually in the IDA's bank account. (Added January 9, 2018.)

7. Monthly Bank Account Reconciliation Forms:

- A. The Chief Financial Officer shall provide, at each IDA Board of Directors' meeting, Monthly Bank Account Reconciliation Forms for each IDA bank account that a member of the Audit Committee will review and, if found acceptable, sign.

8. Treasury Bills:

- A. The IDA Board shall determine whether to invest funds into Treasury Bills.
- B. The CFO shall invest funds into Treasury Bills as directed by the IDA Board.
- C. The CFO shall provide monthly reports to the IDA Board regarding the status of all investments in Treasury Bills.

II. IDA'S Internal Controls Assessment Plan:

1. Define the IDA's Primary Functions:

- a. Annually review the mission of the IDA and verify that its primary operating responsibilities, operations and functions that will help fulfill its mission.
- b. Annually evaluate the IDA's written mission statement to ensure that it clearly defines the IDA's purpose.
- c. Define IDA's objectives and ensure they are understood by IDA staff.

- d. Review policies, procedures and guidelines to ensure that they guide IDA staff in the operations of the IDA and provide methods and procedures to assess the effectiveness of those functions.
2. **Determine Risks:**
 - a. Assess the internal and external risk exposure and associated vulnerability of each function of the IDA and assign a corresponding risk level (i.e. high, medium, or low).
 - b. If a risk is identified, the IDA Board shall determine how to best handle it by evaluating its significance, likelihood, and cause.
 - c. Based on the assigned risk levels, the IDA Board shall determine how frequently to review the controls in place for each function.
 3. **Review Existing Internal Control Systems in Place:**
 - a. The IDA Board and staff shall annually review and be aware of the policies and practices in place to ensure that the IDA is effective and to address the risks that are relevant to the operation.
 4. **Assess the Extent to Which the Internal Control System is Effective:**
 - a. The assessment of internal controls should be a structured and monitored process to identify and report any weaknesses of the internal control structure to the IDA Board.
 - b. This process should determine if the existing control structure and procedures are adequate, to then mitigate risk, minimize ineffectiveness and deter opportunities that could lead to the abuse of assets.
 - c. The assessment should provide the IDA Board with information as to whether the IDA's policies and operating practices were understood and executed properly, and whether they are adequate to protect the organization from waste, abuse, misconduct, or inefficiency.
 - d. This assessment shall be completed through a combination of inquiry and observation, a review of documents and records and by replicating transactions to test the sufficiency of the control system.
 5. **Take Corrective Action:**
 - a. When a weakness is identified, a corrective action plan should be developed, adopted by the IDA Board and then monitored by the IDA Board to ensure that the vulnerability is addressed.

III. IDA Staff Input

- Both the Executive Director and CFO recommends no changes are needed to the IDA's Internal Financial Control System

IDA DISCUSSION:

2. Executive Session:

- a. Upon a majority vote of its total membership, taken in an open meeting pursuant to a motion identifying the general area or areas of the subject or subjects to be considered, a public body may conduct an executive session for the below enumerated purposes only, provided, however, that no action by formal vote shall be taken to appropriate public moneys:
 - i. matters which will imperil the public safety if disclosed;
 - ii. any matter which may disclose the identity of a law enforcement agent or informer;
 - iii. information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;

- iv. discussions regarding proposed, pending or current litigation;
- v. collective negotiations pursuant to article fourteen of the civil service law;
- vi. the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation;
- vii. the preparation, grading or administration of examinations;
- viii. **the proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof.**

MOTION: To go into Executive Session to discuss the proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof.

MADE BY :
 SECOND :
 VOTE :
 TIME :

MOTION : To go out of Executive Session.

MADE BY :
 SECOND :
 VOTE :
 TIME :

A. NEXT MEETING:

Annual Meeting
 Tuesday
 January 14, 2025
 4:00 p.m.

B. CLOSE MEETING:

MOTION :
 MADE BY :
 SECONDED :
 VOTE :
 TIME :

Fulton County Center for Regional Growth

December 2024

Business Marketing / Business Leads / Business Inquires

1. All of the 2024 \$300,000 Microenterprise Grant funds should be dispersed by the first quarter of 2025.
2. Received one RFP looking for an existing building. CRG submitted one facility.
3. Met with a developer regarding CRG's Johnstown Commerce; also let them know about the potential at Tryon Commerce Park.
4. CRG's new County-appointed board member, Christina VanValkenburgh, recently attended her first CRG Board Meeting.
5. Engineering services underway at Johnstown Commerce Park are moving along as scheduled.
6. CRG sent out an RFP for Environmental Consulting Services in conjunction with CRG's second EPA Brownfields Assessment Grant.
7. The NYS ESD Grant announcements are anticipated in December. CRG has a Catalyst Program Workforce Development grant application being considered.
8. CRG, in participation with four other organizations, submitted the second-round application for the Make It Prize Grant to the Department of Energy.
9. The Gloversville Downtown Development Specialist continues to meet with DRI project awardees and is currently working on the capital stacking process for each project.
10. The Gloversville DDS continues to work with downtown related activities including the Local Waterfront Revitalization Program and the City's Brownfield Opportunity Area (BOA).