

MINUTES
ECONOMIC DEVELOPMENT AUTHORITY (EDA)
OF JAMES CITY COUNTY
101-D Mounts Bay Road, Williamsburg, VA 23185
May 12, 2016
8:00 AM

A. CALL TO ORDER

At 8:06 a.m., Mr. Tingle called the meeting to order.

B. ROLL CALL

Robin D. Carson, Vice Chairman
Paul W. Gerhardt
Tim G. Harris
Stephen H. Montgomery
Christopher J. Odle
Marshall N. Warner
Thomas G. Tingle, Chairman

Stephanie Lahr, EDA Fiscal Agent
Jenni Tomes, EDA Treasurer
Max Hlavin, EDA Legal Counsel
Russell Seymour, EDA Secretary and OED Director
Teresa Fellows, EDA Recording Secretary
Kate Sipes, OED Assistant Director

C. APPROVAL OF MINUTES

1. Minutes Adoption - April 14, 2016, Regular Meeting

A motion to Approve was made by Mr. Warner, the motion result was Passed.

AYES: 7 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: Carson, Gerhardt, Harris, Montgomery, Odle, Warner, Tingle

D. FINANCIAL REPORTS

1. April 2016 Financial Reports

A motion to Approve was made by Mr. Montgomery, the motion result was Passed.

AYES: 7 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: Carson, Gerhardt, Harris, Montgomery, Odle, Warner, Tingle

Ms. Lahr gave an overview of the financial reports included in the Agenda Packet.

E. CLOSED SESSION

1. (1) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body regarding the James City County Marina; and (2) Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community for consideration of the award of incentive packages; and (3) consultation with legal

counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Section 2.2-3711 (A)(3), (A)(5), and (A)(7) of the Code of Virginia

A motion to Enter a Closed Session was made by Mr. Montgomery, the motion result was Passed.

AYES: 7 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: Carson, Gerhardt, Harris, Montgomery, Odle, Warner, Tingle

The EDA entered Closed Session at 8:08 a.m.

Mr. Gerhardt stated that he would not participate in the discussion of the performance agreement due to a conflict of interest.

Mr. Tingle stated that he would not participate in the discussion of the Marina property due to a conflict of interest.

The EDA re-entered Open Session at 9:20 a.m.

2. Closed Session Certification

A motion to Approve was made by Mr. Warner, the motion result was Passed.

AYES: 7 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: Carson, Gerhardt, Harris, Montgomery, Odle, Warner, Tingle

- a. The EDA authorized the Chairman to sign the performance agreement with MODU Systems.

A motion to Authorize was made by Mr. Montgomery, the motion result was Passed.

AYES: 6 NAYS: 0 ABSTAIN: 1 ABSENT: 0 Ayes: Carson, Harris, Montgomery, Odle, Warner, Tingle

Abstain: Gerhardt

- b. The EDA authorized the investment of up to \$250,000 in the Marina Property.

A motion to Authorize was made by Ms. Carson, the motion result was Passed.

AYES: 6 NAYS: 0 ABSTAIN: 1 ABSENT: 0 Ayes: Carson, Gerhardt, Harris, Montgomery, Odle, Warner

Abstain: Tingle

- c. The EDA approved the resolution entitled: Resolution Regarding a Lease Agreement for the James City County Marina.

A motion to Approve was made by Mr. Montgomery, the motion result was Passed.

AYES: 6 NAYS: 0 ABSTAIN: 1 ABSENT: 0 Ayes: Carson, Gerhardt, Harris, Montgomery, Odle, Warner

Abstain: Tingle

F. NEW BUSINESS

1. Start Peninsula Memorandum of Understanding

A motion to Approve was made by Ms. Carson, the motion result was Passed.

AYES: 7 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: Carson, Gerhardt, Harris, Montgomery, Odle, Warner, Tingle

Mr. Hlavin gave a brief overview of the Memorandum of Understanding included in the Agenda Packet. He identified some areas of the agreement that his office felt were sub-standard; however, it has already been approved by the other EDAs and there is not a legal impediment to approving it.

2. Quarterly Arts Report

Included in the Agenda Packet was a quarterly Arts Report from Arts Month Coordinator, Terri Buntrock.

No action is required.

3. Google Street View for Business

A motion to Approve was made by Mr. Montgomery, the motion result was Passed.

AYES: 7 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: Carson, Gerhardt, Harris, Montgomery, Odle, Warner, Tingle

Ms. Sipes gave an overview of the memorandum included in the Agenda Packet. She stated that an applicant would fill out an application and include the bid from the Google-certified photographer.

General discussion ensued including which line item in the budget the funds would come from.

Mr. Tingle recommended that the Business Assistance Fund line item be utilized for funding.

The EDA authorized up to \$10,000 maximum to be used for this project, with an individual applicant amount of \$500.

G. OLD BUSINESS

1. Adoption of Proposed FY 17 EDA Budget

A motion to Approve was made by Mr. Warner, the motion result was Passed.

AYES: 7 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: Carson, Gerhardt, Harris, Montgomery, Odle, Warner, Tingle

Mr. Tingle and Mr. Seymour gave a brief overview of the changes to the budget layout since the previous meeting. Mr. Tingle noted a few line items, which had not been used in a while, were reduced or removed.

Ms. Lahr confirmed that the contributions for the Launchpad had previously been in the budget; however, it was not specifically listed since the EDA just acts as a pass-through.

Mr. Tingle noted that the James River Commerce Center operating budget has gone up due to the payment received that will be utilized for the Columbia Drive road improvements.

Mr. Warner noted the declining funds in the accounts.

As there were no other questions, Mr. Tingle recommended the EDA take action on the FY 17 EDA Budget.

2. Ladies' Professional Golf Association Host Schedule

Ms. Sipes gave an overview of the information included in the Agenda Packet.

No action is required.

At 9:45 a.m., Mr. Warner and Mr. Montgomery left the meeting due to previous engagements.

H. LIASION REPORTS

1. Greater Williamsburg Chamber & Tourism Alliance

No activity to report.

2. Planning Commission

Mr. Harris gave an update on the recent Planning Commission meeting. He also stated that the Policy Committee would be meeting today and reviewing the PUD-C changes that were discussed last week.

3. Launchpad

The Board of Directors meeting is scheduled for next week.

4. Greater Williamsburg Partnership

Review is still ongoing for Bylaws and incorporation documents. The hope is that by next month there will be documents ready to go before the three EDAs.

5. RAISE Advisory Committee

No activity to report.

6. James River Commerce Center Architectural Review Board

No activity to report.

7. Real Estate Holdings

No activity other than what was discussed regarding Columbia Drive.

8. Finance

No activity other than the budget discussions.

9. Strategic Planning Advisory Group

Ms. Carson stated that Phase 2 is almost complete. She stated that the last meeting was very efficient and the process is coming along.

Mr. Tingle asked at what point the Economic Development aspect would be discussed.

Ms. Carson stated that she believes it is scheduled for early fall.

I. DIRECTOR'S REPORT

1. Director's Report

Mr. Seymour gave a brief overview of the Report included in the Agenda Packet.

J. ADJOURNMENT

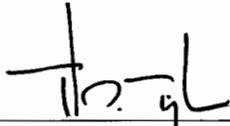
1. Adjourn until 8 a.m. on June 9, 2016, for the Regular Meeting

A motion to Adjourn was made by Mr. Harris, the motion result was Passed.

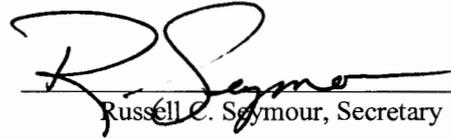
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 2 Ayes: Carson, Gerhardt, Harris, Odle, Tingle

Absent: Montgomery, Warner

At 9:55 a.m., Mr. Tingle adjourned the EDA.



Thomas G. Tingle, Chair



Russell C. Seymour, Secretary