

To: **WCLDC Board Members**
Re: **Minutes of April 21, 2022 Meeting of the Board of Directors**

Present: Peter McDevitt – Chair
Mike Wild - Vice Chair
Craig Leggett – Treasurer
Travis Whitehead – Director

Absent: Robert Landry – Secretary
Gene Merlino – Assistant Treasurer
Brad Magowan – Director

Guests: Robert Terwilliger – Assistant County Attorney
Kevin Geraghty - Chairman, Warren County Board of Supervisors

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

On April 21, 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 Sole Member Meeting Minutes March 17, 2022
- Approval of Audit & Finance Meeting Minutes March 17, 2022
- Approval of Annual Meeting Minutes March 17, 2022
- Approval of Regular Monthly Meeting Minutes March 17, 2022

A motion was made to approve all the minutes with one correction to the Annual Meeting Minutes, specifically item number ten reference to indicate action was designed to follow the recently updated WCLDC bylaws naming a CEO. The motion was made by Director Whitehead seconded by Treasurer Leggett, and unanimously approved with a roll call vote.

III. **Financial Update:** EDC Finance/Compliance Director Dumouchel reviewed the WCLDC March 2022 financials, highlighting that all scheduled loan payments have been received, and also payment for the StartUp ADK and Warren County. A motion was made to approve the financials by Treasurer Leggett, seconded by Director Whitehead and unanimously approved with a roll call vote.

IV. **OSC Update:** EDC President Siplon provide an in terms of executing on the corrective action plan that has been filed with the state. Last month we met with the Business Review Committee (BRC) in essentially a new process that was suggested by the report and the dialogue with the OSC. Previously the BRC met outside of the same protocol that the WCLDC uses itself. The meeting was noticed, there were no loan applications reviewed, there was an open discussion about potential suggestions that they might have about areas that could be considered for application of the funds from the WCLDC, and finally a robust conversation about where interest rates were going.

- V. **Land Bank:** Treasurer Leggett stated he doesn't have much to report, except that it looks like Clinton and Essex County are going to go it on their own. If we were to proceed with the land bank, Treasurer Leggett would recommend that it be with Warren County or at the most Warren Washington County. President Siplon stated there could also be a possibility to partner with Habitat for Humanity and would seek to have them join an upcoming WCLDC meeting to discuss.
- VI. **President & CEO Report:** President Siplon stated there is no change to the WCLDC FOIL spreadsheet since last month. We still have several pending applications that have been waiting for other decisions to be made before they are executed. President Siplon spoke about proceeding with the RFQ for Legal so we could find a roster of potential legal resources that we could call on as an alternative to a sole legal representation. The two possible FOIL process/FOIL appeals process and policies were discussed. One is a fairly detailed in its description, and the other is a much more streamlined version that came as at least as an alternative out of the governance committee. Treasurer Leggett suggested just naming a position instead of a person's name for Record Access Officer in both proposed choices.
- VII. **Executive Session:**
- VIII. **Approved Resolutions** A motion was made by Vice Chair Wild, seconded by Treasurer Leggett to approve RFQ for Legal Services and was carried unanimously with a roll call vote. A motion was made by Director Whitehead, seconded by Vice Chair Wild to approve the short version of FOIL Process/FOIL Appeals and was carried unanimously with a roll call vote.
- IX. **Other Business:**
- IX: **Adjournment:** Upon no further business to come before the board, a motion is made by Vice Chair Wild, seconded by Director Whitehead and carried unanimously to adjourn the meeting at 12:04 pm.

Warren County LDC
Statement of Financial Position MTD
As of April 30, 2022

	Apr 30, 22
ASSETS	
Current Assets	
Checking/Savings	
GFNB Loan -7264	331,573.65
GFNB Operating - 7390	52,841.34
TD Bank Loan Account	
TD Bank Housing	31,613.82
TD Bank Loan	245,727.25
TD Bank Loan Account - Other	522,267.77
Total TD Bank Loan Account	799,608.84
Total Checking/Savings	1,184,023.83
Accounts Receivable	
Accounts Receivable	16,666.60
Allowance for Doubtful Accounts	-182,557.50
Loan Receivable	719,213.99
Total Accounts Receivable	553,323.09
Total Current Assets	1,737,346.92
TOTAL ASSETS	1,737,346.92
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable	16,666.60
Total Accounts Payable	16,666.60
Total Current Liabilities	16,666.60
Total Liabilities	16,666.60
Equity	
Opening Balance Equity	483,514.08
Unrestricted Assets	1,231,931.64
Net Income	5,234.60
Total Equity	1,720,680.32
TOTAL LIABILITIES & EQUITY	1,737,346.92

Warren County LDC
Statement of Activities MTD
April 2022

	Apr 22	Budget	\$ Over Budget
Ordinary Income/Expense			
Income			
Other Types of Income			
Miscellaneous Revenue	0.00	62.50	-62.50
Total Other Types of Income	0.00	62.50	-62.50
Program Income			
Bank Interest	98.57	83.33	15.24
Contract - Warren County	4,166.63	4,166.66	-0.03
Loan Fees	0.00	25.00	-25.00
Loan Interest	1,240.98	2,083.33	-842.35
Total Program Income	5,506.18	6,358.32	-852.14
Total Income	5,506.18	6,420.82	-914.64
Gross Profit	5,506.18	6,420.82	-914.64
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	4,166.65	4,166.66	-0.01
Total Program Expense	4,166.65	6,316.65	-2,150.00
Total Expense	4,166.65	6,983.31	-2,816.66
Net Ordinary Income	1,339.53	-562.49	1,902.02
Net Income	1,339.53	-562.49	1,902.02

Warren County LDC
Statement of Activities FYTD
January through April 2022

	Jan - Apr 22	Budget	\$ Over Budget
Ordinary Income/Expense			
Income			
Other Types of Income			
Miscellaneous Revenue	0.00	250.00	-250.00
Total Other Types of Income	0.00	250.00	-250.00
Program Income			
Bank Interest	295.68	333.36	-37.68
Contract - Warren County	16,666.60	16,666.72	-0.12
Loan Fees	0.00	100.00	-100.00
Loan Interest	4,938.92	8,333.36	-3,394.44
Total Program Income	21,901.20	25,433.44	-3,532.24
Total Income	21,901.20	25,683.44	-3,782.24
Gross Profit	21,901.20	25,683.44	-3,782.24
Expense			
Contract Services			
Accounting Fees	0.00	2,666.72	-2,666.72
Total Contract Services	0.00	2,666.72	-2,666.72
Program Expense			
Housing	0.00	2,500.00	-2,500.00
Legal	0.00	3,333.36	-3,333.36
Marketing	0.00	1,600.00	-1,600.00
Office Expense	0.00	833.36	-833.36
Professional Development	0.00	333.36	-333.36
Professional Services Contract	16,666.60	16,666.72	-0.12
Total Program Expense	16,666.60	25,266.80	-8,600.20
Total Expense	16,666.60	27,933.52	-11,266.92
Net Ordinary Income	5,234.60	-2,250.08	7,484.68
Net Income	5,234.60	-2,250.08	7,484.68

12:13 PM

05/13/22

Accrual Basis

Warren County LDC

Check Register

As of April 30, 2022

Type	Date	Num	Name	Memo	Split	Amount
GFNB Operating - 7390						
Total GFNB Operating - 7390						
TOTAL						

DRAFT

Warren County LDC
Statement of Financial Position
As of May 31, 2022

	May 31, 22
ASSETS	
Current Assets	
Checking/Savings	
GFNB Loan -7264	341,366.04
GFNB Operating - 7390	46,241.34
TD Bank Loan Account	
TD Bank Housing	31,613.82
TD Bank Loan	245,727.25
TD Bank Loan Account - Other	522,369.64
Total TD Bank Loan Account	799,710.71
Total Checking/Savings	1,187,318.09
Accounts Receivable	
Accounts Receivable	16,666.60
Allowance for Doubtful Accounts	-182,557.50
Loan Receivable	714,854.09
Total Accounts Receivable	548,963.19
Total Current Assets	1,736,281.28
TOTAL ASSETS	1,736,281.28
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable	20,833.25
Total Accounts Payable	20,833.25
Total Current Liabilities	20,833.25
Total Liabilities	20,833.25
Equity	
Opening Balance Equity	483,514.08
Unrestricted Assets	1,231,931.64
Net Income	2.31
Total Equity	1,715,448.03
TOTAL LIABILITIES & EQUITY	1,736,281.28

Warren County LDC
1. Statement of Financial Position
As of May 31, 2022

	May 31, 22	Apr 30, 22	\$ Change
ASSETS			
Current Assets			
Checking/Savings			
GFNB Loan -7264	341,366.04	331,573.65	9,792.39
GFNB Operating - 7390	46,241.34	52,841.34	-6,600.00
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	522,369.64	522,267.77	101.87
Total TD Bank Loan Account	799,710.71	799,608.84	101.87
Total Checking/Savings	1,187,318.09	1,184,023.83	3,294.26
Accounts Receivable			
Accounts Receivable	16,666.60	16,666.60	0.00
Allowance for Doubtful Accounts	-182,557.50	-182,557.50	0.00
Loan Receivable	714,854.09	719,238.90	-4,384.81
Total Accounts Receivable	548,963.19	553,348.00	-4,384.81
Total Current Assets	1,736,281.28	1,737,371.83	-1,090.55
TOTAL ASSETS	1,736,281.28	1,737,371.83	-1,090.55
LIABILITIES & EQUITY			
Liabilities			
Current Liabilities			
Accounts Payable			
Accounts Payable	20,833.25	16,666.60	4,166.65
Total Accounts Payable	20,833.25	16,666.60	4,166.65
Total Current Liabilities	20,833.25	16,666.60	4,166.65
Total Liabilities	20,833.25	16,666.60	4,166.65
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	2.31	5,259.51	-5,257.20
Total Equity	1,715,448.03	1,720,705.23	-5,257.20
TOTAL LIABILITIES & EQUITY	1,736,281.28	1,737,371.83	-1,090.55

Warren County LDC
Statement of Activities MTD
May 2022

	<u>May 22</u>	<u>Budget</u>	<u>\$ Over Budget</u>
Ordinary Income/Expense			
Income			
Other Types of Income			
Miscellaneous Revenue	0.00	62.50	-62.50
Total Other Types of Income	0.00	62.50	-62.50
Program Income			
Bank Interest	101.87	83.33	18.54
Contract - Warren County	4,166.63	4,166.66	-0.03
Loan Fees	0.00	25.00	-25.00
Loan Interest	1,240.95	2,083.33	-842.38
Total Program Income	5,509.45	6,358.32	-848.87
Total Income	5,509.45	6,420.82	-911.37
Gross Profit	5,509.45	6,420.82	-911.37
Expense			
Contract Services			
Accounting Fees	6,600.00	6,600.00	5,933.34
Total Contract Services	6,600.00	6,600.00	5,933.34
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	4,166.65	4,166.66	-0.01
Total Program Expense	4,166.65	6,316.65	-2,150.00
Total Expense	10,766.65	6,983.31	3,783.34
Net Ordinary Income	-5,257.20	-562.49	-4,694.71
Net Income	<u>-5,257.20</u>	<u>-562.49</u>	<u>-4,694.71</u>

Warren County LDC
Statement of Activities FYTD
January through May 2022

	Jan - May 22	Budget	\$ Over Budget
Ordinary Income/Expense			
Income			
Other Types of Income			
Miscellaneous Revenue	0.00	312.50	-312.50
Total Other Types of Income	0.00	312.50	-312.50
Program Income			
Bank Interest	397.55	416.69	-19.14
Contract - Warren County	20,833.23	20,833.38	-0.15
Loan Fees	0.00	125.00	-125.00
Loan Interest	6,204.78	10,416.69	-4,211.91
Total Program Income	27,435.56	31,791.76	-4,356.20
Total Income	27,435.56	32,104.26	-4,668.70
Gross Profit	27,435.56	32,104.26	-4,668.70
Expense			
Contract Services			
Accounting Fees	6,600.00	3,333.38	3,266.62
Total Contract Services	6,600.00	3,333.38	3,266.62
Program Expense			
Housing	0.00	3,125.00	-3,125.00
Legal	0.00	4,166.69	-4,166.69
Marketing	0.00	2,000.00	-2,000.00
Office Expense	0.00	1,041.69	-1,041.69
Professional Development	0.00	416.69	-416.69
Professional Services Contract	20,833.25	20,833.38	-0.13
Total Program Expense	20,833.25	31,583.45	-10,750.20
Total Expense	27,433.25	34,916.83	-7,483.58
Net Ordinary Income	2.31	-2,812.57	2,814.88
Net Income	2.31	-2,812.57	2,814.88

9:10 PM

06/13/22

Accrual Basis

Warren County LDC
Check Register
As of May 31, 2022

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

DRAFT



Child Care Needs Assessment Report

WARREN COUNTY

2022

The COVID Pandemic is having a major impact on child care across America; Warren County is no exception. The last few years has witnessed an alarming drop in the supply of child care. Many providers have decided to close their doors permanently, others on a temporary basis. Programs and center classrooms have closed periodically due to COVID exposures and quarantining, as well as from staff shortages.

Parents scramble to find care, often when there is simply none to be found. The roller coaster ride of the past many months (since March 2020) has taken its toll on parents and providers who struggle to meet the many challenges of these times. Federal and State funded grants have helped to mitigate some of the stressors experienced by working families and child care providers. Essential workers have had opportunities to receive funds to help pay their child care fees. Child Care providers who have been open during the Pandemic have been able to apply for funding to help stabilize and grow their programs.

Focused efforts to address the child care shortage crisis in our area must be a top priority now and for the next several years. Rebuilding the supply of child care is needed for all age groups, but especially for infants and school age children. NYS Office of Children and Family Services has recently initiated a “Child Care Desert Grant” opportunity to help new child care programs open in our area.

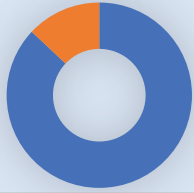
SACCN is partnering with several organizations in Warren and Washington Counties to implement child care recruitment plans and is also in the process of hiring a staff person to focus on these supply building efforts. And while these steps are critically important to regaining the balance of child care supply and demand in the immediate future, much work is still needed on a Community, State and Federal level to address-- and to change underlying issues in our child care system. Although space here does not allow for more on this topic, contact the Child Care Network for further information and resources (contact information on back of this report).

During the COVID 19 Pandemic, the supply of child care in Warren County has declined to crisis levels. The following chart indicates the high **number of closings of licensed/registered programs** in a two-year period.

Type of Child Care	2019	2021	Change Status
Centers	5	5	All centers have remained open
Family/Group child care	34	18	A loss of 16 programs (down 53%)
School Aged Child Care	11	3	A loss of 8 afterschool sites (down 73%)

The numbers in the above chart do not include the 6 Head Start Sites.

There are enough child care slots for only 13% of the children who live in Warren County



A Few Other Facts About Warren County

Population	65,737 ('20 census)
% of single parent householders	46% ('19 census)
% of children living below the poverty level	17% ('21 KWIC)
Median Income	\$61,024 ('19 census)
18 of Warren County's 23 townships have no child care	Only 3 towns have more than 1 program

Decline of Child Care Supply by Available Slots

	2019 (pre-COVID)	2021	# of Slots Loss	% of Decline
B-2 years	359	232	127	35%
2-4 years	692	463	229	33%
5-12 years	661	324	337	51%
TOTALS	1712	1019	693	40%

Child Care Challenges During the COVID Pandemic

PARENTS

Survey results of parents' experiences finding child care during the past year, leave no doubt that there is a large supply shortage in our area. When asked about challenges in their search experience, Most parents surveyed (79%), reported that there were "no openings".

Of those surveyed:

- 29% **overall** were able to find child
- 14% of parents seeking **school aged care** were able to find care.
- For those seeking **infant care**, the success rate was far lower at only 8%

Many parents expressed stress and frustration at needing to work, but not being able to do so without child care. The many changes necessitated by COVID as well as the unpredictability caused by program closures (by permanent and temporary) reveal the paramount need for a stable, quality child care supply so that parents can continue to work, and the economy can grow.

CHILD CARE PROVIDERS

COVID 19 has had an immense impact on the lives of child care providers in our communities. Essential workers, themselves, providers play a major role in making it possible for other essential workers to do their jobs, especially during the early days of the pandemic. Reduced enrollments, temporary closures, financial losses, shortage of staff, mask wearing and maintaining health and safety supplies and procedures are among the many challenges reported by providers.

Providers were asked to rank various challenges since the pandemic began. The following ranked as most challenging:

- Mask wearing with young children ranked #1 (81%)
- Financial loss ranked # 2 (58%)
- Closures due to COVID exposures/quarantining ranked # 3 (52%)

44% had enrollment decreases due to parents being out of work or working from home. 50% of providers surveyed, experienced temporary closures.

Note: Warren and Washington County providers' results were combined for this child care provider survey

Please direct questions and/or comments to Liz Mahon-Laidlaw at 518.798.7972, Ext. 210 or by emailing her at laidlawe@saccn.org.

The following data sources were used to compile this report: U.S. Census, Kids' Well-being Indicators Clearinghouse (KWIC) 2021, NYS OCFS Child Care Facility Database (CCFS), Empire State Child Care Match database (ESCCM), Parent Survey (child care referral follow ups surveys(March-Sep 2021), Provider Survey (December 2021)

SERVICE PROVIDER AGREEMENT

THIS MEMORANDUM OF UNDERSTANDING ("MOU"), is made by and between the WARREN COUNTY LOCAL DEVELOPMENT CORPORATION ("LDC"), a not-for-profit corporation of the State of New York, having a principal place of business located at the 1340 State Route 9, Lake George, New York 12845 and the ECONOMIC DEVELOPMENT CORPORATION, WARREN COUNTY, NEW YORK ("Provider"), 11 South Street – Suite 201, Glens Falls, New York 12801.

1. The LDC and the Provider agree that the Provider shall provide the LDC with professional services in connection with the LDC revolving loan fund and other services specified by Paragraph 5 below
2. In consideration of the services to be provided by the Provider, the LDC shall pay the Provider the total sum of Fifty Thousand Dollars (\$50,000.00). The LDC shall not be liable to the Provider for any other services and/or expenses unless otherwise agreed to in writing by the LDC.
3. The Provider shall provide not less than two (2) of Provider's personnel to perform services described in paragraph 5 and who shall possess particular or expertise for which the LDC is contracting herein.
4. The LDC engages the Provider to provide grant and loan administrative services with respect to any current grants and loans awarded to the County. The LDC appoints the Provider as a sub-recipient of the LDC with respect to any grants and loans as contemplated within paragraph 5 below.
5. The Provider shall undertake the following activities:
 - a. Promote, operate, and expand the existing revolving loan fund, administer the existing loan portfolio, pursue repayment and collection of loans, adopt loan program policies and guidelines, rigorously review all loan applications, maximize use of loan funds to improve employment opportunities. Coordinate and integrate contributions from the Business Review Board.
 - b. Administer other economic development and loan and grant programs as the LDC and the Provider may agree upon. Align and coordinate LDC programs with overall Economic Development activity in Warren County and region.
 - c. The Provider will provide regularly (at least quarterly) reports to the Warren County LDC Board Members.
 - d. The Provider shall comply with all applicable federal, state, and local laws. The Provider is a local authority and as such has Public Authority Law and Public Authorities Accountability Act compliance requirements.
6. For the services provided as described in paragraph 5 above, the LDC shall pay to the Provider the sum Fifty Thousand Dollars (\$50,000) for the calendar year 2022.
7. The term of this Agreement shall commence January 1, 2022, and end December 31, 2022.
8. Either Party may terminate this Agreement with sixty (60) day notice to the other Party.

9. The Provider on behalf of the LDC shall at least once per year with the County's Board of Supervisors standing committee for Economic Growth and Development.
10. All materials and property prepared for and on behalf of the LDC, together with all information memoranda, or other written material regarding the LDC's grants or loans, shall be deemed to be owned by the LDC and may be used by the LDC for any auditing or compliance reviews.
11. All financial and statistical records concerning or related to the purpose of this Agreement shall be maintained by the Provider for a minimum of six (6) years and shall be subject to inspection at reasonable times and notice by the LDC and its authorized officers, employees, and designees. The LDC's authorized officers, employees, and designee's reviews deemed shall be permitted to conduct any audits or other reviews deemed appropriate of said records. The Provider shall cooperate and provide all documents, records, receipts, account balance statements, vendor invoices, cash receipts journals, checks or copies of checks, deposit slips, purchase journals, State and Federal tax returns, and other information requested during such audits or reviews so that the LDC may perform a full and complete audit, or any accountants or auditors retained by the LDC shall be considered as authorized offices or designees of the LDC for purposes of audits and reviews.
12. Any type of discrimination and harassment is against LDC policy and is unlawful. The Provider acknowledges and agrees that it has read the entire LDC Policy Against Discrimination and Harassment, a copy of which can be found online at www.warrencountyny.gov under policies/union contracts/forms the link labeled Warren County Policy against Discrimination and Harassment. The LDC Policy Against Discrimination and Harassment applies to all personnel in a contractual or other business relationship with the LDC. This Agreement incorporates the entire policy as a material term of this Agreement. The Provider shall follow the policy in its entirety. If a complaint does arise, the Provider is to notify the LDC promptly. To the fullest extent permitted by law, the Provider shall indemnify, hold harmless and defend the LDC, its Board, officers, employees, and volunteers against all losses, claims, actions, demands, damages, liabilities, or expenses, including but not limited to attorney's fees and all other cost to defense, resulting from any Provider breach of this policy. To the fullest extent permitted by law, the LDC shall indemnify, hold harmless and defend the Provider, its Board, officers, employees, and volunteers against all losses, claims, actions, demands, damages, liabilities, or expenses, including but not limited to attorney's fees and all other cost to defense, resulting from a LDC breach of this policy.
13. This Agreement shall not be assigned, sold or transferred by the Provider to any other agency, party, or corporation without the prior written consent of the LDC.
14. The Provider agrees that it is an independent contractor and that the Provider and its employees and agents shall not hold themselves out as or claim to be officers or employees of LDC and they shall not make any claim for any to the rights or privileges applicable to as officer or employee of LDC.
15. This Agreement shall be deemed executory only to the extent of the moneys available to the LDC and the appropriations made by the LDC in the 2022 budget for this allocation and no liability on account thereof shall be incurred to the LDC beyond money so available for the purpose thereof.

16. Any dispute under this Agreement or related to this Agreement shall be decided in accordance with the laws of the State of New York and brought exclusively before the United States District Court for the Northern District of New York or the appropriate State court located within the County of Warren.
17. This Agreement may be executed and delivered in any number of counterparts, each of which so executed and delivered shall be deemed to be an original and all of which shall constitute one and the same instrument. Documents executed, scanned, and transmitted electronically and electronic signatures shall be deemed original signatures for purposes of this Agreement and all matters related thereto, with such facsimile, scanned and electronic signatures having the same legal effect as original signatures.
18. This Agreement is the final agreement and understanding of the Parties and cannot be changed or modified except by mutual written agreement. If any part of this Agreement shall be held unenforceable, the rest of this Agreement will nevertheless remain in full force and effect.

IN WITNESS WHEREOF, this Agreement has been executed by the duly authorized officers of the respective Parties.

Approved as to Form:

Warren County Local Development Corporation

Mark McCarthy
LDC Attorney

Peter McDevitt Chairman
Warren County Local Development Corporation

Date: _____

Date: _____

Economic Development Corporation, Warren
County New York

Matt Fuller

Print Name: _____

Title: _____

Date: _____

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	Respond by 07.07.2022	

Warren County LDC Portfolio Summary as of
May 31, 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	30,101.41	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	31,222.77	Current	Making Regular Payments - Site Visit 7/15/2022
All in Glass Studios	4/20/2016	12/20/2020	NO			30,000.00	3yrs 6% - 2019 6 mos int. only	Refinance	912.66	3,201.10	Current	Making Regular Payments - Site Visit 6/24/2022
LuMaZu LLC dba Nettle Meadow Cheese Farm	12/21/2017	9/10/2025	NO		35	115,000.00	7yrs 4% - 2019 6 mos int. only	Refinance - Working Capital	1,571.91	74,733.41	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	9,559.62	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	42,879.94	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	21,741.94	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	102,865.02	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	11,630.10	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	Business closed -borrower filed for bankruptcy in August 2018. County Attorney has filed proof of claim. Bankruptcy dismissed June 2019 .County attorney filing lawsuit to recover balance.
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