

City of Buda 4 B Corporation

Minutes
Regular Meeting
Tuesday, September 8, 2009

Attendees: Sam Cooper, Pat Kirby, William McAnelly, Laurie Cromwell, Antonio Sosa and Richard Carey. Cathy Chilcote arrived at 6:01 p.m.

Outgoing Board Members

Mr. Lee Raines and Mr. Terry Capps were not in attendance.

New Board Members

President Sam Cooper welcomed and introduced newest Board members Cathy Chilcote and Richard Carey.

President's Comments

President Sam Cooper relayed important information for the new Board Members such as Executive Director Kettelman works on behalf of the EDC Board, the Board serves the Buda City Council, rules of Executive Session, EDC Board Members may volunteer to serve on different committees (goals and objectives, employee issues, etc.), the recent Workshop to determine the EDC's future goals, required training in Open Meetings and Sales Tax, and Mr. Jeff Moore of Brown & Hofmeister, LLP is Buda EDC's counsel.

Minutes

RESOLVED, that the Board approve the minutes from the August 11, 2009 regular meeting. Motion by Director Cromwell, seconded by Director Sosa. Motion passes 5-0. Director Chilcote and Director Carey abstained.

Treasurer's Report

Treasurer's report was not available.

Executive Director's Report

Executive Director, Warren Kettelman provided a synopsis of activities and updates including: attendance at a Hays CISD meeting whereas Dr. Lyons presented the strategic plan for the district; attendance at the Austin-Travis LCRA Advisory Council meetings; the Main Street/IH 35 bridge improvements to begin soon – contract awarded to Ballinger Construction out of Harlingen; FM 2001 through Sunfield MUD completion awaiting environmental study; and prospects include an individual seeking information for a downtown bar/restaurant, interest in Main Street Café, small metal engraving shop, roofs/doors/window prospect to visit the office this week, second meeting with large daycare prospect, ongoing meetings with Malcolm Milburn and his IH-35 frontage acreage.

Loss of Sales Tax Revenue by Buda Fire Department

Executive Director, Warren Kettelman explained to the Board that in 2008, ESD #8 (Buda Fire Department) held a successful election for the imposition of a ½ cent sales tax within the ETJ area of their geographic district which includes Park 35 South Industrial Park. Park 35 South generates approximately \$10,000 per month from the ½ cent sales tax. The City of Buda is moving forward with plans to annex Park 35 South by the end of the year. Once annexed into the City, ESD #8 will relinquish their ability to collect sales tax in this area.

Chief Huckaby stated that the Park 35 sales tax had enabled him to build a new station on FM 967 and begin the new station on FM 2001. Both stations are on 20 year notes. ESD #8 currently collects \$276,000 per year and will lose \$160,000 in 2010 once the City annexes this portion of the ETJ. Chief Huckaby stated this would ensure the need to decrease personnel and apparatus. He stated he met with City Manager, Kenneth Williams and Executive Director, Warren Kettelman whereas Mr. Kettelman proposed a possible solution of ¼ cent of the EDC's sales tax from Park 35 South not to exceed \$80,000 per year; Mr. Williams did not make a proposal.

Executive Director Kettelman stated to the Board that EDC attorney, Jeff Moore indicated by letter that Buda EDC cannot give money to the Buda Fire Department but Buda EDC can tie money to a public service facility.

After a brief discussion by the Board, no action was taken. The Board directed staff to add this item to the next agenda when financials would be available. The Board also directed Executive Director Kettelman to extend the Board's ideas and suggestions to EDC attorney Jeff Moore. Executive Director Kettelman asked for the Board to email their ideas and suggestions to him.

Election of Board Officers

Outgoing Board President Cooper vacated the chair position and Executive Director Kettelman chaired this portion of the Board agenda.

RESOLVED, that the Board elect Director Cromwell to serve as President. Motion by Director Cooper, seconded by Director Sosa. Motion passes 6-1.

RESOLVED, that the Board elect Director McAnelly to serve as Vice President. Motion by Director Cromwell, seconded by Director Cooper. Motion passes 7-0.

RESOLVED, that the Board elect Director Kirby to serve as Secretary. Motion by Director Cooper, seconded by Director Cromwell. Motion passes 7-0.

RESOLVED, that the Board elect Director Cooper to serve as Treasurer. Motion by Director Cromwell, seconded by Director Kirby. Motion passes 7-0.

Buda EDC Board Meetings

No action taken. Board will email their preferred meeting days/times to Janet Shull to be presented at the next Board meeting.

Executive Session

The Board went into Executive Session from 7:20 p.m. to 7:34 p.m.

Executive Director Employment Contract

RESOLVED, that the Board offer Executive Director Warren Kettelman continued employment with Buda EDC for the next three (3) years. Motion by Director McAnelly, seconded by Director Kirby. Motion passes 7-0.

Hays CISD "Safe Routes to School" Letter of Support

Executive Director Warren Kettelman gave a brief synopsis about the Texas Department of Transportation's Safe Routes to School program; a reimbursable grant program funded through a federal transportation bill. Hays CISD is working with the City of Buda on an application for funds to build improvements that provide safe routes for students to walk or ride a bike to school. Hays CISD requested a letter of support that will be included in the grant application package.

RESOLVED, that the Board approve providing a letter of support to Hays CISD to include in their Safe Routes to School grant application package. Motion by Director Cooper, seconded by Director Sosa. Motion passes 7-0.

Buda EDC Office Lease

RESOLVED, that the Board approve a Commercial Lease Amendment with Railroad & Rose, Ltd. to expire July 31, 2010. Motion by Director Cooper, seconded by Director Kirby. Motion passes 7-0.

Buda Improvement Grant (BIG) Application - Railroad & Rose, Ltd

RESOLVED, that the Board approve a BIG application presented by Railroad & Rose, Ltd in the amount of \$1500.00. Motion by Director Cromwell, seconded by Director Chilcote. Motion passes 7-0.

Future Agenda Items

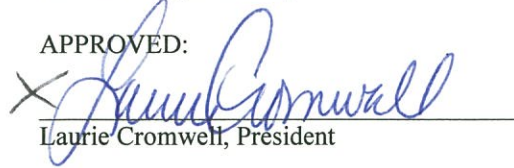
Buda Fire Department loss of sales tax
Board meeting schedule

There being no further business to come before the Board of Directors, the meeting was duly adjourned.

Dated: November 2, 2009


Patrick Kirby, Secretary

APPROVED:

X 
Laurie Cromwell, President

Approval of Minutes

The foregoing minutes are approved as the acts of the Directors of the Corporation.


Richard Carey, Director


Cathy Chilcote, Director


Sam Cooper, Director


Laurie Cromwell, Director


Patrick Kirby, Director


William McAnelly, Director


Antonio Sosa, Director