

**SEMINOLE COUNTY PORT AUTHORITY  
MINUTES OF THE REGULAR BOARD MEETING  
AUGUST 16, 2023**

The regular Board Meeting of the Seminole County Port Authority was held in the Board Room of the Administration Building at the Port of Sanford on August 16, 2023.

The Chairman called the meeting to order at 4:02 p.m. with the following Directors constituting a quorum: Matthew Criswell, Chairman; Bill Spivey, Secretary; Michael Caraway, Treasurer; Amy Guilfoyle, Member; Dana McBroom, Member; Steve Powell, Member; and Andria Herr, BCC Member.

Members Absent: Cliff Miller, Member; and Harry Ellis, Member.

Staff present: Andrew Van Gaale, Administrator; and Jennifer Sykes, Business Office Manager.

Also present: Steve Coover, SCOPA Attorney.

An invocation was given by Bill Spivey followed by the pledge to the Flag.

The Chair welcomed SCOPA's newest board member, Steve Powell. He then opened the floor for corrections or additions to the minutes of the July 19, 2023.

**MOTION WAS MADE BY DANA MCBROOM, SECONDED BY COMMISSIONER HERR TO APPROVE THE MINUTES OF THE JULY 19, 2023, BOARD MEETING.**

**MOTION CARRIED UNANIMOUSLY.**

The Administrator presented the Balance Sheet and Budget Statement for the month of July 2023. Revenues for the month of July were over budget by \$38,320. Revenues for the year-to-date are over budget by \$567,592. Expenses for the month of July were over budget by \$6,579, but remain under budget by \$345,213 for the year-to-date. The Administrator reported that occupancy remained at 100%. The Administrator also presented the Local Government Investment Poos (LGIP) statements for July showing interest returns of over 5%. Bill Spivey commented that he would like to discuss potentially moving some of the \$2.3 million currently held in the Seacoast money market account to the investment accounts later in the meeting. Dana McBroom noted that next month's expenses will also include the budgeted \$300,000 surplus fund contribution to Seminole County's general fund. There were no other questions on the July 2023 financial statements.

The Administrator then presented the Outstanding Bills for August 18<sup>th</sup> and September 1<sup>st</sup> explaining several items. Item #20, the \$7,700.00 payment for Cathcart Construction,

represents reimbursements for the Seminole County water and irrigation meter installations at the 1500 Dolgner redevelopment site. Item #21, the \$179,995.55 payment to Cathcart Construction, represents the fifth draw on the 1500 Dolgner Place redevelopment project. The Administrator then pointed out the standard first of the month bills for September and invited questions on the bills. Dana McBroom asked if the Commissioner had received any information regarding the health insurance rate increases for next year. The Commissioner stated that she did not have a number, but would anticipate somewhere around five percent. The Administrator responded that staff had included a ten percent increase in the fiscal year 2023/2024 budget.

**MOTION WAS MADE BY DANA MCBROOM, SECONDED BY BILL SPIVEY TO APPROVE THE AUGUST 18<sup>TH</sup> AND SEPTEMBER 1<sup>ST</sup> BILLS AS PRESENTED. THE LIST OF BILLS APPROVED TO BE PAID IS ATTACHED AND MADE A PART OF THESE MINUTES.**

**MOTION CARRIED UNANIMOUSLY.**

The Administrator presented the Aged Receivables list to the Board for review. He explained that Filtration Direct has only a small balance due to a recent adjustment in their lease. G&C Welding is a minority owned company with a contract about to begin at Orlando International Airport. They made a payment last month, are expected to make another payment before the end of the month, and then get back on track once their airport contract starts. The Administrator reported that a Three-Day Notice had been issued to Paul Newman's Dazzling Detailing. Richardo Zayas is current, only owing for August. Matthew Criswell asked if G&C Welding was just a cash flow issue. The Administrator confirmed that was their explanation. The Administrator reminded the board that SCOPA received possession of the F4W leasehold last month. That stopped the clock on rent and started the clock on storage fees. Unfortunately, staff have to sell the abandoned property left within the unit which includes a lot of tools, equipment, two vehicles, and office furniture. The Administrator informed the board that was exploring the best way to proceed and had met with a reputable local auctioneer who is preparing a proposal. Steve Coover explained that there were a couple of ways to approach the sale of the abandoned property and recommended the Administrator follow the advice of the new SCOPA attorney to ensure all Florida statutes are met.

## **OLD BUSINESS**

Contract for Legal Services – The Administrator presented the Contract for legal services from Paul, Elkind, Branz & Paul, LLP, explaining that both the Chairman and Steve Coover have previously reviewed the document. He continued explaining that he confirmed with Mr. Elkind that they do not charge government entities a retainer. Also, Mr. Elkind did not anticipate an escalator in the first two years and assured him that, if after a few years costs were rising, he would discuss rate changes with the board in advance to ensure that the Port could budget accordingly. Matthew Criswell inquired how the legal service costs would be processed going forward. The Administrator explained that those invoices

would show up on the monthly Outstanding Bills list. Commissioner Herr commented that she has no concerns stating that Mr. Elkind's reputation and longevity with clients would indicate that his costs are not escalating unreasonably. Steve Powell asked if the Port would be billed on the quarter hour for telephone calls along with meetings. The Administrator explained that Mr. Elkind will be billing on the quarter hour.

**MOTION WAS MADE BY COMMISSIONER HERR, SECONDED BY DANA MCBROOM, TO APPROVE THE JULY 24, 2023, CONTRACT FOR LEGAL SERVICES WITH PAUL, ELKIND, BRANZ, & PAUL, LLP.**

**MOTION CARRIED UNANIMOUSLY.**

Market Rent Study Proposal – The Administrator updated the board that he is actively soliciting proposals for market rate analysis studies and has meetings set up with a couple of different companies. Additionally, staff is looking at implementing new property management software. The accounting software that the Port has historically utilized is not specialized for property management. Making this change will hopefully assist staff in supplying the specific analytics the board has requested for tracking rent trends, projecting maintenance costs, budget predictions, and allow staff to do all this more efficiently. He assured the board that Jennifer Sykes has been in communication with SCOPA auditor Rob Kimelman about the potential change and plans to do a minimum of six months of redundancy with the current software. The Administrator said that as discussed at the June meeting, staff have also been looking at the total economic impact of the Port. He reported that Jennifer Sykes had done a good job at not only mapping the projects, but also taking a census of the Port business community. The Administrator reported that currently there are 616 people employed through Port businesses, and those businesses are contributing \$428,000 in property taxes annually.

## **NEW BUSINESS**

Leases – The Administrator presented the following four leases and recommended approval.

1. Lease Renewal – Kevin B. Hays Fire Consulting, LLC; 1470 Kastner Place, Suite 124; 1-year Lease Addendum; term 9/1/23-8/31/24; with the scheduled 5% increase to \$2,205.00/mo. (4,020 sq. ft. warehouse w/ 480 sq. ft. office @ a rate of \$6.44/sq.ft./yr.) Personal guarantees.
2. Lease Renewal – New Price, Inc.; 1928,1932 & 1954 Dolgner Place; 1-year Lease Addendum; term 9/1/23-8/31/24; at the budgeted rate of \$2,362.50/mo. (4,500 sq.ft. warehouse @ a rate of \$6.91/sq.ft./yr.) Personal guarantee.

3. Lease Renewal – ProlinQ, Inc.; 1417 Dolgner Place; 1-year Lease Addendum; term 9/1/23-8/31/24; at the budgeted rate of \$918.75/mo. (1,204 sq.ft. warehouse w/ 192 sq.ft. office @ a rate of \$8.54/sq.ft./yr.) Personal guarantee
4. Lease Renewal – Rhoades Construction Services, LLC; 1970 Dolgner Place; 1-year Lease Addendum; term 9/1/23-8/31/24; with the scheduled 5% increase to \$1,620.68/mo. (3,000 sq.ft. warehouse @ a rate of \$7.09/sq.ft./yr.) Personal guarantee.

**MOTION WAS MADE BY DANA MCBROOM, SECONDED BY COMMISSIONER HERR TO APPROVE THE LEASES AS PRESENTED.**

**MOTION CARRIED UNANIMOUSLY.**

#### **NEW BUISINESS**

Resolutions for adoption - The Chairman presented two resolutions for adoption. The first Resolution is honoring retiring board member, Susan Sherman. The second Resolution is honoring retiring general counsel, Steve Coover.

**MOTION WAS MADE BY COMMISSIONER HERR, SECONDED BY DANA MCBROOM TO APPROVE THE RESOLUTION HONORING RETIRING BOARD MEMBER SUSAN SHERMAN. THE RESOLUTION IS ATTACHED AND MADE A PART OF THESE MINUTES.**

**MOTION CARRIED UNANIMOUSLY**

**MOTION WAS MADE BY COMMISSIONER HERR, SECONDED BY BILL SPIVEY TO APPROVE THE RESOLUTION HONORING RETIRING SCOPA GENERAL COUNSEL STEPHEN H. COOVER, ESQ. THE RESOLUTION IS ATTACHED AND MADE A PART OF THESE MINUTES.**

**MOTION CARRIED UNANIMOUSLY**

The board applauded Mr. Coover and expressed heartfelt thanks for his longstanding service to the Port Authority. Mr. Coover reminisced about Dennis Dolgner having faith in him as a thirty-six-year-old attorney when he started working for the Port. Steve Coover stated that at that time Cliff Miller was already on the board and has remained a father figure to the board. He said that later Dana McBroom joined the board as an up-and-coming CPA. He acknowledged Mrs. McBroom's steadfast contribution to the healthy fiscal management of the Port. Mr. Coover explained that Dana McBroom helped oversee several joint ventures and bank financed projects while the Port established the capital improvement reserves it has now. Mr. Coover said Dennis and Irene Dolgner became good friends, stating it is easy to work with friends. Mr. Coover then acknowledged the

efficiency of how Andrew Van Gaale took over as Administrator and stated that he would have hired Jennifer Sykes for his own law practice if he could. Steve Coover thanked the board stating that while he has enjoyed working for the Port Authority, he is now looking forward to retirement and spending time with his granddaughter.

### **ATTORNEY'S REPORT**

Mr. Coover reported that the only item not previously discussed was that the Administrator wanted to dismiss the Trident Weaponry lawsuit since they had cleaned up their act. He stated that Mr. Elkind, the new SCOPA general counsel, could file a simple dismissal.

### **ADMINISTRATOR'S REPORT**

The Administrator reported that the 1500 Dolgner Place site redevelopment was moving along nicely and was approximately 70% complete. He stated that half the concrete parking lot had been poured. Also, the 90% architectural plans were received for buildings one and two.

The Administrator informed the board that he was currently working with Seminole County Sheriff's to trespass a few people who have parked their boats along the shoreline at the end of Dolgner Place. He reported that Detective Raborn of the Range and Water Unit had done a great job and coincidentally, his grandfather was a R.L. Raborn a former Port Authority board member. He reported that two of the people trespassed were arrested on outstanding warrants. The third person trespassed is the owner of the half sunken boat who Fish and Wildlife are working to get removed. Matthew Criswell asked if the issue came in as a tenant complaint. The Administrator stated that after starting the process, he also received reports from tenants about people cutting paths through the greenspace along the shoreline. He explained that it has been a difficult situation because Fish and Wildlife patrols the waterway only and the Sheriff's office patrols the land. In this situation with the vessels anchored just offshore and outside the waterway required cooperation of both law enforcement agencies for resolution.

Steve Powell asked about the status of 1601 Dolgner Place roofing project. The Administrator explained that he is looking into getting the necessary repairs performed and wants to go out for rebid during the next fiscal year. Mr. Powell asked if the Administrator was looking at sealcoating the roof to extend its lifespan. Matthew Criswell responded that the Port used to do a lot of sealcoating, but unfortunately this roof needs replaced.

Bill Spivey stated that the current reserve fund balance is \$2.3 million, even with taking next month's surplus contribution into account, he would recommend transferring an additional \$500,000 into both Local Government Investment Pools (LGIP). He pointed out that the Port would get a higher return on the investment while rates were good and that

the funds could be divested at any time needed. Bill Spivey reported that according to SCOPA's investment policy a motion is required to invest funds, the Treasurer is required to confirm the investment activity, but the Administrator and Chair may divest funds into a SCOPA bank account as needed. The Administrator reminded the board that he completed his requirement, however, the Chairman is also required to do eight hours of investment education. Bill Spivey commented that with the election of officers it might be beneficial to wait. Matthew Criswell stated that he was happy to relinquish the Chair to another member if they desired but was also happy to fill the role for an additional year. Bill Spivey stated that he would continue looking for education opportunities for the Chairman.

**MOTION WAS MADE BY BILL SPIVEY, SECONDED BY DANA MCBROOM TO INVEST \$500,000.00 INTO FL PRIME AND \$500,000.00 INTO FL SAFE.**

**MOTION CARRIED UNANIMOUSLY**

Commissioner Herr asked the Administrator if he had a timeline on the new buildings. The Administrator reported that the architectural plans were 90% done and he was hoping to apply for permits in the next two months then go out to bid. He reported that he estimated tenant occupancy in January 2025. The Commissioner said that the board needed to think about what the new tenancy would look like. The Administrator agreed, stating that the budget included real estate commissions and he hoped the previously discussed market studies would help establish competitive market rates. The Commissioner recommended contacting Orlando Economic Partnership and offered to assist in making the connection. She also stated that the market rate study needs to include the new buildings as well as the current product and identify the kind of tenants the Port should be targeting. Steve Coover commented that the board is going to have to adjust their leasing policies because larger, national businesses are not going to sign the required personal guarantees. He recommended altering it to something similar to the landlord waiver policy which requires larger security deposits. The Administrator thanked Mr. Coover for bringing that up, stating that the owner of LaMesa has handed operations down to his son who does not want to sign the personal guarantee. He explained that he would be working with the new attorney on those issues.

The Administrator also suggested a workshop to update the Port mission statement. He read the current mission statement, "The Seminole County Port Authority's continuing objective is to serve small and medium size businesses by providing competitive warehouse rentals and manufacturing space, growth opportunity and customized assistance. Job creation and retention have always been, and will continue to be, the overriding management factor which guides the decision-making process of the Seminole County Port Authority." He stated that as the Port transitions away from being an economic incubator also updating the mission statement would be beneficial in clarifying objectives and empowering staff for the daily management of the Port operations.

The Administrator reminded the board that the public hearing for the Port Authority fiscal year 2023/2024 budget would be Tuesday, August 22<sup>nd</sup> at 1:30 pm in the commission chambers. Matthew Criswell confirmed that he would attend, and the Administrator invited any other members to join them.

There being no further business, the meeting was adjourned at 5:14 p.m. by Matthew Criswell.

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Matthew Criswell, Chairman

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Bill Spivey, Secretary

**RESOLUTION  
OF  
SEMINOLE COUNTY PORT AUTHORITY**

**WHEREAS**, having served diligently as a member of the Board of Directors for six years, and

**WHEREAS**, as a direct result of her devoted service as an advocate of economic development, the Port of Sanford has experienced fiscal management, healthy operational efficiency, and

**WHEREAS**, the Authority has been a positive influence on the economic environment of Seminole County and the citizens thereof, and

**WHEREAS**, her dedication and sound judgment have been an inspiration to both staff and fellow board members, and

**WHEREAS**, she has now retired from this important public service and the Seminole County Port Authority desires to express its recognition for her contributions.

**NOW, THEREFORE, BE IT RESOLVED** by the Seminole County Port Authority, on behalf of itself and the citizens of Seminole County, Florida, that the diligent efforts of

**SUSAN SHERMAN**

be hereby recognized, and the grateful appreciation of the Authority and the public be hereby made known.

**BE IT FURTHER RESOLVED** that this Resolution be spread upon the minutes of the Seminole County Port Authority so that future generations may be made aware of her contributions.

**UNANIMOUSLY PASSED AND ADOPTED  
this 16<sup>th</sup> day of August, 2023**

Matthew Criswell, Chairman  
Bill Spivey, Secretary  
Cliff Miller, Member  
Harry Ellis, Member  
Andria Herr, BCC Member  
Stephen Coover, Attorney

Michael Caraway, Treasurer  
Dana McBroom, Member  
Amy Guilfoyle, Member  
Steve Powell, Member  
Andrew Van Gaale, Administrator  
Jennifer Sykes, Office Manager



**RESOLUTION  
OF  
SEMINOLE COUNTY PORT AUTHORITY**

**WHEREAS**, having served diligently as a general counsel of the Board of Directors for thirty-two years, and

**WHEREAS**, as a direct result of his devoted service as an advocate of economic development, the Port of Sanford has experienced fiscal management, healthy operational efficiency, and

**WHEREAS**, the Authority has been a positive influence on the economic environment of Seminole County and the citizens thereof, and

**WHEREAS**, his dedication and sound judgment have been an inspiration to both staff and fellow board members, and

**WHEREAS**, he has now retired from this important public service and the Seminole County Port Authority desires to express its recognition for his contributions.

**NOW, THEREFORE, BE IT RESOLVED** by the Seminole County Port Authority, on behalf of itself and the citizens of Seminole County, Florida, that the diligent efforts of

**STEPHEN H. COOVER, ESQ.**

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**UNANIMOUSLY PASSED AND ADOPTED  
this 16<sup>th</sup> day of August, 2023**

Matthew Criswell, Chairman  
Bill Spivey, Secretary  
Cliff Miller, Member  
Harry Ellis, Member  
Andria Herr, BCC Member  
Steve Coover, Attorney (retired)

Michael Caraway, Treasurer  
Dana McBroom, Member  
Amy Guilfoyle, Member  
Steve Powell, Member  
Andrew Van Gaale, Administrator  
Jennifer Sykes, Office Manager