BOARD OF DIRECTORS MEETING

County of Chautauqua Industrial Development Agency

BWB Building 201 West Third Street, Jamestown, NY 2nd Floor Board Room & Electronically via Live Stream on YouTube & Zoom

January 24, 2023 10:05 a.m.

Gary Henry
Brad Walters
Sagan Sheffield- Smith
Dan Heitzenrater
Steven Thorpe
Rhonda Johnson
Kevin Muldowney

Also in attendance:

Mark Geise	Administrative Director/CEO
Richard E. Dixon	Chief Financial Officer
Milan K. Tyler, Esq.	Counsel
Greg Peterson	Counsel
Rosie Strandburg	CCIDA Staff
Kayla Strandburg	CCIDA Staff
Jason Toczydlowski	CCIDA Staff
Carol Rasmussen	CCIDA Staff
Kristine Morabito	CCIDA Staff
Crystal Erhard	CCIDA Staff
Jeanette Lo Bello	CCIDA Staff
Jason Toczydlowski	CCIDA Staff
P.J. Wendel	County Executive
Nate Aldrich	CCIDA Staff
Monica Simpson	CCIDA Staff
Greg Bacon	Post Journal
Tim Ahrens	Clean Energy Choice
Catherine Schepp	Clean Energy Choice
Rob Panasci	Martin NY, LLC
Shannon Barnhart	Airports
Brian Bates	Airports
Bill Caldwell	Ripley Central School District
Absent Board Member(s):	

Chairman Vice Chairman Treasurer Secretary Member Member Member

Absent Board Member(s):

Jay Churchill

Member

Meeting was called to order by Gary Henry, Chairman, at 10:05 a.m.

Gary Henry

Good Morning. It is 10:05 a.m. We would like to call to order the Board of Directors Meeting of the Chautauqua County Industrial Development Agency Meeting at the BWB Building, 201 West Third Street, Jamestown NY and electronically via YouTube and Zoom. Roll call attendance.

Board

Aye - Unanimous.

Gary Henry

We'll go ahead and discuss our minutes. You should have already received them previously and had a chance to review those. Do we have a motion to accept the December 27, 2022 minutes?

Rhonda Johnson

I'll make that motion.

Brad Walters

Second.

Gary Henry

Rhonda and Brad, thank you. All in favor say Aye.

Board

Aye - Unanimous.

Gary Henry

Opposed, abstained? Minutes have been approved. Glad to have PJ Wendel here with us this morning. Would you like to say anything?

PJ Wendel

Discussed Dunkirk receiving the ten million from a DRI. It was fitting to see Mark's team yesterday with the IDA, Nate and everyone involved in the Partnership because they did do a tremendous amount of work for this. Hats off to Vince DeJoy who secured ten million for Jamestown and now ten million for Dunkirk. That just goes to show us what things are happening here. I talked to Paula Blanchard, a real-estate broker from the White Inn sale and she said the buzz about what's happening in Chautauqua County is starting to move around the state and that is great news. Hearing it from others as well and that's phenomenal. The glass is always going to be half full (positivity) for me and I know Mark, Rich and the team from the IDA and the Partnership have the same philosophies/visions. When you look at the pool of money, roughly twenty million dollars plus, is what's come in to Northern Chautauqua County in the last year. That's just phenomenal. They don't give that money to places that aren't doing well. Examples of projects was given. The vision is here. The work effort is here and the potential is definitely here. I am really excited about what's been happening and to hear more of it in the future. Mark, thanks so much and everybody on the team here, hats off to you – you guys do a tremendous job. Thank you.

Mark Geise

Thank you PJ.

Gary Henry

We'll go ahead and move into New Business. Starting with New Business Airport Market Feasibility Analysis. Mark is that something you want to speak to?

Mark Geise

Sure. Introduced Shannon Barnhart who is the Manager of the County Airports and Brian Bates who works with her and is also with the Airports group. We are going to talk about something that has been an ongoing thing for the county for while which is bringing back essential air service to Jamestown Airport. I am going to talk about it at high level and then give it over to Shannon and if PJ wants to jump in. Explained history of the project. In 2020 the County had applied to get essential air service from the DOT with Boutique Air and it was rejected. Primary reason why it was rejected was no market research to support the business case. Without that market analysis it's not going to go anywhere. We don't know for sure if we've got the right stuff but we think we do and we want to undertake that market analysis. There was funding that was approved through ARPA, the \$24.6 million that the County got, and we had allocated \$75,000 of that, the ARPA working group recommended it to the legislature and the legislature didn't approve it. Part of the reason why is, we feel, is that there was no skin in the game from anyone else, it was all County. By demonstrating, the business community through the IDA, which we represent the business community is willing to kick in to help. This is allocating \$25,000 of an estimated \$75,000 of the ARPA money to undertake this market analysis. It's really looking at – do we have the ridership and the where are people that are flying out of this region – where do they go to fly out of? Shannon, do you want to add to that?

Shannon Barnhart

You touched on a lot of great points. I was just going to add a little bit more as to what the study would involve. We don't know where everybody is flying from, where you're spending your money at and it's a possibility that air service may not be the best thing for Chautauqua County. We hope that it is but without any data showing that people are actually going to fly – we here every day that we want air service back but are you going to fly, how many times are you going to fly etc. – someone has to get out there and do that . We don't have the resources within the County or myself to go out and do that study on our own. Seeking that help through a consultant we have already in the past undertaken – we got a proposal from someone and we do think that this is the best avenue and a first great start to the potential opportunity to have air service back in our community.

PJ Wendel

When I came into office I was convinced that there was a missing piece to our airport feasibility, essential air service etc. Explained history of the airport. We want the essential service – now let's look at the studies we've all done – and was the answer in those studies. I say a lot about my staff and my team and Shannon was a huge addition. Shannon had the background and the knowledge and the understanding of what the missing piece was and that was this air feasibility analysis. Getting this analysis in here will put it to bed once and for all. If the analysis comes back and says no it's not essential air service than they say hey we told you your wasting money. We don't know if we don't get this study done. This is the one missing piece- this analysis is the missing piece. Again, I have supported it one hundred percent. I feel like it's not an entire burden on the legislature to look at the study- the IDA is going to assist in it if this goes through. If this doesn't come true – if it doesn't' say that essential air service can be supported then Shannon has a plan and we shift gears towards how do we make this a general aviation airport and how do we start to gain revenue and build that base up again. I think this is important and it's vital and it's finally going to answer the question we have been asking. I appreciate the consideration here. It's something I strongly support. If it comes back and says no then we shift gears, and Shannon already has some ideas in making this more general aviation and look at how we increase revenue and increase our opportunities.

Shannon Barnhart

I just wanted to add that Brian and I - he was here during the time that we put the previous applications in and we since have had conversations with the DOT. They don't come out and say exactly what they want but everything we've asked for in the past was in those applications except for this. It was done by an airline or by Boutique. They had data in hand for Boutique. It's not done by the airport and I think that is a huge missing piece because if someone came to you would you want all the data or just from one specific airline. From our conversations with them, I think that is what they are looking for. They won't come out and say yes, this is what you need but this is the data that you need and that can only be found in this air service study.

Gary Henry

Does anyone else have any questions?

Dan Heitzenrater

It obviously makes a lot of sense to prove that whether the essential air service is going to work here or not. If it says yes there is still a case to be made and it's going to move forward, will the study be available to potential airlines that will be making proposal so they could then maybe adapt where they are flying into based on like you said, our consumer activity?

Shannon Barnhart

Yes, so that's the whole point of the study – would be to go into that essential air service application again along with an airline. It may not be Boutique. It may be a different one. That data- we are going to work with an airline and then go in again. Las time the application was submitted with the data that Boutique produced. Not saying it was a bad application – it just wasn't what the DOT wanted at that time. Do you have anything else to add to that Brian?

Brian Bates

I think that's right.

Gary Henry

Any other questions? Brad, would you go ahead and move New Business A1?

Brad Walters

Resolution 1-24-23-01-RESOLUTION OF THE MEMBERS OF THE COUNTY OF CHAUTAUQUA INDUSTRIAL DEVELOPMENT AGENCY APPROVING FUNDING FOR JAMESTOWN AIRPORT DEVELOPMENT/MARKET ANALYSIS STUDY

Gary Henry

Thank you. Do we have a second?

Steven Thorpe

Second.

Gary Henry

Thank you Steve. Roll call vote.

<u>Board</u>

Aye – Unanimous.

Gary Henry

It's unanimously approved. We all hope that things work out well with the airport. It's been a long time but I can remember flying out of the airport and how convenient it was. Often times we have customers asking. We get a lot of visitors and it's not very convenient for them to fly into Buffalo, rent a car and drive down. We're just one small company but I'm sure some of the bigger companies could really use it. I hope this gets us going in the right direction.

Shannon Barnhart

Thank you everyone. Just an example- Senator Schumer flew in the other day into Jamestown and his entourage flew into Buffalo commercially and had to drive down. That's just an example where it really would have been helpful. We really appreciate everything. Thank you.

Gary Henry

Thank you for coming. We'll move along to New Business B, Martin NY CSG, LLC presented by Rosie and Milan.

Rosie Strandburg

Thank you. Today we have Martin NY CSG, LLC. It's a 5 megawatt AC solar farm on 29 ½ acres located in the Town of Ripley at 5246 Route 76. Project cost of \$8,687,350.00. We spoke with Town Supervisor Doug Bowen and the Town Board did approve the solar project and gave them a special use permit. They submitted an application last August that this Board approved back in September the due diligence agreement and resolution, In November we had a public hearing with no comment. Today, we have before you the deviation resolution, SEQRA resolution and approving resolution. The Town did do the SEQRA and was concluded with a negative declaration. I do have Tim Ahrens and Catherine Schepp from Clean Choice Energy here with us today. Would either of you be able to touch on the decommissioning bond and any visual mitigation for the project?

Catherine Schepp

Sure thing. The decommissioning bond is addressed in the special use permit. That was one of the conditions of the permit. I can give you the exact amount if you need it. We are already in agreement with the Town on that. There are trees that will be planted along the road to screen the view shed of the project and there is existing trees behind in the project. That's how we are dealing with the site.

Rosie Strandburg

Thank you Catherine. Are there any other questions for Catherine or Tim? I am going to go ahead and have Milan conduct the Deviation Hearing portion and then provide descriptions of the resolutions and their purposes.

Milan Tyler

First, is the deviation hearing. This PILOT would be a deviation from your U-TEP. The deviation is \$4500.00 per megawatt for 25 years increasing at 2% per year. That's sort of in the ballpark of many of the other solar projects you have done. Notice of this deviation hearing was provided to each of the affected taxing jurisdictions by letter dated January 12, 2023. I will note it was sent certified mail return receipt requested which is now what the new statues requires. Rosie, we have not received any comments from any of the affected tax jurisdictions?

Rosie Strandburg

No comments have come back.

Milan Tyler

So, I will open it up if any members or representatives of any of the affected taxing jurisdictions have any comments that they want to give at this time. The hearing is over. Hearing no comments we will close the hearing. Next our sort of the three typical resolutions. The first is a deviation resolution resolving to deviate from the U-TEP pursuant to the hearing that we just had. The second is the SEQRA resolution, as Rosie said, the Town of Ripley conducted its own SEQRA

investigation. They did a coordinator review but since we did not have an application the IDA was not named as the involved agency, which means that you need to do your own SEQRA resolution and SEQRA analysis. The resolution in your packet runs through seventeen different items that were considered by both the Town and by us as your counsel. We recommend coming to the same conclusion the Town does – does not a have a significant adverse effect on the environment. Lastly is the approving resolution. If this goes through and approved I think that the developer is ready to close so pursuant to documents that have now become standard we have now closed a number of these solar projects as you would recall. We had probably twenty or more sort of in the que and we now find for lots of reasons they are starting to close. This one would presumably close fairly quickly unless Tim and Catherine correct me otherwise. So, those are the three resolutions.

Gary Henry

Do we have any questions? So, I think we can go ahead and move all of these resolutions at the same time.

Milan Tyler

Yes.

Gary Henry

Rhonda would you go ahead and move New Business B2?

<u>Rhonda Johnson</u>

Resolution 1-24-23-02 Deviation Approval Resolution-Martin NY CSG,LLC & Resolution 1-24-23-03 SEQRA Resolution-Martin NY CSG, LLC & Resolution 1-24-23-04 Final Authorizing Resolution-Martin NY CSG,LLC

Gary Henry

Do we have a second?

Kevin Muldowney

I'll second it.

Gary Henry

We'll go ahead and do a roll call vote.

Board

Aye - Unanimous.

Gary Henry

Approved unanimously. We've gotten so there are more and more of these solar fields going in. It's nice to see them start to come through finally. I know we dealt with a lot of problems getting solar panels so we like to see these moving ahead.

Rosie Strandburg

Thank you Tim and Catherine.

Catherine Schepp

Thank you.

<u>Milan Tyler</u>

Thanks Rob. I'll be in touch.

Gary Henry

We'll go ahead and move on to New Business C Accepting County Funds. Nate are you going to speak on that?

Mark Geise

I'll jump on this. Every year the County enters into two contracts with the IDA for Business Development Assistance Promotion to provide funding to us to do what we do and also provide Tourism Business Destination Development and Promotion. So, the first one is for one hundred and sixty thousand and some change and the second one is for eighty thousand and some change. This is so we can sponsor events, have memberships for things like Invest Buffalo Niagara, and other promotional activities that we do through ads, promotion and events. Also, for attracting tourism related businesses like we've helped out a number of marinas or the Harbor Hotel and the Double Tree, those kinds of hospitality associated businesses. Again, this is an annual allocation to the IDA from the County and every year we do an Annual Report that we present back to the County and we also present at the Planning and Economic Development sub-committee of the legislature. We will do that in February where we can report out what we have done.

Gary Henry

Any questions? Steve would you go ahead and move New Business C1?

Steven Thorpe

Resolution 1-24-23-05-RESOLUTION OF THE MEMBERS OF THE COUNTY OF CHAUTAUQUA INDUSTRIAL DEVELOPMENT AGENCY APPROVING ENTRY INTO VARIOUS GRANT AGREEMENTS WITH CHAUTAUQUA COUNTY

Gary Henry

Do I have a second?

Sagan Sheffield-Smith

I'll second.

Gary Henry

We'll go ahead with a roll call vote.

Board

Aye – Unanimous.

Gary Henry

Approved. At this point, did you want to go ahead and give your update?

Mark Geise

Yes. Thank you everyone. I try to do this every year. We started three years or four years ago providing kind of a summary discussion about the year we had. About three years ago I did a basic annual report that I just did on my computer and it got a little better each ear. This year it looks pretty darn good. Not only does it look better but the content is better because we are doing that much more. I could spend hours on this, but what I would like to do today is go

through it quickly and it's not going to give it justice. There is just so much work that we did and the successes we've had is really unpresented and I think you will feel that when I get through this. I am just going to skim this but I want you to take this home. We have extra copies. We want to get this around. I hear a lot that people say you need be telling the world more about what you do sort of ringing your own bell. Maybe we don't do that enough but this is our opportunity to do that. We do have a press release that will go out after this that summarizes this. Reviewed and discussed CCIDA 2022 Annual Report. Number of Projects Done This Year -50 Projects, Total Investment Approved & Committed To, Summary of Accomplishments, Five Pillars of Robust Economic Development - Business Development, Placemaking, Infrastructure, Housing & Workforce Readiness, Mission Statement, Working together - Planning Department, Partnership & the IDA - the Partnership is a program of the IDA, Staff, Board, Community Volunteers, Consultants, and so many others that are contributing, Commend the Leadership of County Executive Wendel- always positive & always encouraging, County Legislature has really treated us well, Key Projects - Connect Gen, Sustainable Energy Jamestown, LLC (Electrovaya), Less than 5 MW Solar Projects Approved, EDA & AL Tech Loans Approved, Chautauqua County Partnership for Economic Growth, Restoration of the Historic White Inn, Comprehensive Analysis for Shovel-Ready Sites, Silver Creek School Repurposing, ARPA Funding Award, Collaboration with Dunkirk and Jamestown, 2023 Top Ten Economic Development Goals - Re-activate Properties of Community Importance, Aggressive Proactive Business Retention & Expansion Initiative, Wells Enterprises/Ferrero and Immunity Bio, Chautauqua County Partnership for Economic Growth & Expansion Initiative, Acquire Shovel-Ready Sites, County /Economic Development Marketing & Branding to Reverse Population Decline, ARPA Funding Award, Collaboration with Dunkirk and Jamestown, Agricultural Development & Enhancement Strategy, NRG Re-Use Initiative, Chautauqua County Partnership for Economic Growth -2022 By The Numbers, 2022 CCPEG Grant Awards, Additional Grant Dollars Leveraged, Workforce Development Work Group - Talent Attraction & Retention Initiative, Business Assistance for Improving Workplace Culture - Business Development Work Group - Development- Ready Site Preparedness Initiative, Chadakoin River Activation and Development Imitative, NRG Reuse Alternatives and Feasibility Study, Agricultural Development and Enhancement Strategy – Partner-Led Project – Chautauqua County Chamber of Commerce ShopLocalCHQ Program, Fredonia Technology Incubator Strategic Plan Implementation Support - Placemaking Work Group - Dunkirk Downtown Revitalization Initiative, Trail Maintenance, Marketing and Development, Village of Mayville Strategic Waterfront Activation Master Plan, Tourism Transportation Shuttle, Craft Beverage, Wine, and Ecotourism Marketing Initiative -Partner-Led Projects - Portage Inn Site Development Strategy, Lakewood Hartley Park Improvements, Cassadaga Lakes Kayak Launch, A Pathway to a Vibrant Downtown Westfield – Housing Development Work Group – Housing Market Action Plan, Consolidated Code Administration and Enforcement Feasibility Study - Partner Led Project - County-wide Parcel Data Analysis & Information Management - Infrastructure Work Group - Partner Led Projects - NYS Route 394 Public Water Supply Technical Assistance, City of Dunkirk Lake Shore Drive Complete Streets Project, Sunset Golf Course Property Conceptual Development Plan. I think you get an idea of some of the things we are doing and we are going to continue to do. I thank our Board of Directors. We have a best in class staff here. Hopefully, we are creating a culture that our employees want to come to work every day and want to do their best and contribute. We have that -Iwant to thank everybody. It's been an epic year and we are going to continue to move things forward. Are there any questions or comments?

Dan Heitzenrater

I was meeting with one of our usual partners and they just got back from a conference in Albany and their piers from across the state are saying - how are you out there working so close with your IDA and getting funding for your clients? I just wanted to highlight that I guess it's not like this across the state so hats off to you, to Nate, the Partnership, and your whole team. I know we appreciate at the Chamber working closely together and I think we have a good thing going with all the partners that we both work together with. I appreciate the way you guys do business and work together.

Mark Geise

Thanks Dan.

Greg Peterson

Just to put a dot on that whole thing. I think it's utterly remarkable the amount of grants that we have received over time – are getting – Nate and company – Trust me, other counties have no idea on a per capita basis the funds that we've received from the EDA, from the AL Tech, and the CRLF's. You add that all up on a per capita basis there is no equal and that's just a tribute of success. Success breeds success. To the County Executive's statements early on how much we take

for granted. Somehow it just keeps flowing. The reality is that we are abnormal and that is a credit to this whole team. That's a compliment to what you guys are doing.

Mark Geise

Thank you.

Milan Tyler

It's almost as if you should be embarrassed. I do this across the state, and no one and certainly not on a per capita basis, comes close to all the activities that you're doing. Amazing.

Gary Henry

It really is impressive. When you take the time to put this together and go through it its almost exhausting trying to go through it in just a few minutes and you're not even hitting everything. Your just hitting the highlights and to see that that was just one year. It could be a decade and a lot of places would be happy to be able to put something like this together.

Mark Geise

Don't expect it every year.

Gary Henry

It's like when you hit a certain level of production it never goes down. It only goes up. The County, the work you're doing, and the whole staff – it's always so professionally done. I was a little intimated to take over being the Chairman but the one thing that gave me confidence was everything always is so well done when you come to the meetings. It's not like nobody has a clue what's going on and it's all confusion. It's just very professional. I think those are the steps that lead to the success with a lot of these grants and a lot of things you are doing.

Mark Geise

Thank you.

PJ Wendel

When I go and talk to other County Executives not necessarily everybody that's a larger county – What's your relationship with the IDA like? I say Great. A lot of places don't have that. The IDA is a separate entity, a lot of animosity and constant back and forth. It's a testament to what we do. Along with this we have been part of a County Executive in Erie PA- we are looking at a tri state Lake Erie Government Council with other counties. Just a lot of activity in this area. I'm really excited about what Mark, Nate and the team is doing. It just kind of spearheads that. Everybody's excited to see what we are doing and they want to bring that energy to the other group. I'm excited.

Mark Geise

I wanted to thank Jason for certainly working very hard on this and Rose thank you for your help, along with Crystal, Monica and Kristy for pulling this together in a couple of weeks. It was a pretty big lift. Thank you.

Gary Henry

Who is going to do the Treasurers Report?

Mark Geise

Rich or Kayla do you want to talk about the Treasurer's Report?

Rich Dixon

Typically Mr. Chairman in January we would go over December's preliminary numbers. In February we would not have a report and in March we would review the audited financial statements. In April we would take a look at the first quarter of the year. As you can tell from Mark's 2022 Annual Report we had a lot of activity in 2022. So, we are not prepared to show you the draft for December yet. We've got a lot of entries to make. One of the big thing that happens with all these grants is are they a 1, 2, or 3 year grant and when do you recognize all the revenue. Kayla and I and Crystal and Nate have a little work to do on the financials. We will have in February a preliminary report showing where we actually are compared to our budget and in March we'll get the audited financial report. The good news is that I'm brief today and that we will have a really good report in February. I didn't want to rush it. I want to make sure we get you good information. We will have a report in February for the end of the year that will be a little more buttoned up then it would have been today.

Gary Henry

Thank you. It's good to see that you are doing well. Hope you have a speedy recovery. At this time I would entertain a Motion to go into Executive Session, for the purposes of discussing the financial or credit history of a particular person or corporation, and to discuss matters relating to the proposed acquisition, sale or lease of real property. In particular, I would like to discuss the status of our loan portfolio and the financial and credit status of some of our borrowers. Also, we will discuss certain possible property acquisitions and dispositions and I believe that discussing them in open session would substantially affect their value. Do I hear a motion?

would substantially affect their value. Do II <u>Sagan Sheffield-Smith</u> So moved. <u>Steven Thorpe</u> Second <u>Gary Henry</u> All in favor say Aye. <u>Board</u> Aye – Unanimous. Gary Henry Opposed? Ok we are in Executive Session. Executive Session Start Time: 11:05 a.m.

Executive Session End Time: 11:10 a.m.

Gary Henry

We are back in open session. I would like to point out that no actions were taken during the Executive Session. We will continue onto Old Business A Sheridan CSG 1 & 2 presented by Rich.

Rich Dixon

Milan may want to speak as well. Rosie and I have been working on this one. It's a solar project. Change in ownership. Again, this is the norm for all of these – I'd say 95% of the solar projects. The developer comes in, does all the leg work, grunt work, gets all of the approvals and gets everything ready to go – might even close the tax leas PILOT – get everything done and then they sell it – sell it to an equity group – some will actually construct it then sell it – some of them will sell it before they construct it. Very rarely do you see a developer that's going to get this started, fix it, build it and then operate it. I checked out the new owners. Very, very substantial equity group. They've got projects all over North America. It looks good to me. There is no action that need to be taken, but we just wanted to alert the Board that there has been a change in ownership. Milan if there is anything else you would like to add to that then please do.

Mark Geise

Can you speak to the fact that the new equity group is obligated to all the same – everything that we approved.

Milan Tyler

Exactly. So, there is no action required of the Board. We've talked about this on a couple of prior occasions. As Rich said, it's usually one or two layers up from our entity. Our entity – none of these things changes so that entity and its owners are still obligated to everything in the documents – everything approved by the Board, there is no additional financial assistance – it's really more of an administrative manner. We may just stop talking about it just because the staff does the background on the new entity and assuming that the new owner has financial resources and experience it is just approved administratively. We don't need to come back to the Board. We just want fill in the Board that this happens because I think it now happens every single time. No action just an update. As you said Mark, everything is exactly the same. All the obligations, all the financial systems – nothing changes.

Gary Henry

Thank you. That will conclude this part of the meeting. Do we have a motion to adjourn the meeting?

Dan Heitzenrater

I'll motion.

Gary Henry

Second?

Rhonda Johnson

Second.

Gary Henry

All in favor say Aye.

Board

Aye – Unanimous.

Gary Henry

Our next meeting for the IDA will be February 28, 2023 at 10:00 a.m. It will be here in the BWB Building as well as livestreamed.

The meeting is adjourned. This meeting is adjourned at 11:17 a.m.

(Assistant) Secretary

1 a (Vice) Chairman