

# MARYLAND SMALL BUSINESS DEVELOPMENT FINANCING AUTHORITY

## OPEN MEETING MINUTES

July 23, 2020

The regular meeting of the Maryland Small Business Development Financing Authority convened at 1:00 p.m. via teleconference only at 470-869-2200/meeting ID 428-245-6027 due to the COVID-19 pandemic.

The following were in attendance at this meeting:

Authority Members	MMG Staff
Les Hall	Randy Croxton
Chuck Martin	Anthony Williams
Mara Sierocinski	Mark Harrison
Gina Ramsey	Stanley Tucker
Clem Kaikis	Tim Smoot
	Robin Harris

Attorney General's Office  
Barbara Kountz, Deputy Counsel

## AGENDA

### EXTENSION

Mahogany, Inc.  
REACH, LLC  
Physical and Sports Rehab, Inc.  
OGOS Energy, LLC  
Williams Consulting, LLC  
New City Construction, LLC

### RENEWAL

J. Marshall & Associates, LLC

### MODIFICATION

MidAtlanticBroadband, Inc.

**EXTENSION**

**Presenter:** Randy Croxton

**Applicant:** Mahogany, Inc.

**Loan Amount:** \$1,250,000 Line of Credit (50% Guaranty)

**Original Approval Date:** September 10, 2011

**Request:** Request a 30 day approval extension to August 27, 2020, to allow more time for the renewal request to close.

**Discussion:** There was limited discussion regarding the need for an extension.

**Action Taken:** Upon motion duly made and seconded, the Authority unanimously approved the request as presented.

**EXTENSION**

**Presenter:** Randy Croxton

**Applicant:** REACH, LLC

**Loan Amount:** \$80,000 EPIP Term Loan

**Original Approval Date:** April 23, 2020

**Request:** Request a 60 day approval extension to September 24, 2020, to allow more time for the loan to close.

**Discussion:** There was limited discussion regarding the need for an extension.

**Action Taken:** Upon motion duly made and seconded, the Authority unanimously approved the request as presented.

**EXTENSION**

**Presenter:** Anthony Williams

**Applicant:** Physical and Sports Rehab, Inc.

**Loan Amount:** \$100,000 Line of Credit (50% Guaranty)

**Original Approval Date:** June 28, 2018

**Comments:** Approval was requested for a 30-day extension of the maturity date through August 27, 2020.

**Discussion:** There was limited discussion regarding City First Bank's approval of the renewal.

**Action Taken:** Upon motion duly made and seconded, the Authority unanimously approved the request as presented.

**EXTENSION**

**Presenter:** Anthony Williams

**Applicant:** OGOS Energy, LLC

**Loan Amount:** \$200,000 Surety Bonding Line of Credit

**Original Approval Date:** May 25, 2017

**Request:** Request a 30-day approval extension on the Surety Bond Renewal through August 27, 2020, to allow time to settle.

**Discussion:** There was limited discussion regarding the need for an extension.

**Action Taken:** Upon motion duly made and seconded, the Authority unanimously approved the request as presented.

**EXTENSION**

**Presenter:** Anthony Williams

**Applicant:** Williams Consulting, LLC

**Loan Amount:** \$150,000 EPIP Revolving Line of Credit

**Original Approval Date:** March 8, 2018

**Comments:** Request a 60 day maturity date extension through September 24, 2020, to allow time to review the financial statements for renewal.

**Discussion:** The following was discussed:  
a) Maturity date  
b) Number of extensions approved to date

**Action Taken:** Upon motion duly made and seconded, the Authority unanimously approved the request as presented.

### **EXTENSION**

**Presenter:** Tim Smoot

**Applicant:** New City Construction, LLC

**Loan Amount:** \$75,000 Line of Credit (80% Guaranty)

**Original Approval Date:** September 27, 2018

**Comments:** Request a 60 day maturity date extension through September 24, 2020, to allow time to review the financial statements for renewal.

**Discussion:** There was limited discussion regarding Capital Bank's approval of the renewal.

**Action Taken:** Upon motion duly made and seconded, the Authority unanimously approved the request as presented.

### **POST-CLOSING ITEMS**


**Presenter:** Les Hall, Chairman

**Comments:** All post-closing items must be approved by the Authority, or the Chair on behalf of the Authority, in advance of the Department reviewing legal documents for closing. No closing documents will be signed until the post-closing items have been approved by the Authority or the Department prior to closing.

**Action Taken:** No action was required.

The Open Meeting then closed at 1:30 p.m. upon motion made and seconded, and approved by all voting members, the meeting was closed pursuant to General Provisions Article, Section 3-305(b) (13), "to comply with a specific... statutory... requirement that prevents public disclosures about a particular proceeding or matter", that is, the Maryland Public Information Act prohibits disclosure of trade secrets, confidential commercial and confidential financial information. Chairman Les Hall signed the Presiding Officer's Written Statement for Closing a Meeting under the Open Meetings Act, which is attached to these minutes as an exhibit.

**APPROVED:**

  
Celester A. Hall  
Chairman

**DATE:** 11-18-20

**MARYLAND SMALL BUSINESS DEVELOPMENT FINANCING AUTHORITY**

**PRESIDING OFFICER'S WRITTEN STATEMENT FOR CLOSING A MEETING  
UNDER THE OPEN MEETINGS ACT  
(General Provisions Article § 3-305)**

**1. Recorded vote to close the meeting:**

Date: June 23, 2020

Time: 1:30 pm – 1:53 pm

Location: Held by telephone conference call due to COVID 19 pandemic at 1.470.869.2200/428 245 6027

Motion to close meeting made by: Clem Kaikis; Seconded by Gina Ramsey

Vote to Close Session:

	AYE	NAY	ABSTAIN	ABSENT
Celester Hall, Chair, Designee Secretary of Commerce	[ x ]	[ ]	[ ]	[ ]
Clemis Kaikis, designee of Comptroller	[ x ]	[ ]	[ ]	[ ]
Charles Martin	[ x ]	[ ]	[ ]	[ ]
Kehinde Oreagba	[ ]	[ ]	[ ]	[ x ]
Laura Pasternak	[ ]	[ ]	[ ]	[ x ]
Sharon Pinder	[ ]	[ ]	[ ]	[ x ]
Gina Ramsey	[ x ]	[ ]	[ ]	[ ]
Mara Sierocinski	[ x ]	[ ]	[ ]	[ ]

**2. Citation of statutory authority to close session (check all that apply): This meeting is being closed under General Provisions Article § 3-305(b), only:**

\_\_\_ (1) To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals;

\_\_\_ (2) To protect the privacy or reputation of individuals concerning a matter not related to public business;

\_\_\_ (3) To consider the acquisition of real property for a public purpose and matters directly related thereto;

\_\_\_ (4) To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State;

\_\_\_ (5) To consider the investment of public funds;

\_\_\_ (6) To consider the marketing of public securities;

**X** (7) To consult with counsel to obtain legal advice on a legal matter;

\_\_\_ (8) To consult with staff, consultants, or other individuals about pending or potential litigation;

\_\_\_ (9) To conduct collective bargaining negotiations or consider matters that relate to the negotiations;

\_\_\_ (10) To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans;

\_\_\_ (11) To prepare, administer, or grade a scholastic, licensing, or qualifying examination;

\_\_\_ (12) To conduct or discuss an investigative proceeding on actual or possible criminal conduct;

**X** (13) To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter;

\_\_\_ (14) Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

**3. Disclosure of the topics to be discussed, for each citation checked above:**

§3-305(b)(13) topics: Discussion and evaluation of the applications received from potential borrowers for financial assistance under programs of the Maryland Small Business Development Financing Authority, which applications include the disclosure of financial information of private individuals and confidential commercial and financial information.

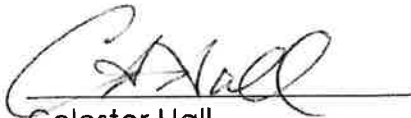
§3-305(b)(7) topics: Legal advice from counsel to the Authority with respect to the applications.

4. For each topic listed in #2, disclosure of the reason for discussing it in closed session rather than in open session:

§3-305(b)(13): Financial information of private individuals is protected from disclosure under the Maryland Public Information Act (§4-336) and confidential commercial and financial information is protected from disclosure under the Maryland Public Information Act (§4-335).

§3-305(b)(7): Protection of the attorney-client privilege.

This statement is made by Celester Hall, Chair of the Maryland Small Business Development Financing Authority, Presiding Officer.



Celester Hall  
Chair