

A G E N D A
JAMES CITY COUNTY BOARD OF SUPERVISORS
WORK SESSION
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
February 25, 2020
3:00 PM
SPECIAL MEETING

A. CALL TO ORDER

B. ROLL CALL

C. BOARD DISCUSSIONS

D. BOARD REQUESTS AND DIRECTIVES

E. CLOSED SESSION

1. Sections 2.2-3711(A)(5) and 2.2-3711(A)(8) of the Code of Virginia to discuss a prospective 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, and to consult with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel
2. Code of Virginia 2.2-3711.A(8) Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, specifically the recycling contract between the County and the Virginia Peninsula Public Services Authority.
3. Section 2.2-3711(A)(1) of the Code of Virginia to discuss the appointment of individuals to the Economic Development Authority and the Planning Commission
4. Certification of Closed Session
5. Authorization to Enter into Agreements Related to an Economic Development Prospect

F. ADJOURNMENT

1. Adjourn until 4 p.m. for the Work Session

ITEM SUMMARY

DATE: 2/25/2020

TO: The Board of Supervisors

FROM: Adam R. Kinsman, County Attorney

SUBJECT: Sections 2.2-3711(A)(5) and 2.2-3711(A)(8) of the Code of Virginia to discuss a prospective 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, and to consult with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	2/21/2020 - 12:47 PM

ITEM SUMMARY

DATE: 2/25/2020

TO: The Board of Supervisors

FROM: Adam R. Kinsman, County Attorney

SUBJECT: Code of Virginia 2.2-3711.A(8) Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, specifically the recycling contract between the County and the Virginia Peninsula Public Services Authority.

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	2/28/2020 - 9:24 AM

ITEM SUMMARY

DATE: 2/25/2020

TO: The Board of Supervisors

FROM: Adam R. Kinsman, County Attorney

SUBJECT: Section 2.2-3711(A)(1) of the Code of Virginia to discuss the appointment of individuals to the Economic Development Authority and the Planning Commission

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	2/28/2020 - 9:24 AM

ITEM SUMMARY

DATE: 2/25/2020
TO: The Board of Supervisors
FROM: Adam R. Kinsman, County Attorney
SUBJECT: Certification of Closed Session

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	2/21/2020 - 12:49 PM

ITEM SUMMARY

DATE: 2/25/2020

TO: The Board of Supervisors

FROM: Adam R. Kinsman, County Attorney

SUBJECT: Authorization to Enter into Agreements Related to an Economic Development Prospect

ATTACHMENTS:

	Description	Type
☐	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	2/21/2020 - 1:31 PM

RESOLUTION

AUTHORIZING EXECUTION OF AGREEMENTS WITH THE JAMES CITY COUNTY
ECONOMIC DEVELOPMENT AUTHORITY, THE COMMONWEALTH OF VIRGINIA, SCP-
JTL STONEHOUSE OWNER 1 LLC, NAVIEN, INC.,
AND CONSENTING TO COMMON REPRESENTATION

WHEREAS, the Board of Supervisors of James City County, Virginia, (the “Board”) convened in a closed session on this date pursuant to an affirmative recorded vote and in accordance with Sections 2.2-3711(A)(5) and 2.2-3711(A)(8) of the Code of Virginia to discuss a prospective 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, and to consult with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel; and

WHEREAS, the Board finds that collaboration with the Economic Development Authority of James City County, Virginia, (the “EDA”) and the Commonwealth of Virginia (the “Commonwealth”) is necessary to attract the prospective business discussed; and

WHEREAS, the Commonwealth has committed \$850,000.00 from the Commonwealth’s Development Opportunity Fund (the “State Commitment”) to entice and ensure the prospective business will locate in James City County (the “County”) upon the former Lumber Liquidators site at 3000 John Deere Road and further identified as James City County Real Estate Tax Map No. 1210100045 (the “Site”); and

WHEREAS, the County is required to match the State Commitment and the Board desires to affirm its intent to do so.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, (the “Board”) hereby supports cooperative efforts with the Commonwealth and the EDA to ensure the establishment of Navien, Inc. (the “Company”) in James City County upon the Site and in furtherance thereof authorizes the County Administrator to take those actions and/or execute those documents necessary to enter into and accomplish the following:

1. An Agreement among and/or between the County, the EDA, and/or the Company to provide yearly funds to the EDA in an amount equal to one-half of the total machinery and tools, real estate, and business tangible personal property taxes paid by the Company for the fiscal years 2021, 2022, 2023, 2024, and 2025, which amounts shall be granted by the EDA to the Company and shall be for a maximum aggregate amount of \$466,000.00; and
2. A contract with SCP-JTL Stonehouse Owner 1 LLC to purchase an approximately 35-acre parcel of real property located in the Stonehouse Commerce Park in an amount not to exceed \$284,000.00, plus survey, title, insurance, closing, and other incidental costs of up to \$16,000.00; and

- 3. Including \$100,000.00 in the Environmental and Resource Protection budget (which may be done in lump sum in a single year or spread over multiple years between 2021 and 2025) Account Code Number 001-303-3375, Erosion Control Fees; and
- 4. An Agreement with the Commonwealth to affirm the County's match of the State Commitment and to accept and distribute the Commonwealth's Development Opportunity Fund grants from the Commonwealth to the EDA and/or the Company.

BE IT FURTHER RESOLVED that the County Attorney's office, in compliance with Rule 1.7 of the Virginia Rules of Professional Conduct and associated comments, informed the James City County Board of Supervisors of the risks appurtenant to the County Attorney's common representation during these efforts and the Board hereby consents to such representation.

James O. Icenhour, Jr.
Chairman, Board of Supervisors

ATTEST:

Teresa J. Fellows
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
SADLER	_____	_____	_____
MCGLENNON	_____	_____	_____
LARSON	_____	_____	_____
HIPPLE	_____	_____	_____
ICENHOUR	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 25th day of February, 2020.

ProjectG-res

ITEM SUMMARY

DATE: 2/25/2020
TO: The Board of Supervisors
FROM: Teresa J. Fellows, Deputy Clerk
SUBJECT: Adjourn until 4 p.m. for the Work Session

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	2/21/2020 - 1:32 PM