

MINUTES
BENBROOK ECONOMIC DEVELOPMENT CORPORATION
Board of Directors
Regular Meeting
Benbrook City Hall
December 18, 2006

I. CALL TO ORDER

The regular meeting of the Benbrook Economic Development Corporation Board of Directors was called to order at 7:09 p.m., Monday, December 18, 2006, in the Council Chambers, City Hall at 911 Winscott Road. The presiding officer was President Charlie Anderson. A quorum was present, including the following:

Charlie Anderson, President
Dan Tully, Vice President
Jim Amick, Secretary
Steven White, Treasurer
Carrol Crombie

Absent: John Vander Pan
 James Schull

Staff Present: Ron Rainey, Executive Director
 Patty C. Bissey, Director of Marketing & Research

Also Present: Dave Gattis, Assist. City Manager
 Larry Stowe, City Council Member

II. CONSENT AGENDA (Items listed under the Consent Agenda are considered routine and are enacted in one motion. The exception to this rule is that a Board Member, Citizen, or Executive Director may request one or more items to be removed from the Consent Agenda for separate discussion and action.)

- a. Minutes of BEDC Regular Meeting of November 18, 2006**
- b. Financial Report For Period Ending November 30, 2006**

Mr. Dan Tully made a motion to accept the consent agenda. Mr. Carrol Crombie seconded the motion. President Charlie Anderson called the vote. All voted aye and the motion carried.

III. DIRECTORS REPORT

- a. Signal Warrant Analysis – Benbrook Blvd.** – Director Rainey informed the Benbrook Economic Development Corporation Board of Directors that the signal warrants for a proposed signal light at Home Depot Blvd. west of Benbrook Blvd.

(US377) were ordered and obtained from Turner Collie Braden. Mr. Rainey added that the warrants are a requirement of Texas Department of Transportation prior to approval for additional signal lights on state highways. The original agreement was for \$1,400. Additional traffic counts have been ordered in an effort to increase the number of warrants. Total cost for the Signal Warrant Analysis has been increased to \$2,980.00.

- b. City Council Approves BEDC Rezoning Request** – Mr. Rainey informed BEDC Board of Directors that Benbrook City Council on Thursday, December 7, unanimously approved the rezoning application and Land Use Amendment presented by the BEDC for 11.419 acres. The land is part of approximately 22 acres under contract for sale to Wal-Mart.

IV. UNFINISHED BUSINESS

- a. Consider Bloxom Property Appraisal Report** – Mr. Rainey reported that the appraisal on the approximately 16 acre tract owned by the David E. Bloxom Charitable Foundation Trust had not been completed and submitted at the time of the Benbrook Economic Development Corporation Board meeting.
- b. Salon Support Building Sale** – Director Rainey stated that Benbrook Economic Development Corporation Staff had received a phone call Tuesday, December 12, from a real estate agent representing Salon Support, Inc., in the sale of its Benbrook Industrial Park property. The agent, Ted St. Clair, was calling to determine the zoning of the property. He said it appears the sale from Salon Support to another Benbrook company will take place without concessions from the Benbrook EDC. BEDC Staff had earlier informed Tony Ford, one of the principals with Salon Support, no concession would be made in the amount owned by T&J Ford Properties, Inc., on behalf of Salon Support, to the Benbrook Economic Development Corporation. Some discussion followed.

Mr. Steve White made a motion to accept Staff recommendation to accept approximately \$50,000 less than the amount due in return for an early payoff of the note. Mr. Carrol Crombie seconded the motion. President Charlie Anderson called the vote. All voted aye and the motion carried.

V. NEW BUSINESS

- a. Consider Ajax Glass Project Assistance** – Director Rainey informed BEDC Board of Directors that Ajax Glass acquired approximately five acres of property in Benbrook in 2001 anticipating the need to relocate from its current location on West Vickery with the extension of the 121 freeway. The company is now attempting to decide whether to construct on the Benbrook site or to consider other proposals. Arthur and Buddy Moses, the brothers who own and operate Ajax Glass, have told BEDC Staff they will construct approximately 70,000 square feet with retail leasing to use approximately 20,000 square feet. Ajax Glass will utilize the remaining 50,000

square feet for manufacturing and retail space. The company has 50 employees and will spend an estimated \$4 million on the new facility. Annual retail sales generated by Ajax Glass has been reported at \$6.5 million with \$6 million of that being collected in the local district (currently Fort Worth, but Benbrook should the company relocate). The sales tax generated would be approximately \$60,000 for the City of Benbrook and one-half that amount (\$30,000) for the Benbrook EDC and Benbrook Library District. Mr. Rainey added that the company has asked for BEDC assistance in a number of possible areas. Benbrook Economic Development Corporation Board of Directors suggested that Director Rainey contact Ajax Glass and offer assistance of \$40,000 and two years EDC sales tax rebate. BEDC Board also directed Staff to seek legal advice on legality of assistance.

- b. Consider Wal-Mart Design Approval** – Director Rainey informed BEDC Board that Staff had been notified by Gerald Taylor, Sr. Design Manager for Texas, of Wal-Mart Realty Division/Design & Construction Department’s approval of the design for Benbrook Wal-Mart Store #4509. Mr. Rainey submitted design to EDC Board for review.

Mr. James Amick made a motion to accept Staff recommendation to approve the Wal-Mart Store #4509 design and notify Wal-Mart of the BEDC’s acceptance. Mr. Steve White seconded the motion. President Charlie Anderson called the vote. All voted aye and the motion carried.

- c. Consider Ratification of Buckner Property Asbestos Analysis** – Mr. Rainey reported that Staff ordered an Asbestos Analysis of two small houses located at 101A and 101B Goliad Street and owned by Gene Buckner. Cost of the analysis was \$750 and was performed by Resource Environmental Consulting, Inc. No action was taken.
- d. Consider Ratification of Heavenly Sleep Shoppe Natural Gas Line Repair** – Mr. Rainey informed BEDC Board of Directors that Staff had been contacted by Anita and Jim Potts, owner of Heavenly Sleep Shoppe, and told of the need for natural gas to heat building being leased from the Benbrook Economic Development Corporation. Mrs. Potts paid the \$850 deposit to Atmos Energy, but was told a pressure test was required prior to Atmos actually providing gas to the building. A test ordered by Mrs. Potts failed and indicated a problem with the service line from the meter to the building. BEDC was asked to pay the \$3,500 in a bid received by the building tenant’s manager. Staff requested an additional bid and hired Eddie Blanchard for a total fee of \$2,500 plus the \$100 City of Benbrook registration fee and \$30 inspection fee. Total cost of repair for the BEDC was \$2,650. Mrs. Potts has agreed to have any heating devices serviced and will pay for any repairs required to the heaters. No action was taken.
- e. Consider Authorization Of Former Texaco Site Transfer To BEDC** – Director Rainey reported that BEDC Staff met with Richpenn Resources International Inc.

officials (aka Trinity Partners of Texas) in Irving on Friday, December 1, to discuss Benbrook projects. Staff asked about the status of the former Texaco service station closing and Richpenn contacted its attorney, John Justema, to inquire into what was needed for the real estate transaction to occur. Mr. Justema knew of no reason why the property had not been transferred to the BEDC and requested that Dwight Heard prepare the required documents for closing and property transfer. Those documents were delivered Thursday, December 7, to Alamo Title Company. It is expected the closing can occur before the end of December. No funds will be exchanged since the BEDC loaned the money to Richpenn Resources International, Inc., to acquire the property and agreed to accept the property as payment when all underground storage tanks were removed, the building removed and a clean environmental report received.

Mr. Dan Tully made a motion to authorize BEDC Board President, Charlie Anderson to execute closing documents to transfer the former Texaco service station site to the Benbrook Economic Development Corporation. Mr. James Amick seconded the motion. President Charlie Anderson called the vote. All voted aye and the motion carried.

- f. Consider Ratification of Plover Production Mineral Lease Addendum Execution**
– Director Rainey stated that BEDC Staff received a request from Brett Austin to amend the mineral lease agreement between the BEDC and Plover Production. Staff contacted Terry McClure to review changes to lease agreement which included: provisions concerning Plover Production operation, two references to Parker county instead of Tarrant county and the change from “120” days to “30” days. President Charlie Anderson executed lease agreement after Attorney Terry McClure reviewed and approved the amended Plover Production Mineral Lease Addendum.

Mr. Dan Tully made a motion to ratify the execution of the oil and gas mineral lease amendment by the Benbrook Economic Development Corporation’s Board President, Charlie Anderson. Mr. Carrol Crombie seconded the motion. President Charlie Anderson called the vote. All voted aye and the motion carried.

VI. OTHER MATTERS OF BUSINESS

VII. INFORMAL CITIZEN COMMENTS

- VIII. EXECUTIVE SESSION - PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.072, DELIBERATION REGARDING REAL PROPERTY - BEDC**
Board President Charlie Anderson called the Board of Directors into Executive Session at 8:26 p.m.

1. Dilberation Regarding BEDC Sal of Benbrook Towne Crossing Property

IX. RECONVENE FROM EXECUTIVE SESSION – BEDC Board President Charlie Anderson reconvened the Board at 10:00 p.m.. No action was taken.

X. ADJOURNMENT

There being no further business, the meeting adjourned at approximately 9:24 p.m.

Secretary

Presiding Officer