

To: **WCLDC Board Members**
Re: **Minutes of June 23, 2022 Meeting of the Board of Directors**

Present: Peter McDevitt – Chair
Mike Wild - Vice Chair
Craig Leggett – Treasurer
Gene Merlino – Assistant Treasurer
Robert Landry - Secretary
Travis Whitehead – Director

Absent: Brad Magowan – Director

Guests: Robert Terwilliger – Assistant County Attorney
Liza Ochsendorf – Director of Warren County Employment & Training Administration
Lynn Sickles – Southern Adirondack Child Care Network

Staff: Jim Siplon – WCLDC President
Linda Oldenburg - Economic Development Coordinator
Diane Dumouchel – EDC Finance/Compliance Director

On June 23, 2022, the Board of Directors for Warren County Local Development Corporation met in person at Warren County Board Room (the meeting was also available via zoom and live on Warren County’s YouTube Channel). The following items of business were discussed:

- I.** **Welcome & Call to Order:** WCLDC Chair, Peter McDevitt welcomed everyone and called the meeting to order at 11:04 a.m. with a roll call.
- II.** **Approval:** Approval of Board meeting minutes held April 21, 2022. All minutes were forwarded to the board for review prior to the meeting. A motion was made by Vice Chair Wild seconded by Assistant Treasurer Merlino, and unanimously approved with a roll call vote.
- III.** **Financial Update:** EDC Finance/Compliance Director Dumouchel reviewed the WCLDC April and May 2022 financials, highlighting that all scheduled loan payments have been received. A motion is made by Treasurer Leggett, seconded by Vice Chair Wild and unanimously approved with a roll call vote.
- IV.** **Child Care:** Based on previous board discussions on areas of potential investments for the WCLDC to consider. Lynn Sickles from Southern Adirondack Child Care Network spoke to the board how the pandemic illuminated how indispensable childcare is for the wellbeing and economic security of our children, families, businesses, and our communities. Childcare supply was already dwindling before the pandemic began, with the major loss of programs that happened during the pandemic, the childcare industry, locally and statewide, nationally is in a serious crisis. That impacts families and it’s going to impact businesses and childcare professionals as wells. Lynn referenced the recent community needs assessments that, paints a dire picture of the lack of childcare here in Warren County exacerbated by the COVID period with as much as 40% of area childcare capacity, lost due to program closures. Ms. Sickles invited the WCLDC to work with her and other area organizations to seek collaborative solutions to this critical economic and community need.

Workforce: Liza Ochsendorf from Director at Warren County Employment & Training Administration shared with the board about the home-based childcare grant project that she has been working on. There was a community project proposal grant that was put together from a group to essentially recruit, train, and open more home-based providers. Southern Adirondack Childcare Network does the majority of the training, as well as Brightside Up which is in Saratoga County. With opening these home-based providers, is that they need startup costs, along with mentoring and support. Liza spoke that childcare crisis is not only going to be solved by public dollars, but businesses are also beneficiaries of childcare. With the grant money the goal is to open up as many as ten more home-based providers in Warren County and ten more in Saratoga County. Liza went on to say that part of the proposal is that we also build a sustainability fund that businesses or individuals can contribute to. So, with our project, we hope to open a fund where people can donate. We are looking for an agency or organization who'd be willing to hold the account, we would have a committee that reviews applications. A committee of public, and private sector folks who care about children, who will review applications and determine who will receive additional funding to keep their business going, it's not just about opening them but sustaining them.

V. Land Bank: Treasurer Leggett mentioned the next land bank round table is June 29, 2022.

VI. President & CEO Report: President Siplon stated there were two additional FOILs added to the spreadsheet since last month. President Siplon suggested that at some point the WCLDC make some sort of statement around a number of loan recipients retiring their loans. So, the community is aware of the businesses have been able to successfully navigate the programs. Last items President Siplon talked about was the contract between the EDC and the WCLDC as the only thing that had changed from the previous year was just the dates to reflect 2022 instead of 2021 and the RFQ for Legal has been executed.

VII. Executive Session: A motion was made by Vice Chair Wild and seconded by Assistant Treasurer Merlino to enter an Executive Session to discuss the new details associated with several loan recipients that are in settlement discussions executive session began at 12:09 pm and concluded at 12:20 pm Regular meeting resumes with no action taken in executive session.

VIII. Approved Resolutions A motion was made by Director Wild seconded by Treasurer Leggett, to approve the 2022 contract between EDC and WCLC and was carried by roll call vote of five to one (Director Whitehead no).

IX. Other Business:

IX. Adjournment: Upon no further business to come before the board, a motion is made by Vice Chair Wild, seconded by Assistant Treasurer Merlino and carried unanimously to adjourn the meeting at 12:23 pm.

Warren County LDC
Statement of Financial Position
As of June 30, 2022

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	Jun 30, 22	May 31, 22	\$ Change
ASSETS			
Current Assets			
Checking/Savings			
GFNB Loan -7264	351,183.43	341,366.04	9,817.39
GFNB Operating - 7390	46,241.34	46,241.34	0.00
TD Bank Loan Account			
TD Bank Housing	31,613.82	31,613.82	0.00
TD Bank Loan	245,727.25	245,727.25	0.00
TD Bank Loan Account - Other	522,632.56	522,369.64	262.92
Total TD Bank Loan Account	799,973.63	799,710.71	262.92
Total Checking/Savings	1,197,398.40	1,187,318.09	10,080.31
Accounts Receivable			
Accounts Receivable	16,666.68	16,666.68	0.00
Allowance for Doubtful Accounts	-182,557.50	-182,557.50	0.00
Loan Receivable	710,743.91	714,854.13	-4,110.22
Total Accounts Receivable	544,853.09	548,963.31	-4,110.22
Total Current Assets	1,742,251.49	1,736,281.40	5,970.09
TOTAL ASSETS	1,742,251.49	1,736,281.40	5,970.09
LIABILITIES & EQUITY			
Liabilities			
Current Liabilities			
Accounts Payable			
Accounts Payable	24,999.96	20,833.30	4,166.66
Total Accounts Payable	24,999.96	20,833.30	4,166.66
Total Current Liabilities	24,999.96	20,833.30	4,166.66
Total Liabilities	24,999.96	20,833.30	4,166.66
Equity			
Opening Balance Equity	483,514.08	483,514.08	0.00
Unrestricted Net Assets	1,231,931.64	1,231,931.64	0.00
Net Income	1,805.81	2.38	1,803.43
Total Equity	1,717,251.53	1,715,448.10	1,803.43
TOTAL LIABILITIES & EQUITY	1,742,251.49	1,736,281.40	5,970.09

Warren County LDC
Statement of Activities MTD
June 2022

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	<u>Jun 22</u>	<u>Budget</u>	<u>\$ Over Budget</u>
Ordinary Income/Expense			
Income			
Other Types of Income			
Miscellaneous Revenue	0.00	0.00	0.00
Total Other Types of Income	0.00	0.00	0.00
Program Income			
Bank Interest	262.92	83.33	179.59
Contract - Warren County	4,166.67	4,166.66	0.01
Loan Fees	0.00	25.00	-25.00
Loan Interest	1,207.50	2,083.33	-875.83
Miscellaneous	333.00	375.00	-42.00
Total Program Income	5,970.09	6,733.32	-763.23
Total Income	5,970.09	6,733.32	-763.23
Gross Profit	5,970.09	6,733.32	-763.23
Expense			
Contract Services			
Accounting Fees	0.00	666.66	-666.66
Total Contract Services	0.00	666.66	-666.66
Program Expense			
Housing	0.00	625.00	-625.00
Legal	0.00	833.33	-833.33
Marketing	0.00	400.00	-400.00
Office Expense	0.00	208.33	-208.33
Professional Development	0.00	83.33	-83.33
Professional Services Contract	4,166.66	4,166.66	0.00
Total Program Expense	4,166.66	6,316.65	-2,149.99
Total Expense	4,166.66	6,983.31	-2,816.65
Net Ordinary Income	1,803.43	-249.99	2,053.42
Net Income	1,803.43	-249.99	2,053.42

Warren County LDC
Statement of Activities FYTD
 January through June 2022

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	Jan - Jun 22	Budget	\$ Over Budget
Ordinary Income/Expense			
Income			
Other Types of Income	0.00	0.00	0.00
Program Income			
Bank Interest	660.47	500.02	160.45
Contract - Warren County	25,000.02	25,000.04	-0.02
Loan Fees	0.00	150.00	-150.00
Loan Interest	7,412.28	12,500.02	-5,087.74
Miscellaneous	333.00	375.00	-42.00
Total Program Income	33,405.77	38,525.08	-5,119.31
Total Income	33,405.77	38,525.08	-5,119.31
Gross Profit	33,405.77	38,525.08	-5,119.31
Expense			
Contract Services			
Accounting Fees	6,600.00	4,000.04	2,599.96
Total Contract Services	6,600.00	4,000.04	2,599.96
Program Expense			
Housing	0.00	3,750.00	-3,750.00
Legal	0.00	5,000.02	-5,000.02
Marketing	0.00	2,400.00	-2,400.00
Office Expense	0.00	1,250.02	-1,250.02
Professional Development	0.00	500.02	-500.02
Professional Services Contract	24,999.96	25,000.04	-0.08
Total Program Expense	24,999.96	37,900.10	-12,900.14
Total Expense	31,599.96	41,900.14	-10,300.18
Net Ordinary Income	1,805.81	-3,375.06	5,180.87
Net Income	1,805.81	-3,375.06	5,180.87

7:29 AM
07/08/22
Accrual Basis

Warren County LDC
Check Register
As of June 30, 2022

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Type	Date	Num	Name	Memo	Split	Amount
GFNB Operating - 7390 Bill Pmt -Check	05/16/2022	1148	EFPR Group, CPAs PL...		Accounts Payable	-6,600.00
Total GFNB Operating - 7390						-6,600.00
TOTAL						-6,600.00

2022 WCLDC FOILS/COMPLAINTS

<u>Submitted by</u>	<u>Date Received</u>	<u>Item (s) for foiling</u>	<u>Date Responded</u>	<u>Appeals</u>
Ms. Maxam	12.20.2021	Copies of all emails from Travis Whitehead during 06.01.2021 to 12.2021 and responses	01.18.2022	
Ms. Maxam	12.22.2021	1.) Copies of all emails relating to FOIL request/appeals submitted by T. Whitehead 12.1.2021 to 12.22.2021 2) Copy of 12.22.2021 response provided to T. Whitehead as referenced in the email 11.29.21 from Siplon to Whitehead 3) Copies of all emails submitted by T. Whitehead during December 2021 threatening litigation against the WCLDC.	01.18.2022	
Ms. Maxam	12.26.2021	Copies of monthly reviews of FOILS and Ethic Complaints presented in each monthly LDC Board Meeting from June to December 2021	01.06.2022	
Ms. Maxam	02.02.2022	Copy of certificate of completion of state mandated sexual harassment training for 2021 for T. Whitehead	02.09.2022	
Director Whitehead	02.17.2022	3 reponses to June Maxam dated 12/10/21; 1/18/22 and 2/9/22	03.08.2022	
Director Whitehead	03.17.2022	Copy of email sent to Maxam or anybody else regarding Whitehead financial disclosure	03.23.2022	
Ms. Maxam	05.21.2022	Copy of 02.17.2022 FOIL request of/to T Whitehead and response of 3/8/2022 sent to him of 3 responses to Ms. Maxam dated 12/10/21, 1/18/22 and 2/9/22 and a copy of his original request. 2) Copy of 03/17/2022 FOIL request sent by T Whitehead for copy of email sent to J. Maxam or anyone else regarding Whitehead financial disclosure and copy of 03/23/2022 response to Whitehead	Respond by 06.23.2022 Respond by 06.23.2022	
Ms. Strough	06.03.2022	1) Financial Disclosure Statement for 2021 and 2022 for T. Whitehead 2) Sexual Harassment/Workplace Violence Training Certificate 2021, 2022 for T. Whitehead	07.07.2022	

Warren County LDC Portfolio Summary as of
June 30, 2022

Name of Entity	Original Loan Date	Loan Maturity Date	Job Creation Y/N	No. of Expected New Jobs	No. of Employees Hired	Original Loan Amount	Term of Loan	Loan Purpose	Monthly Payment	Balance 5/31/2022	Status	Notes
Adk Fishing Adventures	3/4/2015	4/1/2020	NO		25-30 seasonal	46,250.00	5yrs 5% amortized over 15 years	Refinance - New Bldg Construction	365.74	29,861.09	Current	Making Regular Payments - Site Visit 4/22/2022
Burlap & Beams	4/30/2015	6/1/2020	NO			60,000.00	5yrs 5% amortized over 10 years	Equipment	636.39	30,716.47	Current	Making Regular Payments - Site Visit 7/15/2022
All in Glass Studios	4/20/2016	12/20/2020	NO		1	30,000.00	3yrs 6% - 2019 6 mos int. only	Refinance	912.66	2,304.45	Current	Making Regular Payments - Site Visit 6/24/2022
LuMaZu LLC dba Nettle Meadow Cheese Farm	12/21/2017	9/10/2025	YES		35	115,000.00	7yrs 4% - 2019 6 mos int. only	Refinance - Working Capital	1,571.91	73,410.61	Current	Making Regular Payments - Site Visit 4/29/2022
The Dog cabin	6/10/2020	6/26/2024	NO			12,500.00	4 yrs - 4%	Micro-Loan - Covid	282.24	9,309.25	Current	Making Regular Payments - Site Visit 6/10/2022
New Way Lunch Warrensburgh LL	3/27/2018	4/10/2025	YES	3	10	80,650.00	7 yrs - 5%	Refinance / Furniture	1,139.90	41,918.71	Current	Making Regular Payments - Site Visit 6/22/2022
59 Lake LLC	4/13/2018	5/10/2025	YES	3	12	40,000.00	7 yrs - 5%	Purchase & Renovate Property	565.36	21,267.17	Current	Making Regular Payments
Kirsch Helmets Inc.	6/26/2020	6/26/2024	YES	7	8	167,513.00	4 yrs - 4.5%	Equipment	4,318.19	98,932.62	Current	Making Regular Payments - Site Visit April 2022
Martha's Dandee	2/10/2012	2022 balloon	YES	6	7	52,650.00	10 yrs - 3%	Refinance - Working Capital				PAID IN FULL 01/31/2022
Queen of Hearts	2/24/2016	2/24/2021	YES	8	6	20,000.00	5 yrs - 5.5%	Working Capital				PAID IN FULL 06/18/2021
The Barking Spider	11/21/2008	11/01/2013 Revised per Board to 2019	YES	6	4	65,000.00	5 yrs - 4%	Renovation/ Equipment/ Working Capital				PAID IN FULL 12/7/2021
AXIS Technologies of NENY	7/7/2010	8/1/2017	YES	2	0	51,750.00	7 yrs - 4%	Equipment	25.00	11,605.10	In Settlement	WCLDC has received check for \$37,500 & confession of judgment for remaining balance - borrower is making \$25.00 monthly payments
Superior Cantina	7/1/2014	8/1/2021	YES	6	0	75,000.00	7yrs - 3%	Equipment		47,773.37	Seeking Settlement	Met with Superior Cantina's attorney 7/6/2022; settlement of \$12,000 pending
Reliable Racing	12/21/2015	7/21/2016	NO			100,000.00	6 mos - 5%	Materials/ Inventory Purchase		116,376.28	DELINQUENT	Business filed a chapter 11 bankruptcy petition on April 7, 2016. LDC has engaged Harris Beach to represent our interests. Bankruptcy sale was completed November 2016. WCLDC received \$5,000 from the sale- applied to the principal balance. John Jacobs personally served with law suit on January 3, 2017. Mr. Jacobs filed for Chapt 7 bankruptcy. Individual bankruptcy designated as "asset case" . Harris Beach has filed a proof of claim to secure a distribution by December 26, 2017.
Stonecast	1/16/2003	2/6/2013	NO			400,000.00	5yrs - 5%	NO info		218,634.82	DELINQUENT	The board has agreed by resolution the use of outside counsel for updates on the status of any settlements, recommend additional legla action and the collection of settlements