



# LORING COMMERCE CENTRE

Loring Development Authority of Maine  
Board Meeting Minutes  
July 15, 2020  
154 Development Drive, Suite F  
Loring Commerce Centre, Limestone, Maine

## 1. Call to Order

The meeting was called to order by Mark Wilcox at 9:37 a.m.

LDA Board Members participating by conference call: Mark Wilcox, Carol Bell, Jim Cote, Richard Ezzy, Doug Damon, Dana Saucier, Janet McGillan, Mike Edgecomb, Dan LaPointe and Jim Clair.

LDA Board Members absent: Miles Williams, Steve Levesque, and Heather Johnson.

Others participating by conference call: Sharon Campbell, Senator King's Office; Barb Hayslett, Congressman Golden's Office; Max Rush, Senate President's Office; Tony Levesque, Town of Fort Fairfield; Michael Daly, US EPA; and Naji Akladiss, MDEP.

Others present: Peter Forbes, US Air Force Engineering Center.

LDA Staff participating by conference call: Carl W. Flora.

LDA Staff present: Neal Haines and Donna Sturzl

## 2. Identification of Board Members and Others

Attendance was taken.

## 3. Minutes of Meeting of June 8, 2020

MOTION: Motion was made by Richard Ezzy and seconded by Carol Bell to accept the minutes of the June 8, 2020 meeting as presented.

VOTE: Motion was voted on and passed unanimously.

## 4. Treasurer's Report for March and April 2020

On the April statement of assets, liabilities have increased with the use of the line of credit and accounts payable have also increased. On the April statement of change in net assets, items over or under budget are similar to prior months with the exception of contracted municipal services, which is over budget due to the new fees for ambulance services. The change in net assets through April is negative \$735,000.

There have been delays in both accounts payable and receivables; payables have been mostly caught up since April. Receivables overdue from Loring Industries are expected soon; Loring Holdings intends to catch up on its office rent at a later time. Invoices for water for the Manser Drive residential units are also overdue.

Trustees discussed the potential sale of the Manser Drive properties to the current managers. Mr. Flora will speak with them about purchasing the residential units and will inform the Trustees of the current lease expiration date. LDA would like to see the operation succeed with the current managers. If they choose to not purchase the operation, selling the units individually, may attract other buyers.

MOTION: Motion was made by Mike Edgecomb and seconded by Carol Bell to accept the March and April Treasurer's report as presented.

VOTE: Motion was voted on and passed unanimously.

#### 5. Budget for FY2021

The budget presented today is preliminary only; it has not been reviewed by the finance committee. Revenues include the assumption that the Loring Job Increment Financing Fund will increase from 50% to 100% in the next legislative session as proposed before the shutdown of the legislature due to the pandemic, or that a Cares Act loan will be secured. Mr. Flora suggested keeping the budget as a working draft and consider adopting it when the projected revenue becomes less speculative. For now, a continuing resolution would allow routine operations to continue with extraordinary operations going to the Board for approval. The SEP-IRA contribution is a separate item.

The Board will meet again in a month to determine the viability of LDA; without revenue assurances, it will be difficult to continue. Mr. Wilcox asked legislative staff of the possibility of assistance. Mr. Flora will set up a call with Congressional Staff and the State Senate President's office.

MOTION: Motion was made by Jim Cote and seconded by Richard Ezzy to approve the continuing resolution for normal operating expenses only.

Doug Damon noted that continued operations should be characterized as "emergency" rather than normal, and proposed that the motion be amended to approve "emergency expenditures" rather than "normal operating expenditures".

AMENDED MOTION: Motion was made by Jim Cote and seconded by Richard Ezzy to approve the continuing resolution for emergency expenditures only, with any non-emergency or extraordinary expenditures to be first approved by the executive committee.

VOTE: Motion was voted on and passed unanimously.

#### 6. Supplemental Deed from Air Force and Declaration of Environmental Covenants

Documents defining a set of land use restrictions that address the problem of soil vapor intrusion into certain buildings are nearly ready to be signed. The documents, listed below, were discussed.

1. a Supplemental Deed to be given by the Air Force to LDA containing the restrictions and covenants; and

2. a Declaration of Environmental Covenants to be signed by the LDA whereby the restrictions and covenants are created and attach to the affected real estate.

The Supplemental Deed would add affected facilities and parcels to existing use restrictions, requiring soil vapor intrusion to be addressed prior to commercial occupancy or new construction. The affected buildings, #s 7330, 7500, 7501, 8260, 8264, 8622, and 8710, and six land parcels could be used for industrial and commercial purposes, but not for residences, schools, childcare facilities, or long-term health care facilities. The Declaration of Covenants would attach to affected real estate, requiring cooperation with the Air Force's occupancy guidance and remediation efforts.

One of the affected buildings, building #7330, is leased to Kirk and Matthew Cote, with an option to purchase. The new restrictions are not included in the agreement with the Cotes and LDA is not free to add restrictions. The Cotes and the Air Force are discussing the issue and potential solutions.

Mr. Flora asked for a resolution authorizing the acceptance of the Supplemental Deed the execution of the Declaration of Environmental Covenants.

MOTION: Motion was made by Richard Ezzy and seconded by Doug Damon to authorize the LDA President and CEO to accept the Supplemental Deed and to execute the Declaration of Environmental Covenants.

VOTE: Motion was voted on and passed unanimously with Jim Cote abstaining from the vote.

#### 7. General Update

1. Officers. Mark Wilcox was recently elected to replace Miles Williams as LDA Chair and the Vice Chair position is vacant. Carol Bell, Treasurer, and Dana Saucier, Secretary, are eligible to continue in their respective offices. Mr. Wilcox asked for anyone interested in serving as Vice Chair to let him know.

2. Upcoming Meetings. The next meeting will be on or close to August 19<sup>th</sup> and a meeting is needed in September or early October to review and approve the annual audit report.

3. Pending Projects. The sale of the golf course is complete. Pending projects include RTG's tooling project that is being discussed, but is not firm; the distillery, delayed by the pandemic; the Chris Nieh project with investors interested in Loring; an aviation maintenance prospect; the biorefinery project; and Loring Industries manufacturing prospects. The July land speed race was cancelled because participants didn't want to travel at this time, but a race may be held in September and the annual Motor Cross event is a go for this summer.

Another item to bring to attention is nuisance bears. Bears are a problem at Loring and all communities this summer. LDA is working with Inland Fisheries and Wildlife to remove the bears from residential areas. Mr. Cote said that changing dumpster covers to steel covers would help to end bear problems on Manser Drive.

#### 8. Public Comment and Media Question and Answer Period

None.

9. Executive Session: Confidential discussions concerning personnel, economic development and real estate matters pursuant to Title 1 M.R.S.A. Section 405 Subparagraphs 6.A. and 6.C.

MOTION: Motion was made by Richard Ezzy and seconded by Janet McGillan to enter into executive session to discuss personnel, economic development and real estate matters pursuant to Title 1 M.R.S.A. Section 405 Subparagraphs 6.A. and 6.C.

VOTE: Motion was voted on and passed unanimously.

**\*\* End Executive Session \*\***

Return to public session.

MOTION: Motion was made by Rich Ezzy and seconded by Doug Damon to authorize the LDA President & CEO to execute and otherwise accept a Supplemental Deed from the Air Force imposing additional use restrictions and covenants on certain parcels and to execute a Declaration of Environmental Covenants establishing the same restrictions and covenants, provided that Building #7330 shall not be included in the documents unless the consent of the current holders of the option to purchase is secured.

VOTE: Motion was voted on and passed unanimously with the exception of Jim Cote who abstained.

10. Adjourn

MOTION: Motion was made by Jim Cote and seconded by Rich Ezzy to adjourn the meeting at 10:49 a.m.

VOTE: Motion was voted on and passed unanimously.

Respectfully submitted,

Dana Saucier  
Secretary