

MEETING MINUTES

**ECONOMIC DEVELOPMENT AUTHORITY (EDA)
OF JAMES CITY COUNTY (JCC)
5308 DISCOVERY PARK BLVD. SUITE 203 CONFERENCE ROOM
WILLIAMSBURG, VA 23188
8:00 AM, THURSDAY, MARCH 17, 2011**

1. CALL TO ORDER

The work session was called to order by Chairman Tingle at 8:03 AM.

2. ROLL CALL

A roll call identified the following members present:

Ms. Leanne DuBois
Mr. Douglas M. Gebhardt
Mr. Paul W. Gerhardt
Mr. Stephen H. Montgomery
Mr. Thomas G. Tingle
Mr. Marshall Warner

Also Present:

Ms. Renee Fain, McGuire Woods Counsel
Mr. Bob Harris, Greater Williamsburg Chamber and Tourism Alliance
Mr. Chris Henderson, Virginia United Methodist of Williamsburg, Inc.
Mr. Stephen Johnson, EDA Bond Counsel
Mr. James Kennedy, Board of Supervisors Liaison
Mr. Adam Kinsman, EDA Counsel
Ms. Laura A. Messer, EDA Recording Secretary
Mr. Robert Middaugh, County Administrator, James City County
Mr. Richard Schreiber, Greater Williamsburg Chamber and Tourism Alliance
Mr. Russell Seymour, EDA Secretary
Ms. Jenni Tomes, EDA Fiscal Agent
Ms. Tara Woodruff, Director, Accounting, James City County

3. COUNTY ADMINISTRATION REPORT

Mr. Middaugh began a brief report to the EDA announcing that OED would be relocating back to the County Complex on Mounts Bay Road. He stated that the Education offices of Williamsburg-James City County Schools had moved out of Building D and that a renovation would take place within the next several months. He continued by saying that it was vital for OED to have an integrated prominence in the same building as the County

Attorney and Administration offices. He stated that there would be a conference space as well to accommodate business meetings and meetings of the EDA.

Mr. Middaugh stated that OED would also be receiving additional resources and a new employee within the next few months. The new employee would be a Business Retention and Expansion Manager. He cited that the new employee has a diverse background including economic development experience with knowledge of JCC Development Management processes as well as housing.

Mr. Seymour briefly overviewed the plan of work for the new employee including meeting with a variety of businesses and Virginia organizations such as Virginia Department of Business Assistance and the Virginia Economic Development Partnership.

Mr. Gebhardt asked if this new position would take the responsibilities of Ms. Carla Brittle, Business Facilitator. Mr. Middaugh responded that yes, the new position would encompass the Business Facilitator responsibilities and would be a full-time position dedicated to business assistance.

The EDA thanked Mr. Middaugh for coming to report at the meeting.

4. **APPROVAL OF MINUTES**

a. January 20, 2011

Mr. Tingle asked if there were any changes to the January 20 meeting minutes. There being none, Mr. Gebhardt made a motion to accept the minutes as amended, which was seconded by Mr. Montgomery and approved unanimously by voice vote.

b. February 17, 2011

Mr. Tingle asked if there were any changes to the February 17 work session minutes. Mr. Gebhardt noted a change to *Presentation/Action Items item B, JCCBTI Contract*, that towards the bottom of the page it should read Mr. Gerhardt not Mr. Gebhardt.

Ms. Messer apologized for the error and noted the correction to the minutes.

Mr. Montgomery made a motion to accept the minutes as amended, which was seconded by Mr. Gebhardt and was approved unanimously by voice vote.

5. **FINANCIAL REPORTS**

a. January-February Financial Reports

Ms. Jenni Tomes, EDA Fiscal Agent, reviewed the financial reports for periods 7 and 8, January and February. Ms. Tomes explained the new charges were banking fees for the new account.

Ms. Messer stated that the 2010 County Audit had suggested several organizations including the EDA reorganize their financial systems to deposit their own funding. The EDA questioned why there were fees with this account and stated that most community banks would not charge fees. Ms. Messer stated that she would inquire to Ms. Ann Davis, Treasurer.

Ms. Tomes explained the credit to the EDA account as an accounting error that was corrected.

Mr. Tingle inquired about the other credit of \$331 to the EDA account and Ms. Tomes stated that it was a series of test checks that had been used when the new EDA bank account had been opened.

Mr. Montgomery asked how the rent for the suite in Discovery II was paid and Mr. Tingle explained that OED had its own budget, and they would receive the benefit of OED moving back to the County Complex.

There being no other questions, Mr. Montgomery made a motion to accept the financial reports. Mr. Gebhardt seconded the motion, which passed unanimously by voice vote.

The EDA thanked Ms. Tomes for her report.

6. ACTION ITEMS

- a. Presentation and approval of Amendments to Financing Documents Related to Residential Care Facility Revenue Bonds (Virginia United Methodist Homes of Williamsburg, Inc.)

Mr. Tingle introduced Ms. Renee Fain from McGuire Woods and Mr. Chris Henderson from Virginia United Methodist of Williamsburg, Inc.

Ms. Fain briefed the EDA on the Windsor Meade facility and then let Mr. Henderson provide further explanation. Windsor Meade is a continuing care community that has sold 125 of its 181 unit-capacity. In its original projection in 2007, Windsor Meade anticipated that it would be much closer to capacity at this point in time, but due to the economy and the downturn of the housing market, it has been harder for potential residents to move to facilities such as Windsor Meade.

Due to this unanticipated slow growth of the continuing care facility market; Windsor Meade was requesting a second amendment on their industrial revenue bonds, which would not affect the payment of the bonds in full on schedule. The original documents would be amended to reflect this. Ms. Fain stated that the documents should be closed by May 1, 2011.

Ms. Fain asked if there were any questions regarding this matter. Mr. Montgomery and Mr. Gerhardt noted they both needed to abstain due to their relationship with a different continuing care facility in James City County.

There being no questions for Ms. Fain, Mr. Tingle asked Mr. Stephen Johnson, EDA bond counsel, for his advisement on the matter. Mr. Johnson said that everything was fine and this would not affect the EDA.

Mr. Tingle inquired about the clause in the resolution for future amendments and Mr. Johnson said that it would be best if Ms. Fain amended the clause to be less broad and more specific. She agreed and said this would not be a problem.

Mr. Gebhardt made a motion to accept the amendments, which was seconded by Ms. DuBois and approved by a roll call vote:

Ms. DuBois	AYE
Mr. Gebhardt	AYE
Mr. Gerhardt	Abstain
Mr. Montgomery	Abstain
Mr. Tingle	AYE
Mr. Warner	AYE

Ms. Fain and Mr. Henderson thanked the EDA for their time.

b. September Art Month Joint Project

Mr. Dick Schreiber, President & Chief Executive Officer of the Greater Williamsburg Chamber and Tourism Alliance (GWCTA) began a presentation to the EDA about the potential for the creation of September Art Month. Mr. Schreiber said that a proposal had been put forth for a contracted special events coordinator that would be funded by the three EDAs (James City, York County, Williamsburg) and would fall under the supervision of Bob Harris, Vice President, Tourism, for the GWCTA.

Mr. Schreiber discussed how currently the tourism in the area has seasonal gaps and that an arts month in September would help bring visitors to the area. He explained that the goal was to have a compressed series of events related to the arts in September. He explained that there would be heavy penetration in the Washington D.C. market for approximately four weeks.

Mr. Seymour stated that the Williamsburg EDA had conditionally approved the partnership for September.

The EDA had a brief discussion about the long term benefits of investment in September Arts Month and discussed the end result. The EDA questioned how benefits would be measured. Mr. Montgomery stated that it would take several years to see any results from such a project, but he thought it was a step in a positive direction, much like the sports

marketing initiatives.

Mr. Montgomery made a motion to conditionally accept the partnership, which was seconded by Mr. Gerhardt.

Mr. Schrieber and Mr. Harris thanked the EDA.

c. James City County Business and Technology Incubator (JCCBTI)

Mr. Seymour stated that a draft management contract had been put together by representatives from both James City County and the College of William & Mary. The contract would incorporate the following changes:

- Extend the current contract to end in June 2011 to allow JCCBTI to be on same schedule as fiscal year at a rate of \$5,000 per month
- New contract to begin July 2011 for a 24 month period
- The new contract would have the first \$10,000 in revenue go to the EDA with the remaining revenue being split equally between the EDA and W&M

Mr. Seymour stated that the JCCBTI revenue could fluctuate due to the number of clients at JCCBTI, but reported that there were currently six clients and one virtual client.

Mr. Tingle thanked Mr. Seymour and Mr. Gerhardt for their work. He asked if anyone had any questions about the continued contract. There being none, Mr. Montgomery made a motion to approve the management contract, which was seconded by Mr. Gebhardt and passed unanimously by a voice vote.

d. Bond Fee Amendment Revenue

Mr. Warner asked if the EDA could discuss bond fee amendments and perhaps consider charging a fee for amendments to industrial revenue bonds. Mr. Tingle stated that he had asked Mr. Yavorsky to review minutes from prior meetings to see if there had been any decision made on the matter. While there had been a prior discussion, it was noted that no decision had been made.

Mr. Tingle asked Mr. Kinsman to review any research that had been done previously.

The EDA noted that they did not want to effect their pro-business view.

Following a review of other jurisdictions, the EDA will make a decision on the matter.

7. DISCUSSION ITEMS

a. Meeting Format Change

Mr. Tingle stated that the monthly schedule for EDA meetings currently consisted of

alternating regular meetings and work sessions. Mr. Tingle said that he wished to remove work sessions and only have regular meetings every month. He said that it would be cleaner and easier to manage by having reports listed on every agenda and if there was no business to report, the EDA would simply move forward. The new schedule would also have financial reports and approval of minutes each month.

The EDA agreed with Chairman Tingle. There being no questions, Mr. Montgomery made a motion to approve the new format, which was seconded by Mr. Warner.

b. Enterprise Zone

Mr. Seymour reminded the EDA that he was taking the Enterprise Zone expansion request to the Board of Supervisors for approval on March 22.

He stated that support from the EDA would be appreciated.

He reviewed the process for Enterprise Zone amendments and stated that letters had been sent to property owners who could have property effected. Mr. Seymour stated that the application would be submitted to the Virginia Department of Housing and Community Development in April.

Mr. Seymour said that his Enterprise Zone presentation was slated to be towards the end of the BOS agenda, and Mr. Kennedy said he could request it to be moved up.

The EDA thanked Mr. Seymour for his work on the Enterprise Zone.

8. **REPORTS**

a. Board of Supervisors (BOS) Liaison

Mr. Kennedy began a discussion about the economic opportunity zone and the discussions surrounding them. He noted the involvement of community activist groups as well as the need for education of the community. He suggested written editorial essays to be submitted to local newspapers.

Mr. Kennedy noted several other ongoing matters including funding of the Mooretown Road extension, stormwater issues, and revenue sharing.

Mr. Kennedy stated the importance of continuing to look at sports marketing in the area including possibilities of an aquatic center in James City County.

Mr. Kennedy discussed the need for Economic Progress members, EDA directors, and staff of Development Management to review the economic opportunity zone.

Mr. Tingle thanked Mr. Kennedy for the update.

b. Planning Commission Liaison

Mr. Gebhardt said there was no planning commission business.

c. Rural Economic Development Committee (REDC)

Ms. DuBois said there was no REDC business.

d. Sports Grant Committee Update

Mr. Montgomery updated the EDA on the Sports Grant Committee, which is a branch of the Greater Williamsburg Chamber and Tourism Alliance. He stated that the Legacy Soccer Tournament had signed a contract and would be coming to the Historic Triangle. Mr. Montgomery said the committee met frequently and that results should be visible in 2-3 years.

Mr. Tingle asked about marketing the sports grant program.

9. **OED STAFF REPORT**

Mr. Seymour explained that four grants had been approved in connection with the e-commerce grant program including Mrs. Bryant's Specialty Foods. Mr. Seymour stated that Vectec, who manages the e-commerce grant program, suggested that for future projects that fifty percent (50%) is given at the beginning of the project and the remaining portion would be distributed at the end of the project.

Mr. Montgomery made a motion to accept the recommendation, which was seconded by Mr. Warner and approved unanimously by voice vote.

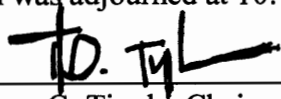
Mr. Seymour discussed the joint-Historic Triangle business appreciation event tied to the Business Retention Expansion Industry conference in May. He stated that 100 business owners from each jurisdiction would be able to participate in the event held at the Yorktown waterfront. Mr. Yavorsky would be helping plan the event.

Mr. Tingle inquired about who JCC would invite, and Mr. Seymour stated Ms. Messer had an existing list of invitees that could be reviewed and edited.

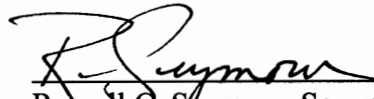
Mr. Tingle thanked Mr. Seymour for his report.

10. **ADJOURNMENT**

There being no further business, Mr. Montgomery made a motion to adjourn. The work session was adjourned at 10:11 AM.



Thomas G. Tingle, Chairman



Russell E. Seymour, Secretary