

**MEETING MINUTES**

**ECONOMIC DEVELOPMENT AUTHORITY  
OF JAMES CITY COUNTY  
BUILDING C CONFERENCE ROOM, 101 MOUNTS BAY ROAD  
3:00 PM, THURSDAY, JULY 21, 2005**

**1. CALL TO ORDER**

The meeting was called to order by Chairman Hartmann at 3:02 PM.

**2. ROLL CALL**

A roll call identified the following members present:

Mr. Michael J. Diedzic, Jr.  
Ms. Virginia Hartmann  
Mr. Bernard Ngo  
Mr. Mark G. Rinaldi  
Mr. Thomas G. Tingle

Also Present:

M. Anderson Bradshaw, BOS Liaison  
Barbara Finke, EDA Fiscal Agent  
Steve Johnson, County and EDA Bond Counsel  
John McDonald, Financial and Management Services Manager  
Sue Mellen, Budget and Accounting Director  
Marce Musser, EDA Recording Secretary  
Courtney Rogers, Davenport and Company, LLC  
Keith A. Taylor, EDA Secretary  
Tara Woodruff, Accounting Supervisor

Absent:

Mr. Alvin Bush  
Mr. Vincent Campana, Jr

**3. PERSONNEL MATTERS**

Ms. Hartmann introduced Mr. Tingle as the EDA's newest Director. Mr. Tingle said he was glad to be working with the EDA and looked forward to his role as a Director.

Ms. Hartmann asked Mr. Taylor to read a Resolution Certificate of Appreciation honoring recently retired Director, Mr. John Berkenkamp. A motion to adopt the resolution was made by Mr. Rinaldi, and seconded by Mr. Ngo. The motion passed unanimously.

Ms. Hartmann stated that dates conducive to all for a reception honoring retired Directors, Mr. Gil Bartlett and Mr. John Berkenkamp, had been difficult to coordinate. She asked the Directors if they wished to have two separate luncheon receptions, one for each Mr. Bartlett and Mr. Berkenkamp, or wait until fall and have an evening reception for them together. The Directors' consensus was to wait until October and have a joint evening reception to honor both.

#### **4. APPROVAL OF MINUTES**

On a motion by Rinaldi and a second by Diedzic, the minutes of the May 19, 2005 Meeting were approved by unanimous vote

#### **5. FINANCIAL REPORTS**

Ms. Finke presented the Treasurer's and Financial Reports for May-June 2005. No capital improvement numbers were included, as there was no activity in those accounts. Mr. Ngo and Ms. Hartmann briefly explained financial roles and responsibilities for the benefit of new Director Tingle.

Mr. Rinaldi made a motion that the Reports be adopted as presented. Mr. Ngo seconded the motion, which passed by unanimous voice vote.

#### **6. ACTION ITEM**

Mr. McDonald gave a brief introduction of the Lease Revenue Bond Financing for the Warhill Site Improvements, using an Overall Layout Plan handout to explain the scope of the project. The project includes:  
All infrastructure related to the project (roads, road extensions, sewer, etc.)  
Bike Trails  
Competitive Sports Facility  
Parking lot, sidewalks and site development for the Thomas Nelson Community College (TNCC) James City County Campus.

On July 12, the Board of Supervisors (BOS) approved a resolution authorizing the financing. Sale of the Bonds, competitively, is tentatively scheduled for August 3, 2005. There is no obligation on the part of the EDA. The County bears sole financial responsibility.

Mr. Diedzic asked why this portion of the project was not included in the County's High School Bond Referendum. Mr. McDonald explained that this project included work that did

not pertain necessarily to the new high school, so it could not be included with the High School Bond Referendum. Those bonds sold June 8, 2005.

Mr. Tingle asked if everything on the Overall Layout Plan was included in the Lease Revenue Bond Financing. Mr. McDonald explained that the actual TNCC building was the responsibility of the College, and not the County. He also added that there was a typographical error; Phase 4 on the Overall Layout Plan should say "Stadium Grading."

Mr. Diedzic asked again for clarification on the County's fiscal responsibility and wording in the resolution. Mr. Johnson stated that only the County's credit stands behind this transaction, and reiterated that there is no obligation on the part of the EDA.

Mr. Johnson explained the Bond Resolution and answered questions.

Mr. Tingle asked Mr. Johnson to explain/review the cover letter sent to the Directors with the Bond documents, which Mr. Johnson did.

Ms. Hartmann asked if the Lease Revenue Bond Financing would affect the County's recent high bond rating. Mr. Rogers explained that the Bond Rating Houses knew of the impending Lease Revenue Bond Financing, and gave the County their high rating with this taken into account.

Mr. Rinaldi asked if this affects the amount of Bonds the EDA can issue. Mr. Johnson explained that because of the High School Bond Referendum, no County agency could issue bank-qualified bonds, as the Referendum put the County over the \$6,000,000 limit. Even with this, because of the rules and regulations applying to businesses (501.C.3. manufacturing, etc.) to which the EDA would issue bonds, issuing the Lease Revenue Bond Financing does not impact the EDA's ability to issue bonds in any way. Mr. Bradshaw added that this was the reason for having the bonds issued before December 31, 2005.

Mr. Diedzic made a motion to adopt the Lease Revenue Bond Financing Resolution. The motion was seconded by Mr. Tingle and passed by the following roll call vote:

Mr. Diedzic	Aye
Ms. Hartmann	Aye
Mr. Ngo	Abstain
Mr. Rinaldi	Aye
Mr. Tingle	Aye.

## 7. REPORTS

a. BOS Liaison

Mr. Bradshaw thanked the EDA for their positive action on the Lease Revenue Bond Financing. He added that the July 12 meeting at which the BOS approved the resolution authorizing the financing was advertised by public notice, and there were opportunities

for the public to speak.

The Planning Commission has adopted a resolution asking the BOS to initiate a study of the Toano to Anderson's Comer area. Mr. Bradshaw's feeling, at this time, is that due to the character of the Village of Toano, the study will more than likely be limited to the Toano area, and be similar in scope to the Five Forks Study.

Mr. Rinaldi expressed the wishes of the EDA to be included in the Study, instead of being asked to comment on the Study after its completion. Mr. Bradshaw concurred.

b. Planning Commission Liaison

1. Mr. Rinaldi reported there were no new developments in the impending Hickory Neck Memorial Park issue.

2. The two borrow pit renewal cases, USA Waste and Branscome, are coming before the Planning Commission next month. Mr. Rinaldi contacted County Staff and County Attorney for comments. Mr. Taylor added that OED Staff participated in a meeting regarding the renewal, at which time OED Staff strongly objected to any "in perpetuity" clause. Mr. Rinaldi will make recommendations to the EDA on any action needed.

Mr. Tingle asked if the EDA traditionally got involved in these issues. Mr. Rinaldi commented that there were economic benefits to having limited borrow pit activity in the county.

3. Mr. Rinaldi informed the EDA that the BOS will be discussing in next week's Work Session adoption of school profers at an estimated \$4000 per residence for detached and multi-family housing. He asked if the EDA had concerns on the cost as it effects economic development. Discussion followed on various issues associated with school profers. The EDA does not wish to take a position at this time.

**8. STAFF REPORTS**

a. Prospect Activity

Mr. Taylor stated that there has been an increase in prospect activity over the past several months.

b. HREDA

Mr. Taylor stated that HREDA has scheduled a series of Red Carpet Tours next week for VEDP marketing staff to orient them with the area. The HREDA has chosen to tour the VEDP staff in three teams (sciences, transportation, and industry) to highlight what is of

interest to each.

c. Technology Business Incubator

Mr. Taylor reported that the incubator was on its way to completion. At the present time decisions have not yet been made as to whether the governance agreement will be with the managing entity and the EDA, or the managing entity and the County, or how funding will be arranged.

d. James River Commerce Center

Ms. Barner reported that the design of the waterline along Columbia Drive in James River Commerce Center has been approved, and we are ready to proceed with bidding and securing funding.

Ms. Barner handed out a map of the impending property exchange with Ball Metal. She explained that the exchange will give the ability to bring rail to the EDA's property. Mr. Rinaldi made a motion that the EDA Chair be given authority to act on the EDA's behalf in this matter. The motion was seconded by Mr. Ngo and passed unanimously.

e. VEDP Grant

Mr. Taylor stated that the status of the funds pursuant to the agreement with VEDP regarding the incentive grant for John Deere, Inc. presently lies with the VEDP Director, Mr. Mark Kilduff, who has agreed to contact Mr. Taylor this week on the matter. A short discussion to clarify the issue followed.

## **9. DISCUSSION ITEM**

Ms. Hartmann began by urging all EDA Directors to attend the September 27 Joint BOS/EDA Work Session. Though this annual Work Session is not the only opportunity for the EDA to meet in Work Session with the BOS, it is seen by the BOS as an important update/request session with the EDA and carries more weight if all Directors participate. Mr. Bradshaw concurred.

Ms. Hartmann then opened the discussion by bringing Directors' attention to Section 4, Item B, Parts 1-2 of the Outline used at the 2004 Joint BOS/EDA Work Session, a Joint Task Force to consist of:

Board of Supervisors Representative

EDA Representative

Planning Commission Representative

County Staff Representatives (OED, DM, FMS)

County Business Representatives (2-3),

to identify ways to ease the regulatory process for economic development target projects (e.g., performance standards vs. list of uses zoning, ease the SUP process, etc.)

Mr. Bradshaw indicated citizens have conveyed to him an interest in agri-tourism or agricultural-based businesses. The fear is that if agriculture is not economically favorable, the western portion of the County will not be preserved.

Mr. Ngo indicated that the business community is concerned that it is not easy to do business in James City County, though we package our advertising as "Open for Business."

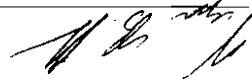
After discussion, the heading agreed upon by consensus of the Directors is: Establish a Task Force to Enhance James City County's "Open for Business" Philosophy; Attract and Retain, under which topics can/will be added (regulatory process, Technology Incubator, small business assistance, etc.) Mr. Rinaldi asked Mr. Bradshaw to solicit the current BOS on what the EDA can make meaningful progress on in the coming year under this heading and report to the EDA at its August Work Session.

Ms. Hartmann expressed a concern that the present program for the August EDA Work Session may not allow for ample time to process and finalize the Joint BOS/EDA Work Session discussion.

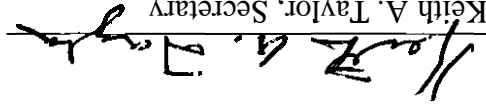
## 10. ADJOURNMENT

There being no further business, Chairman Hartmann entertained a motion by Mr. Ngo to adjourn. The motion was approved by unanimous voice vote, and the meeting adjourned at 5:32 PM.

Virginia B. Hartmann, Chairman



Keith A. Taylor, Secretary



**RESOLUTION**

**CERTIFICATE OF APPRECIATION**

WHEREAS, John Berkenkamp served as a member of the Economic Development Authority of James City County since September 1997, and has chosen to retire from same effective June 2005; and

WHEREAS, John Berkenkamp served as Vice Chairman of the Industrial Development Authority of James City County from July 2000 to December 2001; and

WHEREAS, John Berkenkamp served on the County Comprehensive Plan Committee; and

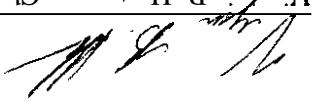
WHEREAS, John Berkenkamp was instrumental in overseeing the development of the Fiscal Impact Model presently used by the Office of Economic Development and the Manager of Financial and Management Services to evaluate expanding and prospective James City County business and industry; and

WHEREAS, throughout this period of service John Berkenkamp gave freely of his time, his energy, and his knowledge for the betterment of his County, as an active member; and

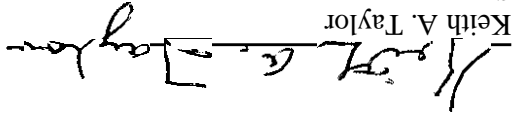
WHEREAS, John Berkenkamp consistently demonstrated those essential qualities of leadership, diplomacy, perseverance and dedication while providing exceptional service to the citizens of James City County.

NOW, THEREFORE, BE IT RESOLVED that the Economic Development Authority of James City County, Virginia, hereby extends its sincere appreciation to John Berkenkamp and recognizes his distinguished service and dedication to the County and its citizenry.

Virginia B. Hartmann, Chair  
Economic Development Authority



ATTEST:



Keith A. Taylor  
Secretary

Adopted by the Economic Development Authority of James City County, Virginia, this 21st day of July, 2005.

berkenkemp.res

**Treasurer's Report-FY 05  
 Economic Development Authority  
 May - June 2005**

Rev Code	Revenue Source	Prior Collections	Collected this period	Collected to Date
021-325-0100	Lease Income	\$59,347.77		\$59,347.77
021-325-0200	Interest on Available Cash	\$44,760.80	\$13,423.21	\$58,184.01
021-325-0250	Misc Revenue	\$0.00		\$0.00
021-3254400	Bond Fee Revenue	\$16,422.98	\$39,000.00	\$55,422.98
021-325-0500	Land Contract Payment Revenue	\$0.00		\$0.00
021-3254600	General Fund Contribution	\$131,206.09		\$131,206.09
021-325-1000	Gain/Loss on Sale	\$0.00		\$0.00
	Expense Reimbursement	\$473.76		\$473.76
	Total receipts this period		\$52,423.21	\$304,634.61
	Fiscal Year Receipts			\$3,096,767.86
	Balance June 30,2004			\$3,401,402.47
	Total Receipts			\$3,401,402.47
	Disbursements this Period	\$419.31		
	Previous disbursements	\$210,440.98		
	Total disbursements to Date			\$210,860.29
	Balance June 30,2005			<b>\$3,190,542.18</b>



ECONOMIC DEVELOPMENT AUTHORITY  
BRIDGE BETWEEN TREASURER'S REPORT AND ACCOUNTING REPORTS  
June 30, 2005

Total to date disbursements per treasurer's report			
Total Capital Expenses	\$174,768.55		
Total Operating Expenses	\$36,086.24		
Accounts Payable Dominion Power FY04 reversed FY05	\$5.50		
Total expenses		\$210,860.29	
Net difference			\$210,860.29

**ECONOMIC DEVELOPMENT AUTHORITY**

**James City County**

**EXPENDITURES**

12-Jul-05

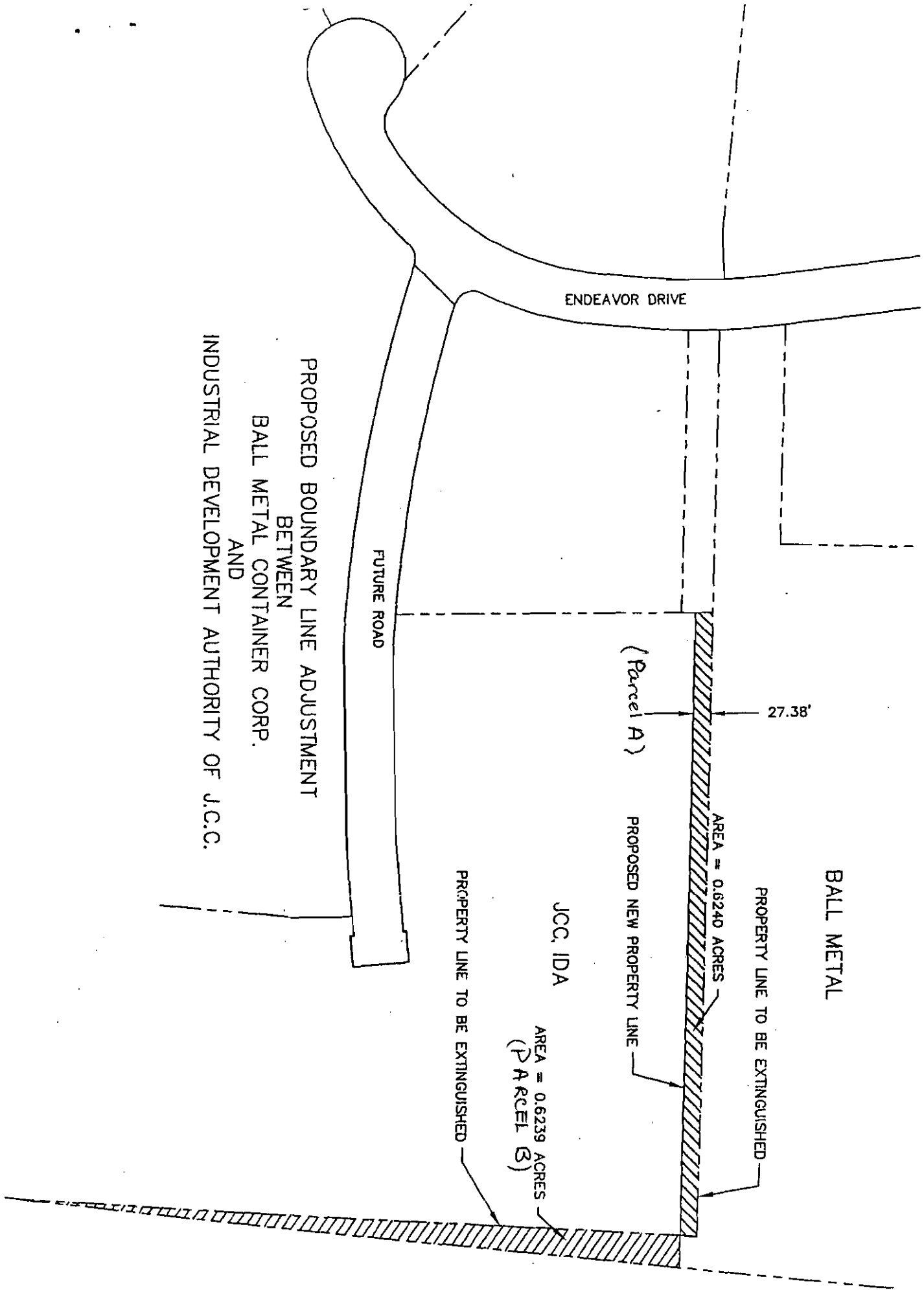
IDA: Year ( 2005 ) Period ( 12 )

Ledger ID      Ledger Description      Beg Budget      May      June      Encumb      Total YTD Exp      Balance

**OPERATING EXPENSES**

021-010-0205	PROMOTION	\$25,000.00	\$0.00	\$300.00	\$0.00	\$20,416.62	\$4,583.38
021-010-0220	TRAVEL & TRAINING	\$4,000.00	\$50.18	\$0.00	\$0.00	\$673.35	\$3,326.65
021-010-0222	LOCAL TRAVEL	\$500.00	\$67.27	\$0.00	\$0.00	\$334.32	\$165.68
021-010-0232	JAMES RIVER COMMERCE CTR - OPI	\$5,000.00	\$0.00	\$0.00	\$0.00	\$4,586.75	\$413.25
021-010-0235	ANNUAL AUDIT	\$5,000.00	\$0.00	\$0.00	\$0.00	\$4,800.00	\$200.00
021-010-0245	MAINLAND FARM - OPER EXPENSES	\$4,250.00	\$5.50	\$11.00	\$0.00	\$4,210.58	\$39.42
021-010-0300	ADVERTISING	\$1,000.00	\$0.00	\$0.00	\$0.00	\$327.60	\$672.40
021-010-0319	OFFICE SUPPLIES & EQUIPMENT	\$500.00	\$0.00	\$0.00	\$0.00	\$737.02	(\$237.02)
021-010-0325	MISCELLANEOUS EXPENSE	\$16,869.00	\$0.00	\$0.00	\$0.00	\$0.00	\$16,869.00
021-010-0398	OED DISCRETIONARY EXPENDITURE	\$1,500.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,500.00
021-010-0600	SMALL BUSINESS ASSISTANCE	\$1,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,000.00
	Total Operating Expenses	\$64,619.00	\$122.95	\$311.00	\$0.00	\$36,086.24	\$28,532.76

PROPOSED BOUNDARY LINE ADJUSTMENT  
BETWEEN  
BALL METAL CONTAINER CORP.  
AND  
INDUSTRIAL DEVELOPMENT AUTHORITY OF J.C.C.



BALL METAL

ENDEAVOR DRIVE

FUTURE ROAD

(Parcel A)

27.38'

AREA = 0.6240 ACRES

PROPOSED NEW PROPERTY LINE

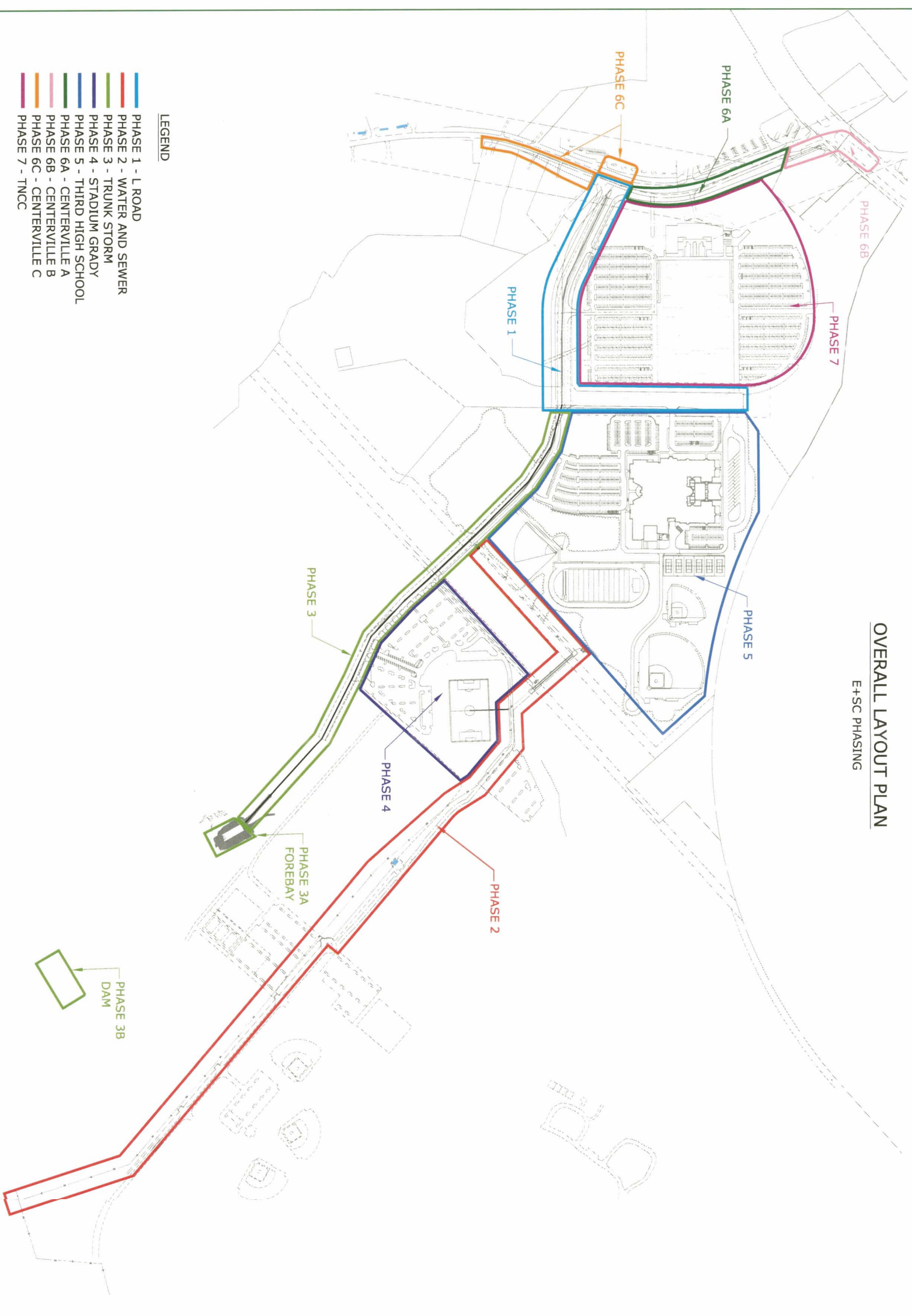
PROPERTY LINE TO BE EXTINGUISHED

JCC, IDA

AREA = 0.6239 ACRES  
(PARCEL B)

PROPERTY LINE TO BE EXTINGUISHED

**OVERALL LAYOUT PLAN**  
E+SC PHASING



- LEGEND**
- PHASE 1 - L ROAD
  - PHASE 2 - WATER AND SEWER
  - PHASE 3 - TRUNK STORM
  - PHASE 4 - STADIUM STORM
  - PHASE 5 - THIRD HIGH SCHOOL
  - PHASE 6A - CENTERVILLE A
  - PHASE 6B - CENTERVILLE B
  - PHASE 6C - CENTERVILLE C
  - PHASE 7 - TNCC

**TIMMONS GROUP**

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**WARHILL SITE ROADWAYS AND IMPROVEMENTS**  
JAMES CITY COUNTY, VIRGINIA

DATE	REVISION DESCRIPTION

OVERALL E&SC PHASING LAYOUT SHEET

DATE	03/16/05
DRAWN BY	
CHECKED BY	
SCALE	N/A

DATE: 2/23/03  
SCALE: N/A

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