

**MEETING MINUTES**

**ECONOMIC DEVELOPMENT AUTHORITY (EDA)  
OF JAMES CITY COUNTY (JCC)  
5308 DISCOVERY PARK PARK BLVD. SUITE 203 CONFERENCE ROOM  
WILLIAMSBURG, VA 23188  
8:00 AM, TUESDAY, SEPTEMBER 23, 2008**

**1. CALL TO ORDER**

The meeting was called to order by Chairman Rinaldi at 8:01 AM.

**2. ROLL CALL**

A roll call identified the following members present:

Mr. Brien Craft  
Ms. Leanne DuBois  
Mr. Douglas M. Gebhardt  
Mr. Paul W. Gerhardt  
Mr. Mark G. Rinaldi  
Mr. Thomas Tingle  
Mr. Marshall Warner

Also Present:

Mr. James G. Kennedy, Board of Supervisors (BOS) Liaison to EDA  
Mr. David Nice, David Nice Builders  
Mr. John Finney, Nicewood Enterprises  
Mr. George Consolvo, Counsel to D & D Properties, LLC, Kaufman & Canoles  
Mr. Gregory Stringfield, C.A.V.I.A.R.  
Mr. Doug Powell, Manager, JCC Community Services  
Ms. Barbara Watson, Assistant Manager, JCC Community Services  
Mr. Leo Rogers, EDA General Counsel  
Mr. Stephen Johnson, EDA Bond Counsel, Troutman Sanders LLP  
Mr. Keith A. Taylor, EDA Secretary  
Mr. Steven T. Yavorsky, Assistant EDA Secretary  
Ms. Laura A. Messer, EDA Recording Secretary

**3. APPROVAL OF MINUTES**

Mr. Rinaldi noted the July EDA minutes had been revised per Mr. Gebhardt's request and also that he had also noted changes to Ms. Messer. Ms. Messer stated the minutes had been revised as requested. Mr. Craft made a motion to pass the revised July 24 minutes, which was seconded by Mr. Warner and passed unanimously.

4. **FINANCIAL REPORTS**

Mr. Warner presented the July-August financial reports citing the standard monthly deductions for the James City County Technology Incubator (JCCTI) and also the James River Commerce Center.

Mr. Gebhardt made a motion to approve the financial reports which was seconded by Mr. Craft and passed unanimously.

5. **PRESENTATIONS/ACTION ITEMS**

a. Bond Funding Request of D & D Properties, LLC

Mr. Taylor requested that the presentation of D & D Properties be followed by the public hearing (item 6a on the agenda) and the action items (item 7a and 7b on the agenda). Mr. Rinaldi concurred.

Mr. Gerhardt noted he was abstaining from discussion due to his firm, Kaufman & Canoles, representing D & D Properties. Mr. Tingle stated he would also abstain from discussion because his firm, Guernsey Tingle, had developed architectural plans for the expansion of Nicewood Enterprises, which is what would benefit from bond funding.

Mr. Consolvo introduced Mr. Nice and Mr. Finney and stated they were requesting bond funding for expansion of their Nicewood manufacturing facility. He reviewed the proposed schedule for the bond funding and discussed the timeline of events. Mr. Consolvo stated he hoped the transaction would be closed by the end of October.

Mr. Consolvo continued to summarize the application from D & D Properties and reviewed the allocation of funding.

Following discussion, Mr. Consolvo, Mr. Nice, and Mr. Finney answered several tax-related questions from Mr. Rinaldi and also had a brief discussion regarding the types, quantities, and sources of materials used by Nicewood in its operation.

Mr. Consolvo then requested that Mr. Rinaldi open a public hearing for the bond funding request.

Mr. Rinaldi opened a public hearing on the resolution for inducement for bond funding for D & D Properties, LLC.

Since no one wished to speak to this matter, Mr. Rinaldi closed the Public Hearing.

Mr. Gebhardt made a motion to approve the resolution of inducement for bond funding for D & D Properties, which was seconded by Ms. DuBois and approved by a roll call vote:

Mr. Craft	AYE
Ms. DuBois	AYE
Mr. Gebhardt	AYE
Mr. Gerhardt	Abstain
Mr. Rinaldi	AYE
Mr. Tingle	Abstain
Mr. Warner	AYE

Mr. Gebhardt then made a motion to approve the final bond funding resolution for D & D Properties, which was seconded by Mr. Craft and approved by a roll call vote:

Mr. Craft	AYE
Ms. DuBois	AYE
Mr. Gebhardt	AYE
Mr. Gerhardt	Abstain
Mr. Rinaldi	AYE
Mr. Tingle	Abstain
Mr. Warner	AYE

Mr. Nice stated he was appreciative of the assistance and thanked the EDA.

b. Enterprise Zone Report

Mr. Powell and Ms. Watson presented a memorandum requesting EDA approval for four requests of grant fund distribution for companies located in the Enterprise Zone located in the southern part of the County.

The total for incentives was \$305,033. Mr. Powell requested that the EDA take action and approve the dispersal of these funds to DBC Group LLC, Haynes Furniture Company, Coresix Precision Glass, and Wal-Mart III in accordance with the Enterprise Zone program. Mr. Craft stated he had to abstain due to his position with Wal-Mart.

Mr. Tingle made a motion to approve the funding, which was seconded by Mr. Gebhardt and approved by a roll call vote:

Mr. Craft	Abstain
Ms. DuBois	AYE
Mr. Gebhardt	AYE
Mr. Gerhardt	AYE
Mr. Rinaldi	AYE
Mr. Tingle	AYE
Mr. Warner	AYE

c. Robot Venture Presentation

Mr. Rinaldi introduced Mr. Stringfield, who discussed the robot venture program he is involved with developing in the local area. Mr. Stringfield described the vision for the program and introduced C.A.V.I.A.R., which is the Center for Autonomous Vehicle Interoperability and Advanced Research. He also discussed the goals for the area with the primary being the destination for robot interoperability testing due to the geographic location.

Mr. Stringfield responded to several questions following his presentation.

Mr. Rinaldi thanked Mr. Stringfield for his presentation.

## **6. DISCUSSION ITEMS**

### **a. AVID Medical PBA Extension Request**

Mr. Taylor reviewed a request submitted by Ms. Jennifer Barnes Baumgartner, Counsel to AVID Medical Inc. (AVID), regarding an extension of its Performance Based Agreement and discussed a letter Mr. Kinsman had drafted for Mr. Rinaldi's signature to Mr. Michael Sahady, President and CEO of AVID.

Mr. Rinaldi stated that the request was not unexpected due to the fact that AVID had originally been unsure of the timeline for construction on its expansion.

There was a general consensus of the EDA approving the second PBA extension for AVID.

### **b. Business Climate Task Force (BCTF) Initiatives**

Mr. Rinaldi led a discussion on the BCTF initiatives and what must be completed. He used a spreadsheet compiled by OED staff. Everyone from the EDA participated and contributed to this discussion. Mr. Tingle cited that the discussion should be continued at the next meeting.

## **7. REPORTS**

### **a. BOS Liason**

Mr. Kennedy stated that Mr. William Porter had accepted a position on the Steering Committee, and that the 2008 Comprehensive Plan Update Steering Committee's number of appointees had been increased.

### **b. Planning Commission Liason**

Mr. Gebhardt reported that there was no new news regarding the Planning Commission.

c. Technology Business Incubator

Mr. Craft reported the James City County Technology Incubator currently had available space and that he and Mr. Taylor would meet to discuss future plans for the incubator.

He also reported that the Hampton Roads Technology Council was sponsoring a business plan competition and that there was an individual from the area entered into the competition. Mr. Craft continued to state it was not too late to enter and encouraged EDA Directors to share the information with those that they knew.

d. Economic Development in Rural Lands

Ms. DuBois stated she had accepted a position as Program Manager, Direct Marketing Services for the Virginia Department of Agriculture & Consumer Services and was gaining knowledge about economic development in rural lands. Ms. DuBois continued to state she was working on sustainability initiatives with local schools interested in buying locally.

**8. OED STAFF REPORTS**

Mr. Taylor briefly reviewed the activities of OED staff from July and August. He stated that he went on a successful marketing mission to Canada in early August.

Mr. Taylor stated that OED monthly activity reports are returning with an updated format and new information including website tracking.

He also mentioned a meeting regarding possible mixed use development on the Kirby Tract.

Furthermore, Mr. Taylor mentioned that the Hampton Roads Economic Development Alliance (HREDA) Selection Committee had selected three finalists for the President's position and the Marketing Advisory Committee had met with the candidates last week. He also stated that HREDA had conducted existing industry visits with three JCC industries last week: AVID Medical, Inc., Wal-Mart Import Distribution Center, and Coresix Glass Precision. These meetings were arranged by OED staff.

Ms. Messer stated that the 15<sup>th</sup> Annual Celebration of Business would be held on October 2 at the Jamestown Settlement.

She also stated that Lawrenceville Brick would have its grand opening on October 23 and handed out fliers to all EDA directors.

Mr. Yavorsky mentioned that he had gone to Chicago, IL last week on a marketing mission. He also stated that OED was involved in the Local Internship Program through the College of William & Mary and was currently interviewing candidates.

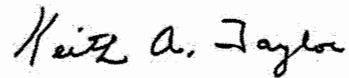
10. ADJOURNMENT

There being no further business, Mr. Gebhardt made a motion to adjourn. The meeting was adjourned at 10:19 AM.



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Mark G. Rinaldi, Chairman



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Keith A. Taylor, Secretary