

AT A WORK SESSION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 25TH DAY OF APRIL, 2001, AT 4 00 P M IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA

**A ROLL CALL**

John J McGlennon, Chairman, Jamestown District  
Bruce C Goodson, Vice Chairman, Roberts District

Jay T Harrison, Sr , Berkeley District  
James G Kennedy, Stonehouse District  
Ronald A Nervitt, Powhatan District

Sanford B Wanner, County Administrator  
Frank M Morton, III, County Attorney

**B BOARD DISCUSSION**

**1 Christopher Newport University Educational Foundation, Inc , Revenue Bond Financing Application Request**

Mr Wanner introduced William L Brauer, Executive Vice President of Christopher Newport University (CNU), and George Consolvo, Bond Counsel

Mr Wanner stated that Christopher Newport University Educational Foundation, Inc (CNUEF) has applied for a revenue bond of up to \$8 million worth of bonds for the acquisition of properties in the City of Newport News for student housing, parking, and university-related activities

The CNUEF Bond Counsel approached James City County for revenue bond financing because the City of Newport News would exceed its debt limit with this request Mr John McDonald, County Financial Manager, advised CNUEF Bond Counsel that the County has no plans to issue such debt this year

CNUEF Bond Counsel filed an application with James City County's Industrial Development Authority (IDA) which approved the request, subject to Board approval, at a special meeting on April 18, 2001

IDA and staff recommend adoption of the resolution authorizing the issuance by the IDA of up to an \$8 million industrial development revenue bond for CNUEF

The Board, staff, and representatives of CNUEF discussed the logistics of the request, the limits to approve other nonprofit bond requests this calendar year, and the impact the bond issuance may have on the IDA

Mr Nervitt made a motion to adopt the resolution

On a roll call, the vote was AYE Kennedy, Nervitt, Goodson, McGlennon (4) NAY Harrison (1)

## 2. Citizen Survey for the Comprehensive Plan Review

Mr. Marvin O. Sowers, Director of Planning, gave an overview of the background for the request of the administration of the Citizen Survey and requested feedback from the Board with guidance for the type of survey to conduct, mode of conduct for the survey, and the scale for conducting the survey.

The Board and Dr. Thomas M. Guterbock, Director of the Center for Survey Research, University of Virginia, discussed the purpose of the citizen survey, the mode by which the survey would be conducted; designing the survey; factors to consider in assessing survey questions; the cost of creating, conducting, and interpreting the survey; utilizing a focus group to complement the survey.

The Board, consultant, and staff discussed utilizing a phone survey, including business and customers of the County that may not reside here but do interact with the County; survey focus as a vision for the County vs. a report card survey; the nature of questions posed in surveys; number of individuals to contact with the phone survey.

Mr. Sowers stated that the Citizen Survey will be brought back before the Board in the summer.

Mr. McGlennon recommended Board members forward possible survey questions to staff for consideration in incorporation into the Citizens Survey process.

Mr. McGlennon recessed the Board for a break at 5:27 p.m.

Mr. McGlennon reconvened the Board at 5:40 p.m.

## 3. New Town/Crossroads Area 2001 Update

Mr. Wanner gave an overview of the proposed development of the New Town over the next 30 years and what has transpired over the past three years.

The Board, staff, Mr. Michael Fox, and Mr. Paul Gerhardt, Attorney, discussed the number of dwelling units in the proposed Virginia United Methodist Home project; commercial square footage in New Town; water usage; tax rates within New Town; anticipated population demographics for the area; zoning triggers for development; change of the name to "New Towne;" and clearer definition of the geographic area called New Town.

The Board requested information on the traffic through and around New Town, the employment profile, and why place New Town at this location.

Mr. Wanner stated that traffic improvements are planned for the area.

Mr. Home stated the placement of Route 199 into the area spurred the planning to control the intense commercial development on the site.

The Board and staff discussed affordable housing within New Town.

## 4. Newport News Baseball Stadium Request for Participation

Mr. Wanner stated that the City of Newport News is requesting \$30,000 in annual funding for a regional baseball stadium to bring minor league baseball to the area.

The Board felt the County has other priorities and could not support the Newport News request.

Mr. Harrison made a motion to adjourn.

On a roll call, the vote was: AYE: Harrison, Kennedy, Nervitt, Goodson, McGlennon (5). NAY: (0).

Mr. McGlennon adjourned the Board at 6:15 p.m.



Sanford B. Wanner  
Clerk to the Board

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## RESOLUTION

A RESOLUTION AUTHORIZING THE ISSUANCE BY THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE COUNTY OF JAMES CITY, VIRGINIA, OF AN \$8,000,000 INDUSTRIAL DEVELOPMENT REVENUE BOND FOR CHRISTOPHER NEWPORT UNIVERSITY EDUCATIONAL FOUNDATION, INC.

WHEREAS, Chapter 49, Title 15.2, Code of Virginia of 1950, as amended, authorizes the creation of the Industrial Development Authority of the County of James City, Virginia (the "Authority"), and empowers the Authority to assist Christopher Newport University Educational Foundation, Inc., a Virginia nonstock corporation (the "Foundation"), by the issuance of not-to-exceed \$8,000,000 in aggregate principal amount of the Authority's revenue bonds (the "Bonds") to finance (i) the acquisition of properties, all of which will be owned by the Foundation and some of which will be leased by Christopher Newport University (the "University"), for student housing, parking and other University related facilities (the "Project"); the Project consists of several parcels of real estate located on Warwick Boulevard, Jan Mar Drive and Sweetbrier Drive, all of such parcels being adjacent to or in the immediate vicinity of the University's campus which is located at 1 University Place, Newport News, Virginia 23606; specifically, these properties are located at 12304, 12346, 12352, 12366, 12372 and 12386 Warwick Boulevard, 39 Sweetbriar Drive, and 410, 411, 439, 437 and 441 Jan Mar Drive; (ii) the cost of issuing said Bonds, and (iii) the costs of furnishings and other costs associated with the development of the properties; and

WHEREAS, the facilities to be financed with the Bonds are or will be owned by the Foundation; and

WHEREAS, the Foundation has its principal place of business at 1 University Place, Newport News, Virginia 23606; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), requires approval by this Board of the issuance of any private activity bonds by the Authority after the Authority has held a public hearing to consider the issuance of such Bonds as one of the acts required in order for the interest on such Bonds to qualify for exemption from the imposition of federal income tax; and

WHEREAS, the Authority held a public hearing on April 18, 2001, in compliance with the Code and Section 15.2-4906 of the Code of Virginia of 1950, as amended (the "Virginia Code"), and after such public hearing did adopt a resolution to issue an amount not to exceed \$8,000,000 of its tax-exempt bonds, subject to the adoption of this resolution; and

WHEREAS, the Authority has recommended that this Board approve the issuance of the Bonds; and

WHEREAS, the Bonds, as "qualified 501(c)(3) bonds" will be exempt, under Section 146(g)(2) of the Code, from the annual limitation on the volume of notes or bonds, the interest on which is exempt from the imposition of federal income tax; and

WHEREAS, a copy of the Authority's resolution approving the issuance of the Bonds, a record of the public hearing with respect to the Bonds, a Fiscal Impact Statement in the form prescribed by Section 15.2-4907 of the Virginia Code and a concurring resolution of the City Council of the City of Newport News, Virginia, prescribed by Section 15.2-4905 of the Virginia Code, have been filed with this Board;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of James City, Virginia:

Section 1: - That the recitals in the preambles hereto are found to be true and correct in all respects and are adopted as findings of this Board as if fully rewritten herein.

Section 2: - That this Board approves the issuance of the Bonds by the Authority to assist in the financing of the Project for the benefit of the Foundation to the extent required by the Code and the Virginia Code.

Section 3: - That the approval of the issuance of the Bonds as required by Section 147(f) of the Code and the Virginia Code does not constitute an endorsement to a prospective purchaser of the Bonds of the proposed use of the proceeds of the Bonds or the creditworthiness of the Foundation, and, as required by Virginia law, the Bonds shall provide that none of the Commonwealth of Virginia, the County of James City nor the Authority shall be obligated to pay the principal, or premium, if any, of the Bonds or the interest thereon or other costs incident thereto except from the revenues and monies pledged therefor and neither the faith and credit nor the taxing power of the Commonwealth of Virginia, the County or the Authority shall be pledged thereto.

Section 4: - That this resolution shall be in effect from and after its adoption.

Approved by the following roll call vote:

Ayes: GOODSON, NERVITT, KENNEDY, MCGLENNON

Nayes:

Abstain: HARRISON

A copy teste:

  
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