

INDUSTRIAL DEVELOPMENT BOARD
Wednesday, January 29, 2014
Administration Conference Room – 5:30 p.m.
Department of Economic and Community Development
1920 S. Germantown Road

The Germantown Industrial Development Board met on Wednesday, January 29, 2014 in the Administration Conference Room. Chairman Henry Evans called the meeting to order at 5:30 p.m. A quorum was established with the following members present.

PRESENT: Chairman Henry Evans, Vice-Chairman Mike Harless, Keith Saunders, and Julie Klein

ABSENT: Frank Markus, and Dick Vosburg

GUESTS: Rocky Janda, and Charles Pierce

STAFF: Marie Burgess, Economic Development Planner and Josh Lawhead, PILOT Attorney, Burch Porter & Johnson PLLC

MINUTES

A motion was made by Julie Klein, seconded by Keith Saunders, to approve the February 28, 2013 minutes. The motion passed.

Mr. Evans stated we have one item on the agenda tonight, consideration of acceptance of ThyssenKrupp Elevator Manufacturing, Inc. personal property additions. If you recall last year, it's in the minutes that we received a late request from ThyssenKrupp Elevator Manufacturing, Inc. It was actually after the first of the year, and at that time we turned down the request to back date and make those adjustments effective in 2012. But we did agree that it would be in 2013. We asked them to come to us earlier, before the end of the year in the future. They did come to us in December wanting to make adjustments.

Mr. Lawhead noted that before you is Resolution 2014-1. The board would approve the advance by ThyssenKrupp Elevator Manufacturing, Inc. of that certain personal property reflected on Exhibit A of the Bill of Sale including materials and the value is \$12,659.39. The Board would also approve the amendment to lease back from the Industrial Development Board to ThyssenKrupp Elevator Manufacturing, Inc. that same personal property and both of those would be approved with Resolution 2014-1 in (section 1). What has been done in the past is not done here. Usually we receive documents already executed by the applicant. That was not able to occur and this Resolution would conditionally approve the lease amendment and the Bill of Sale provided that executed versions are delivered to the Industrial Development Board by ThyssenKrupp Elevator Manufacturing, Inc. by next Wednesday, February 5, 2014.

Mr. Evans noted the reason we understand that this was not executed was due to having management changes. I don't know if it the question was who was going to sign, or when they can get it signed. Rather than hold it up and have us come back and meet again, Josh suggested this alternative in the Resolution.

Mr. Harless commented that this was a small amount of personal property-looking on the Bill of Sale where they have put two chairs and office furniture.

Mr. Pierce explained that there was more personal property, but it was leased property, so they did not include it in the personal property list. ThyssenKrupp Elevator Manufacturing, Inc. is a corporation that appreciates your understanding as the management will be making some changes. I just find out yesterday around 1:00 p.m. in the afternoon, that he just left last Friday and it was a bit unexpected.

Mr. Evans stated to be sure and convey to them that if we don't get them signed by next Wednesday, that this will not be approved for 2013. It would have to roll over to 2014.

Mr. Lawhead explained that he had discussed the lease issue with Eric Bupre` and found that this is usually only done in extraordinary circumstances. The value of the lease property that ThyssenKrupp Elevator Manufacturing, Inc. leased in 2013 was not very large.

Mr. Harless asked what does that mean: “not very large”?

Mr. Pierce stated that it’s just a bit over \$100,000 of IT equipment, and he explained that the short time frame was another reason they didn’t submit.

Mr. Harless discussed a past experience with a lease with Mid-American Specialties, where they weren’t the owner of the property. They were leasing it, and we ending up closing the building itself.

Mr. Lawhead explained that it can be done with real property.

Mr. Harless asked Josh Lawhead if ThyssenKrupp Elevator Manufacturing, Inc. could come back in 2014 with leased property.

Mr. Evans requested a motion for Resolution 2014-1 as presented. A motion was made by Mr. Saunders, seconded by Ms. Klein, to approve Resolution 2014-1 regarding the Personal Property additions of ThyssenKrupp Elevator Manufacturing, Inc. The motion passed.

ADJOURNMENT

There being no further business to come before the board, the meeting was adjourned.