

BOARD OF DIRECTORS MEETING

County of Chautauqua Industrial Development Agency  
Via Zoom Meeting  
January 25, 2022  
10:04 a.m.

Michael Metzger	Chairman
Hans Auer	Treasurer
Gary Henry	Secretary
Steven Thorpe	Member
Kelly Farrell-Dubois	Member
Jay Churchill	Member
Tom Harmon	Member

Also in attendance:

Mark Geise	Administrative Director/CEO
Richard E. Dixon	Chief Financial Officer
Milan K. Tyler, Esq.	Counsel
Greg Peterson	Counsel
Matt Fitzgerald	Counsel
Paul Wendel	County Executive
Pierre Chagnon	Legislator
Linda Burns	CCIDA Staff
Carol Rasmussen	CCIDA Staff
Kristine Morabito	CCIDA Staff
Jeanette Lo Bello	CCIDA Staff
Rosie Strandburg	CCIDA Staff
Isaac Phillips	ConnectGen
Derek Rieman	ConnectGen
Peter Swartz	ConnectGen
Danielle O'Connor	Sherman Central School Dist.
Nate Aldrich	CCPEG Staff
Monica Simpson	CCPEG Staff
Rebecca Wurster	CREDC Staff
Jason Toczydlowski	CCIDA Staff
Dr. Patrick Soon-Shiong	Founder, Exec. Chairman & Global Chief Scientific & Medical Officer of ImmunityBio
Richard Adcock	Chief Executive Officer & Pres. of ImmunityBio
Jason Liljestrom	General Counsel of ImmunityBio
Phil Yang	VP of Strategic Initiatives of ImmunityBio
Stephen Yonaty	Cannon Heyman & Weiss LLP, outside transaction counsel to ImmunityBio
Vince DeJoy	City of Dunkirk
Dick Purol	Town of Dunkirk Supervisor
Rich Morrisroe	Attorney

Absent Board Member(s):

Dennis Rak and Brad Walters

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Meeting was called to order by Michael Metzger, Chairman, at 10:04 a.m.

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Mike Metzger

I have to read a statement. I would like to note that Kevin Muldowney has temporarily resigned his board position with the CCIDA due to a potential conflict of interest either perceived or real having to do with the Atwater transaction. Atwater will be providing services to Mr. Muldowney's building and as a result of the CCIDA's incentives, the benefits realized by Atwater, could potentially incidentally benefit Mr. Muldowney, as such and as is customary, with the CCIDA out of an abundance of caution, Mr. Muldowney is temporarily resigning his position with the legislative planning and economic development committee and by extension the CCIDA Board to eliminate any potential conflicts of interests or appearance of impropriety. The legislature's rules provide for Vice Chairs of the committee who serve as Chairman in the absence of the Chairman to temporarily become an IDA Board Member. Mr. Tom Harmon is the Vice Chairman of the PED now the acting Chairman and is attending today's CCIDA Board Meeting as a voting member to replace Mr. Muldowney. The resolutions previously circulated will be revised accordingly.

I would like to call to order the County of Chautauqua Industrial Development Agency's Board of Directors Meeting. We are on Zoom. It is January 25, 2022 and the time is 10:04 a.m. Roll call. Let the record show there are 7 members present, we do have quorum. I would like to welcome Tom Harmon to the Board. Tom would you like to say something?

Tom Harmon

I'm honored. I will really enjoy being a part of it however long it may be. Thanks for welcoming me and I'm honored to be a part of it.

Mike Metzger

Thank you very much Tom and we appreciate your membership. Also, I would like to provide our County Executive PJ Wendel and our Chairman of the County Legislature Pierre Chagnon if they would like to comment at this time.

County Executive PJ Wendel

Thank you Mike. I would just like to thank everybody as we begin a new year - actually a full term of my administration. I can't say enough about the way we've worked together, The IDA has worked collaboratively with the County in all of our businesses. What we have going is remarkable. The best part of this was, and I've said this before, when Covid first hit - the office getting very nervous as to what's happening because there are other things that haven't stopped throughout this process - this pandemic. The most reassuring was the meeting with Rich and Mark saying hey we're still moving forward. We have everything going. Projects have been moving forward. Businesses have been coming in. I am very encouraged by the efforts of everybody here at this Board, the efforts they've made - for development, industrial development - creating an economic feeling in Chautauqua County that's been fighting and increasing. I thank everybody on this Board for everything they do. I look forward to the future of 2022. I feel it's very bright, but I also feel that the economic environment and business structure in Chautauqua County is very exciting. Mike, thank you for everything you do and look forward to another exciting year.

Mike Metzger

Thank you very much. Thanks for welcoming us into this year. Pierre would you like to comment?

Pierre Chagnon

Yes, thank you Mr. Chairman. I appreciate the opportunity to be here to continue to lend a watchful and helpful eye on the representation of the County Legislature on the Chautauqua County IDA Board. I am here to observe and to help where I can. Thank you.

Mike Metzger

Thank you both very much. Much appreciated, all of your help and assistance to this Board and to the County itself.

I will entertain a motion of the approval of the December 21, 2021 minutes, which you previously received.

Kelly Farrell- DuBois

So moved.

Mike Metzger

Thank you. Do I have a second?

Steven Thorpe

Second.

Mike Metzger

Motion made by Kelly and seconded by Steven. Any further discussion, comments, corrections or changes. Hearing none, all those in favor?

Board

Aye – Unanimous.

Mike Metzger

Opposed, abstained, motion carried unanimously.

Mike Metzger

Now let's move into New Business A. I'll look for this to be presented by Linda and Milan.

Linda Burns

Introduced the ConnectGen Team.

Isaac Phillips

Reviewed Power Point presentation on the South Ripley Solar Project – Project Overview, Project Layout – Map, Local Benefits, and Project Schedule Overview – Any questions?

Rich Dixon

I just wanted to ask a question that was asked of me – When this project goes online it will go online completely, correct? You don't plan on phasing it in megawatts, fifty megawatts at a time right? You'll turn the switch and it will go.

Issac Phillips

Yeah, we expect that this project would not have any phasing of construction or coming online so it all goes through a single connection point to the grid and much of the electricity is on longer collection lines that pull from a lot of different areas so we do expect it to be commissioned at a single time.

Rich Dixon

Thank you.

Jay Churchill

Issac, I have a question. If I wanted to contract to have that electricity from the solar farm come to my house instead of National Grid what would the cost difference be?

Issac Phillips

For projects of this size – so we sell onto the wholesale market - we actually aren't contracting directly with specific end users because when we talk about a project generating 60,000 homes worth of electricity it's kind of outside the scale of what we can do = through our contacts that we have with NYSEERDA, Jamestown BPU we would be selling electricity in bulk wholesale and then utilities like National Grid or Jamestown BPU would be picking that up off the wholesale market – off a direct agreement with NYSEERDA – so I don't have numbers in terms of what it would cost if you bought it straight from us – how the structure works – I will say that generally solar is priced very competitively based on the rates that you would see especially on a wholesale market – based on rates you would see from a National Grid or any utility – the retail rates are significantly higher than the wholesale rates – so that's kind of the detail I can provide because I don't have a lot of experience with selling directly – I don't know exactly what rates you receive from National Grid but from our experience the National Grid rates could be up to three times as much as the wholesale rates for electricity

Jay Churchill

Yeah, I guess when you get to private marketers then they may take advantage of that - because I have been offered – trying to be as green as I can – solar power - I said that sounds great – I would like to do that – for the first six months or something its reasonable then it turns into wait, I'm paying twenty-five percent more – yeah but its solar – that was a bad question to ask you because I guess there is a lot of distribution that goes after what you do but it boils down to – a lot of homeowners anyway are probably going to be somewhat disappointed unless there is some fairness there

Issac Phillips

Yeah, and I think there is a lot of community solar projects that are closer to about five megawatts that are doing direct sale to the local community – Your starting to see those in Chautauqua County – you know frankly they would be the better ones to answer the retail prices because they actually do sell to – ten percent rebates those type of structures with the local landowners, electricity users – we handle the wholesale like you would a natural gas plant or a hydro plant- we're selling directly to the wholesale providers and of course they will set up their rates how they feel is necessary which is not always to everyone's liking

Jay Churchill

Thanks Issac. Good explanation

Gary Henry

After the life of this plan, twenty-five or thirty years or whatever how does it get decommissioned?

Issac Phillips

Explained the decommissioning process.

Tom Harmon

How large are the individual panels themselves? What is the life of the individual panels? The end of life – how are they disposed and where are they disposed?

Issac Phillips

An individual panel four by eight feet, it's not a large piece of equipment – a rack might be about forty meters and then you have a large number of panels on a single rack – the life of the panels we're seeing the warranties going thirty to thirty-five years – solar really wasn't equipped with this thirty-five years ago so the technology has improved dramatically over even the last ten years – we expect at least thirty years – we are even eyeing for this project our land agreements are thirty to thirty-five years – there could be a potential if landowners are interested to continue operation but we would have to come back renegotiate all the land agreements – renegotiate all the tax agreements do the permitting again to do a repower system – the plan now is thirty to thirty five years – right now there is not a huge amount of solar projects being decommissioned so there are a smaller number of areas that these are being disposed of because there are not a lot of projects that are being taken out of the ground – what we expect and what we are starting to see is development of recycling centers - it's still relatively new into the lifespan of these projects – recycling centers really haven't ramped up – there are a number of pilot programs across the United States – we're seeing lithium ion battery recycling centers starting to pop up – that's where we would expect disposal to go through but at this time I don't have specifics about where in thirty years the solar panels that we install would be decommissioned

Tom Harmon

Maybe not referencing for thirty year projects but say you have a couple of the panels that are failing in the field and they've got to be replaced – when those panels are replaced that was more my question – where are those panels going to be brought to or where are they going to be sent to be recycled or disposed of?

Issac Phillips

We haven't set up those contracts yet but I would expect that for that scale – we're talking about single panels at this point I just really don't have a great answer for you at this time because we haven't set up those contracts for the O and M – operation management at this time but this is a really small amount of equipment that we're talking about here for a project of this size – I just really don't have a great answer for you at this time

Tom Harmon

Because we are going to get a lot of questions and I know that's going to be the biggest ones - one is fire prevention and two where are these going to go – a lot of people are extremely concerned about their land property leeching – there's a lot of unknowns at this point and I know those questions are going to be asked and if they're going to be asked of me I would really like those answers - it's important for me to get back to all by constituents and what's going to happen and how its going to work

Issac Phillips

I definitely understand some of those concerns and I think we definitely have good responses and detail that I can provide you on leeching, potential runoff that's issues which I hear a lot based on information that is circulating however I am happy to provide sources, studies and fact base sources support that these are not leeching into the environment – there is not the potential for materials or chemicals form these to impact ground water so I would be happy to provide that information – it is well documented and well researched and so we have that readily available – happy to send that

Tom Harmon

Thank you

Derek Rieman 30:00

I would just add to that briefly in response to that this project won't be commissioned for a couple of years so obviously the supply chain will continue to evolve over that time as industry advances – another important piece of information to keep in mind that these panels are largely made of reusable materials polysilicon copper etc. So there is a likely reuse for

and damaged panels that could be utilized in other supply chain streams so as Issac mentioned we don't have a specific location of where these panels would be delivered – there are a large portion of these panels that are recyclable and reusable that could be used in other industries

Tom Harmon

Any future information -I'd like to receive information on that – be interested in getting my hands on that – Thank you

Rich Dixon

Issac if you want to ship that specific information on that, that you have for the leeching we'll make sure we distribute that.

Issac Phillips

Will do.

Hans Auer

First off, I'd like to thank you for making this commitment to our region. The scope of the project and the size of it when you see it on a map is impressive and I think a little bit daunting for some folks that live in that area. The other thing that is incredible is that this is a \$350 million dollar project. That is a major commitment to renewable energy and sustainability in our in our county and I think it's important to the degree that the towns or local municipalities want to be involved we're supportive to this type of project – one quick question on the bond for decommissioning and I won't hold you to it, I just didn't see it in the material – how much does that bond have to be – how big is that bond – what is the cost to decommission a project like that maybe as a percentage of the total project cost?

Issac Phillips

I can get that information. I don't have it on hand. I will tell you it's really just developed as part of our application to the state but also preconstruction. Its estimated by a decommissioning engineer so there is not necessarily a rule of thumb – they actually take a look at the engineering design of a specific project but I would say that as a rule of thumb maybe the cost decommissioning is approximately five to ten percent of the total project cost, maybe a little bit less – one aspect that we are not incorporating in the decommissioning funds to the Town of Ripley is salvage value which for the amount of steel that is included in this project is a hugely significant amount of money but we make host to our hose community agreement – where we are going to be funding just directly to the cost to remove – the salvage value is going to be considered separately – so I think that's an added benefit that we provide to the community that's not always included – I would say that would be a good point for you to work on for a project this size. I don't know if that's scale able to other projects – that's just based on the numbers they would generate for this specific project

Derek Rieman

Just to add on to that, Issac is right. It's a little bit more than ten percent overall cap ax of the project however it's also important to note that we will be reviewing the cost of decommissioning every five years to ensure that the bond has put forth with the town is commensurate with any inflation or deflation over the life of the project to ensure that the sufficient amount of funds are available for the town in the event that our company does not have the financial wither all to decommission the project so there is a little bit of a safety net as well.

Hans Auer

Terrific. Thank you very much.

Milan Tyler

I would like to add that our standard IDA documents contain a covenant to provide continuing information so to the extent that either Tom or Han's questions aren't answered because it's premature in the process we can always ask for that information down the line assuming the Board approves this project. Even if it's approved today that doesn't mean that the information flow stops today. We keep asking these questions as we go through.

Mike Metzger

Excellent questions and discussion. Any more questions for Issac or Derek?

Again Issac we have to thank you, we've seen you many times over the course of the four years of you working on this project and your company and we appreciate the transparency that you've provided over that time. Thank you very much. what I would like to do if there aren't any other questions is move to the deviation hearing.

Linda Burns

Provided a brief summary of the project. At the July 28<sup>th</sup>, 2020 IDA Board Meeting - CCIDA Authorizing the execution and delivery of Preliminary Agreement with respect to ConnectGen Chautauqua County LLC PILOT application for financial incentives – Public hearing notices sent, public hearing date, posted in our local newspaper and on our CCIDA website, office and Ripley Town Hall – discussed public hearing - transcripts sent, UTEP Deviation Notices sent – the Ripley Town Board and Ripley Town Supervisor Doug Bowen are in support of this clean energy project and the proposed PILOT structure – we have received multiple letters of support for the project which were emailed to you along with the public hearing transcript – today seeking approval of a UTEP deviation and approving resolution for ConnectGen Chautauqua County LLC financial incentives package including a real property tax abatement with a deviation thirty year PILOT sales and use tax abatement and mortgage recording tax abatement – benefit to cost analysis for the project resulted in a three to one ration with regional and state benefits of approximately \$237 million over the thirty year life of the project

Milan Tyler

Provided further details on the resolution or the deviation hearing.

I would like to go to the hearing, Are there any representatives of any affecting tax jurisdictions who would like to be heard commenting one way or another on the proposed deviation?

Hearing none we have just two resolutions

Resolution 01-25-22-02 Authorizing Resolution, GonnectGen, LLC

Mike Metzger

Thank you Milan. I take it that the deviation hearing is closed. I would like Steven to move New Business A 3?

Steven Thorpe

Resolution 01-25-22-01 Deviation Approval Resolution, GonnectGen, LLC

Mike Metzger

Thank you. Do I have a second?

Gary Henry

Second

Mike Metzger

Motion made by Steven and seconded by Henry.

Board

Aye – Unanimous

Mike Metzger

Opposed or abstained? Let the record show there are 7 votes in the affirmative. Motion unanimously passed. Gary if you could please move New Business A4

Gary Henry

Resolution 01-25-22-02 Authorizing Resolution, GonnectGen, LLC

Mike Metzger

Thank you. Do I have a second?

Jay Churhill

Second

Mike Metzger

Motion made by Gary. Seconded by Jay.

Board

Aye – Unanimous

Opposed or abstained? Let the record show there are 7 votes in the affirmative. Motion carried unanimously. Thank you ConnectGen and many thanks to Linda and Milan and your due diligence and consciousness of working through this tremendous project for Chautauqua County.

Linda Burns

Thanked Connect Gen

Issac Philips

Thank you very much. We really appreciate the Chautauqua County IDA's efforts in getting this PILOT agreement across the finish line.

Mike Metzger

Let's move to New Business B please. This is to be presented by both Mark and Milan.

Mark Geise

Thank you Mr. Chairman. It is my distinct pleasure to introduce Dr. Patrick Soon-Shiong. He is the Executive Chairman of ImmunityBio. Dr. Patrick Soon-Shiong has a list of accomplishments really is longer than your arm and if you haven't done any research than you should because it's very very impressive. Immunity Bio has big plans for the Dunkirk Athenex property and Dr. Soon-Shiong will be discussing their vision. Before he talks about it I just wanted to say what a great job Richard Nasaar and his team at Athenex did in building a magnificent facility in Dunkirk and we really appreciate everything they have done. As I'm sure the Board knows the Consent Resolution you will be considering today will be transferring lease hold interest of the Athenex Dunkirk property to Immunity Bio and will require that Immunity Bio comply with all the obligations that Athenex agreed to as part of the original PILOT. We spoke with the Town of



Dunkirk Supervisor Dick Purol and he is in favor of the deal moving forward and he is on the call today. Lastly, I wanted the Board to know I spoke with Steven Gawlik who is the interim Director at WNY Empire State Development about the deal and they are very much in favor of it. I would like to introduce Dr. Patrick Soon-Shiong.

Dr. Patrick Soon-Shiong

Thank you for having me. Rich Nassar out of history worked with me and for me at the American Pharmaceutical Partners in Grand Island so we have a great history with New York and we grew American Pharmaceutical Partners to a tremendous volume and then we sold it to Vesuvius who now runs that business.

Introduced Immunity Bio and what they do – Reviewed Power Point slides – ImmunityBio: A Leading Immunotherapy Company, Current Spike Based COVID -19 Challenges (Access, Durability, Breadth), 2<sup>nd</sup> Generation COVID Vaccine with S + N to Drive T Cells and Antibodies, ImmunityBio Expands Manufacturing Capacity with State-of-the-Art Manufacturing Plant in New York for Global Pandemic Response and Preparedness – grateful for the fact that this plant is now available for us to really jumpstart the capability of making vaccines here not only for COVID but also HIV, TB, and more importantly for cancer – I think this plant will serve as a model for the company

Mike Metzger

We thank you Dr. Soon-Shiong. We really appreciate you choosing this location in Chautauqua County. Do you have a timetable for how you'll bring this plant up to fruition?

Dr. Patrick Soon-Shiong

I visited the plant December 17<sup>th</sup> and I visited the plant last weekend so I've been into your plant twice now. We really have a working group with the architects quite literally we needed that up yesterday. We are moving very fast – as fast as we can.

Mike Metzger

Thank you. Questions?

Tom Harmon

How many employees will be employed in this facility?

Dr. Patrick Soon-Shiong

Currently there is about 100 employees that were Athenex employees, we will be assuming all of them. We made sure that we won't lose anybody. That is really critical. The good news is that most of these employees – key leadership I've known since they reported to me ten to fifteen years ago at American Pharmaceutical Partners so we are very familiar with the quality of the team. Obviously, as we then expand the faster we can get the clean rooms up, the faster we can transfer the technology from Los Angeles and Colorado where our currently plants are to Dunkirk we will be on a hiring spree to bring that plant up to speed.

Tom Harmon

Great news. Thank you.

Mike Metzger

Any other questions? This is exciting for not only for Chautauqua County but for the world. This is tremendous. Any other questions of Dr. Soon-Shiong? Hearing none I'd like to - Thank you very much for being available and participating in our Board meeting. I would like to move to New Business B2. Hans if you could please move that resolution.

Hans Auer

Resolution 01-25-22-03 Athenex Consent Resolution – My privilege.

Mike Metzger

Thank you. Do I have a second?

Gary Henry

Second.

Mike Metzger

Motion made by Hans and seconded by Gary. Any further discussion?

Milan Tyler

Mr. Chairman, I would point out that there is no separate SEQR Resolution because this is deemed to be a type two action as further administration of an existing project.

Mike Metzger

Thank you Milan.

Mike Metzger

Aye – Unanimous

Mike Metzger

Opposed or abstained? Let the record show there were 7 votes in the affirmative. Motion and carried unanimously. We wish you all the best luck and whatever we can do to support this project. Thank you.

Dr. Patrick Soon-Shiong

Thank you.

Mike Metzger

Your welcome to stay for the rest of the meeting it's as exciting as it has been. We appreciate all your time and addressing us today.

Dr. Patrick Soon-Shiong

You're welcome. Let's move to New Business C and this is going to be presented by Mark, Kristine, Milan and Matt.

Mark Geise

Mark gave a broad overview of the project. Spoke about this project several times in the past, part of that Dunkirk Pump Station – this pump station is located in the City of Dunkirk – services two buildings in the Town of Dunkirk – that’s the Atwater building and Mr. Muldowney’s building – the pump station had major functional issues that would of required major investment by the city and the city was not in favor of making those investments – Mr. Cokis agreed to purchase the pump station from the city and do the upgrades necessary to bring it into working order- that involves a number of modifications within his plant – the town and the city urged the CCIDA to provide Mr. Cokis with incentives to make the project feasible which includes upgrades to his facility on Stegelske Street.

Mike Metzger

Kristine Morabito

Provided overview of resolutions – presented this project previously in more detail – request made to CCIDA is for a PILOT and tax lease that would include real property tax abatement, sales tax abatement and mortgage recording tax abatement related to the acquisition of the pump house – according to our client the City of Dunkirk Common Council has approved the sale and executed a purchase of sale agreement for the pump station – discussed employee retention – preliminary due diligence resolution passed at the December 21<sup>st</sup> Board meeting – worked through due diligence process – two public hearings held – Cost Benefit Analysis – environmental review process – when Milan discusses the authorizing resolution I’ll ask that he also review the SEQRA determination for this project. Ask Milan to conduct the deviation hearing and then discuss the resolutions that are being presented to the Board today for this project.

Milan Tyler

Deviation Hearing presented – If its ok with the Chairman, I would like to open the hearing are there any members of the affected tax jurisdiction who would like to be heard on this potential project and the deviation?

Vince DeJoy

Mr. Chairman, Vince DeJoy speaking on behalf of Mayor Willy Rosas and Dunkirk City Council – would like to reiterate our staunch support for this project – it’s a great project it’s a win win – this is going to help businesses out to thrive there and we are very much in support of it in the City of Dunkirk – Thank you very much to all those that put together this project – it’s very important and we appreciate it

Milan Tyler

Ok – If there are no other representatives I’d like to call the

Kristine Morabito

I think there one other representative in attendance. Mr. Purol. I’m not sure if Mr. Purol wishes to make comment or if he is just viewing today’s meeting. Mr. Purol, if you have comments now would be the time, if you don’t that’s ok to. Ok, I am not hearing any comments however I will reiterate that Mr. Purol did attend the public hearing and during the public hearing he spoke in favor of the project and of the PILOT being presented today.

Mike Metzger

Ok. So this closes the deviation hearing. Milan if you could please describe the two resolutions before us.

Milan Tyler

The two resolutions are a deviation resolution and then a final approving resolution. Described deviation notice. Described the approving resolution. Questions?

Mike Metzger

Any questions of Milan? Matt did you want to comment?

Matt Fitzgerald

No. Thank you Mr. Chairman. I think Milan covered it – That this one is a Type II – I'll probably have more to say on the next resolution.

Mike Metzger

Thank you. Also, it's good to see you guys.

Matt Fitzgerald

Always good to be here.

Mike Metzger

I will ask Jay to move New Business C2 please.

Jay Churchill

Resolution 01-25-22-04 Deviation Approval Resolution, Atwater Capital, LLC

Mike Metzger

Thank you. Do I have a second?

Kelly Farrell-Dubois

Second.

Mike Metzger

Motion made by Jay and seconded by Kelly.

Mike Metzger

Board

Aye – Unanimous

Mike Metzger

Opposed or abstained? Let the record show there are 7 votes in the affirmative. Motion carried unanimously. Let's move to Introduction on the Authorizing Resolution. Matt did you want to speak to that please?

Matt Fitzgerald

Milan, I think you were going to cover the Authorizing Resolution.

Milan Tyler

The Final Authorizing Resolution that I covered before. Milan discussed.

Mike Metzger

Thank you. Kelly would you please move New Business C3?

Kelly Farrell-Dubois

I would move it but I can't find my paperwork. So I'm embarrassed to say I'm just listening.

Mike Metzger

Resolution 01-25-22-05 Authorizing Resolution, Atwater Capital LLC. Would you move that Kelly?

Kelly Farrell-Dubois

Please move this motion.

Mike Metzger

Do I have a second?

Steven Thorpe

Second.

Mike Metzger

Motion made by Kelly and seconded by Steven. Any further discussion? Roll call please.

Board

Aye – Unanimous

Mike Metzger

Opposed or abstained? Let the record show there are 7 votes in the affirmative. Motion carried unanimously. Thank you, Mark, Kristine, Milan and Matt for all your hard work and effort on this excellent project for the City of Dunkirk. Now we will move to New Business D and this is to be presented by Kristine & Milan.

Kristine Morabito

Thank you Mr. Chairman. Discussed Hanover II PV, LLC. Reviewed resolutions being presented today. Received application, saw complete presentation from the company in December, therefore didn't invite them back today. Reviewed solar project, size of project, location, investment and projected construction jobs. Separately the Town of Hanover will enter into a host community agreement directly with the developer separate from the PILOT. Spoken several times to Supervisor Johnson about this project and the application. Updated information was provided to the town for review by the developer and they would be considering that for potential approval at a future date. He didn't know which date they would meet and discuss the review. He did ask the CCIDA to move forward through our SEQR review and PILOT approval process related to our application. Discussed preliminary due diligence resolution, continued through our due diligence process, deviation notices sent, public hearing notices sent, Public Hearing held. Reviewed Cost Benefit Analysis and continued through the SEQRA review process. The Town requested that the CCIDA act as lead agency for SEQRA review. As Milan and Matt make their presentation, I will ask them to provide more detail regarding SEQRA review that was undertaken. Now I would like to ask Milan if you would please conduct the deviation hearing.

Milan Tyler

Reviewed the deviation hearing. Are there any members of the affected tax jurisdictions who would like to be heard on the project or the proposed deviation?

Kristine Morabito

Milan, I don't see any members of the taxing jurisdiction who would be wishing to speak.

Milan Tyler

Hearing none then I would like to call the hearing to a close and Mr. Chairman there are three resolutions. Discussed resolutions. Matt do you want to comment on the SEQRA resolution, the analysis that was done and the last letter that we recently received?

Matt Fitzgerald

Sure. Thank you Milan. Thank you members of the Board. This was an application that came in and was a Type 1 Action pursuant to SEQRA – that means that the IDA undertook a coordinated review, distributed notices to all involved agencies on December 22, 2021. No agencies objected to the IDA acting as lead agency for the SEQRA review. The applicant's council who we have worked with on previous solar projects in the county provided the typical information that would be provided for this type of application. There were edits made to the SEQRA resolution because just at the last minute we received a comment letter from DEC just providing certain additional considerations for the IDA to take into account during the SEQRA review, majority of which we already knew were taken into account. We did provide the letter to the applicant to give them the opportunity to provide additional information they saw fit and they chose to do so. We received that information towards the end of the day yesterday and just provided some updated language in the resolution to take into account the DEC's comments as well as the applicant's responses to the same. With that we reviewed the environmental information provided considering the scale and the scope of the project and we reviewed it with staff and believe that it is reasonable to conclude that the project will not result in any significant and adverse environmental impacts and that a negative declaration pursuant to SEQRA is appropriate. So, if there are any questions I am happy to answer them. Otherwise I will just turn it back over to Milan.

Mike Metzger

Any questions for Matt? Thank you Matt. Milan, any additional clarification or comments? Hearing none. Tom if you could please move New Business D2.

Tom Harmon

I am not prepared sir.

Mike Metzger

Let me read the resolution and then if you can move it.

Resolution 01-25-22-06 Deviation Approval Resolution, Hanover PV II, LLC. Do you so move?

Tom Harmon

Make a motion to move the resolution.

Mike Metzger

Thank you. Do I have a second?

Jay Churchill

Second.

Mike Metzger

Motion moved by Tom seconded by Jay. Any further discussion? Roll call please.

Board

Aye- Unanimous

Mike Metzger

Opposed or abstained? Let the records show that there are seven votes in the affirmative. Motion carried unanimously. Steven if you could please move New Business D3?

Steven Thorpe

Resolution 01-25-22-07 SEQRA Resolution, Hanover II PV, LLC

Mike Metzger

Thank you. Do I have a second?

Gary Henry

Second.

Mike Metzger

Motion moved by Steven and seconded by Gary. Any further discussion? Roll call vote please.

Board

Aye- Unanimous

Mike Metzger

Opposed or abstained? Let the records show that there are seven votes in the affirmative. Motion carried unanimously. Gary if you could please move New Business D4?

Gary Henry

Resolution 01-25-22-08 Authorizing Resolution, Hanover PV II, LLC

Mike Metzger

Thank you. Do I have a second?

Steven Thorpe

Second.

Mike Metzger

Motion moved by Gary and seconded by Steven. Any further discussion? Roll call vote please.

## Board

Aye- Unanimous

## Mike Metzger

Opposed or abstained? Let the records show that there are seven votes in the affirmative. Motion carried unanimously. Any other New Business to come? There was a chat from County Executive Wendel. Thank you for your work and the amazing thing we have done for our county today. I must step off for a meeting that has developed. Thank you again for your work each and every one of you. Thank you for those comments. I would now move to the Executive Director Report /CEO update. Mark please.

## Mark Geise

Thank you Mr. Chairman. I promise I will be very brief. Conducted a review of the prior year – CCIDA In Review (Board received a copy) – a look back at 2021 – I think we had a really good year – 50 projects – in the form of loans for businesses, incentives for development projects, grants that we received on behalf of businesses – listed some of these projects - \$13 million dollar Love’s Travel Stops in Ripley, \$18 million dollar Webb’s Resort in Mayville, \$41 million dollar Americold Freezer in Dunkirk, \$1.4 million dollars for Hideaway Bay Resort in SilverCreek, 11.6 million dollars for redevelopment of the former Welch’s Building in Westfield, a number of large OCR grants for Jamestown Container Corporation and Jamestown Advanced Products which amounted to almost \$5 million dollars, sold land that the IDA had for the YMCA in Jamestown, a number of smaller less than 5 MW Solar Projects, approved CARES Act Loan Funding for 25 businesses throughout the county which amounted to approximately \$5 million dollars in 2021- this was part of the \$10 million dollar that we received from the EDA in 2020 – All said and done we were involved in projects, loans, grants that resulted in \$164 million dollars being invested in Chautauqua County – they are projected to create about 315 permanent new jobs over three years and the retention of about 1750 jobs – Other top accomplishments included – we received a \$1.2 million dollar Ralph Wilson Jr. Foundation Grant for CCPEG, we advocated for and received more than \$4 million dollars of the county’s ARPA monies for economic development related projects – continue to collaborate with the cities of Jamestown and Dunkirk – did a lot of things having to do with COVID – included the EDA CARES Act Loan Program, PPE Business Assistance Program, CCIDA Working Capital Loan Program, a deep dive analysis and are continuing to negotiate with a number of property owners primarily in the North County right now to look at shovel ready sites – Discussed aspirations for 2022- we want to acquire at least eighty acres of land and get it ready for development (acquiring it and putting in the infrastructure) hope to at least acquire that land this year – reactivate several key vacant buildings including the Furniture Mart Building, the White Inn, The Silver Creek School, and the former ConAgra Facility that the CCIDA owns on Talcott Street, want to continue to work with the City of Dunkirk, the state , and NRG and getting the NRG facility back into productive use, develop a marketing and branding strategy for the County to help stem the decline in population and also attract talent for our businesses that need that labor right now – in summary this has been a really good year and I want to really thank the dedication of our capable staff to our Board thank you so much to the Community Volunteers that comprise our Loan Transaction Committee, the County Executive, the Legislature, Pierre thank you, and others – we are going to continue to be aggressive and intentional as we advance the ball in terms of economic development and it’s all about creating and retaining jobs – Thank you to everyone – If anyone has any questions – the report that I sent out to the Board will be posted on our website following this meeting – will look better next year as we have a new marketing person on board – wanted to mention that our financials look good as well – It’s been a great year – Anyone have any questions or comments?

## Mike Metzger

I want to thank you Mark. I got that just recently and it was excellent to provide a summary and it’s a great reference material for all the Board Members. Whenever anyone has a comment about what we’re doing it’s a great piece of reference material and shows all the hard work and effort that the staff, loan committee, and the Board have done. Especially the staff. You guys have been cooking with gas and a lot of successes. Thank you very much. Any questions for Mark? Let’s move to the Treasure’s Report please.



Rich Dixon

Reviewed Financials. Any questions?

Mike Metzger

Tremendous results. Also, we have to thank Rich, Kayla and everyone. Look at the addition of the CARES Act Loans added a lot of administrative burden to our finance team so we can only thank you enough for taking on all that additional responsibility and administering it so efficiently which allowed those loans to get out into the hands of the community. Excellent job by the finance team.

Rich Dixon

Thanks Mike.

Mike Metzger

Any questions for Rich? Almost \$4.7 million dollars in excess revenue over expenses I don't think we can complain.

Rich Dixon

That's not going to happen every year.

Mike Metzger

We are going to count on it Rich. If there aren't any other questions for Rich I would like to entertain a motion to enter into executive session for discussion of specific companies, properties or personnel issues. Do I have a motion?

Steven Thorpe

Motion.

Mike Metzger

Motion made by Steven. Do I have a second?

Jay Churchill

Second.

Mike Metzger

Motion made by Steven and seconded by Jay. All those in favor?

Board

Aye – Unanimous

Mike Metzger

We are now in Executive Session

Executive Session  
Start Time: 11:39 a.m.

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Executive Session  
End Time: 11:48 a.m.

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Mike Metzger

There were no actions taken in Executive Session and therefore there are no minutes to be taken.

Mike Metzger

Any other business or old business to come before the Board? Everyone be safe and well during this pandemic. I want to note that our next CCIDA Board Meeting is February 22<sup>nd</sup>, 2022 at 10:00 a.m. unfortunately; it's going to be via zoom again. Thank you all for hard work and efforts. It was a tremendous year last year and we are starting the year out strong so thank you all be safe and well. This meeting is adjourned.

Meeting adjourned at 11:50 a.m.

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(Assistant) Secretary

 03/22/2022  
(Vice) Chairman