

MEETING MINUTES

**ECONOMIC DEVELOPMENT AUTHORITY (EDA)
OF JAMES CITY COUNTY (JCC)
101-D MOUNTS BAY ROAD
WILLIAMSBURG, VA 23185
8:00 AM, THURSDAY, DECEMBER 13, 2012**

1. CALL TO ORDER

The meeting was called to order by Chairman Gerhardt at 8:04 AM.

2. ROLL CALL

A roll call identified the following members present:

Ms. Robin Carson
Ms. Leanne DuBois
Mr. Paul W. Gerhardt, Chairman
Mr. Tim Harris
Mr. Stephen Montgomery
Mr. Thomas Tingle

Also Present:

Ms. Cheryl Cochet, EDA Fiscal Agent
Ms. Laura Messer, Recording Secretary, JCC
Mr. Russell Seymour, EDA Secretary
Ms. Kathryn Sipes, Business Development and Retention Coordinator, JCC
Mr. Telly Tucker, EDA Assistant Secretary
Mr. Kevin White, Williamsburg Landing Bond Counsel, Kaufman & Canoles
Ms. Lisa Williams, EDA Bond Counsel, McGuire Woods

Tardy:
Mr. Marshall Warner, Vice Chair

3. MINUTES

a. October 11, 2012 and November 8, 2012 Minutes

Mr. Gerhardt asked if there were any changes to the October 11 EDA meeting minutes and the November 8, 2012 minutes. There being none, he asked for a motion to approve the minutes. Mr. Montgomery made a motion to approve the minutes, which was seconded by Mr. Harris. It was approved unanimously by voice vote.

Mr. Gerhardt acknowledged the presence of attorney Mr. Kevin White from Kaufman & Canoles, who is acting as Williamsburg Landing's bond counsel.

Prior to any discussion, Mr. Gerhardt stated that that he would be abstaining from participating in any discussion or vote on the forthcoming issue and would be departing the meeting because, in addition to Mr. White serving as Williamsburg Landing's bond counsel and being in his same law firm, he served as Secretary to the Board of Williamsburg Landing and as its General Counsel.

Mr. Montgomery stated that he would be abstaining from participating in any discussion or vote on the forthcoming issue because he serves as CEO for the party seeking the bond financing, Williamsburg Landing.

Mr. Warner arrived to the EDA meeting and then stated that he would be abstaining from participating in any discussion or vote on the forthcoming issue because he is an officer of one of the lending institutions, Chesapeake Bank, that has a role in the requested bond transaction.

Prior to any discussion, the three directors left the room and the EDA nominated a temporary chair, Mr. Tingle. Mr. White began an explanation of the bond issue at hand. He stated that Williamsburg Landing was seeking a bond to facilitate ongoing renovations and the refunding of a bond issued by the EDA in 2003.

Upon learning that the bond request related to renovations, Mr. Tingle stated that he would be abstaining from any further participation in any discussion or vote on the forthcoming issue because he his company, Guernsey Tingle Architects, is designing the renovation for Williamsburg Landing. Following which statement, Mr. Tingle left the meeting room.

Following Mr. Tingle's leaving the room; Mr. Kinsman stated that the EDA must nominate another temporary chair. The EDA nominated Ms. Carson.

Mr. White stated that the bond issue will be on the January 8 Board of Supervisors agenda if it receives approval from the EDA. He stated the tentative closing date for the refinancing matter was January 10.

Mr. White discussed that Williamsburg Landing was seeking funding from a number of economic development authorities to lower costs, which would benefit employees and residents of Williamsburg Landing.

Mr. White asked the EDA if they had any questions. There were none.

Ms. Williams, EDA Bond Counsel, stated that the Resolution for Amendment appeared to be in order. She stated there was no liability for the EDA members and that the EDA would still have \$6M available for bank-qualified funding in 2013.

There being no further questions, Ms. Carson asked for a motion to approve the refinancing, which was made by Mr. Harris and seconded by Ms. DuBois.

Ms. Carson asked Mr. Seymour to take a roll call vote:

Ms. Carson	AYE
Ms. DuBois	AYE
Mr. Harris	AYE

Messrs Gerhardt, Montgomery, Tingle, and Warner were not present to vote.

The EDA thanked Mr. White and Ms. Williams for their attendance.

Mr. Seymour stated he would prepare the information for the BOS meeting.

Mr. White and Ms. Williams left the EDA meeting and Messrs Gerhardt, Montgomery, Tingle, and Warner rejoined the meeting.

5. FINANCIAL STATEMENTS

a. November Financial Statements

Mr. Gerhardt asked Ms. Cochet for a financial update and she discussed the expenditures in Period 5 (November 2012) stating that incubator revenue had been collected.

Ms. Cochet discussed the expenditures and said these expenses included the EDA's portion of the Celebration of Business (\$3,000) and Arts Month (\$10,000). She stated that Williamsburg Environmental Group had been paid for part of their work on the JRCC site and also the monthly expenses of JCCBTI management contract and legal fees. She stated the annual payment for the Regional Air Service Enhancement (RAISE) Fund had also been paid.

Mr. Tingle noted the per capita rate for RAISE would need to be modified on the FY 2014 budget.

There being no more questions, Mr. Warner made a motion to approve the November financial report, which was seconded by Mr. Tingle and passed unanimously by voice vote.

Mr. Seymour stated that per the request of the EDA, an analysis of revenue and expenditures for the last five years had been distributed. He stated this would be discussed at the January EDA meeting. Ms. Messer noted that she would electronically distribute the document with the January EDA packet and have Ms. Cochet update it to include December's financials.

5. ACTION ITEMS

a. Approval of Proposed 2013 EDA Chairs & Liaisons

Mr. Gerhardt asked if there were any changes to the proposed 2013 EDA Chairs and Liaisons. He stated that when the regional incubator moves forward, he would like Mr. Harris to be included in discussions although he did not need to be listed as a co-liaison at this time.

There being no changes, Mr. Montgomery made a motion to approve the chairs and liaisons as listed, which was seconded by Mr. Warner and approved unanimously by voice vote.

b. Election of 2013 EDA Officers

Mr. Gerhardt stated a nomination for chair would be needed. Mr. Warner made a motion to nominate Mr. Gerhardt to be the 2013 EDA Chair. Ms. Carson seconded the motion, which was approved unanimously by voice vote.

Mr. Gerhardt made a motion to nominate Mr. Warner as the 2013 EDA Vice Chair. Mr. Montgomery seconded this motion, which was approved unanimously by voice vote.

Mr. Gerhardt made a motion to nominate the OED Director as the EDA Secretary and the County Treasurer as the EDA Treasurer. This was seconded by Mr. Montgomery and approved unanimously by voice vote.

c. Approval of Proposed 2013 EDA Meeting Calendar

Mr. Gerhardt asked if there were any changes to the proposed 2013 EDA meeting calendar. He stated that the calendar maintained the current schedule of the second Thursday of each month. Ms. Carson made a motion to approve the EDA meeting calendar, which was seconded by Mr. Tingle and approved unanimously by voice vote.

d. Enterprise Zone Grants

Mr. Tucker briefly reviewed the Enterprise Zone and noted that the Zone had been amended this past year including a reduction of investment to \$500,000 instead of \$1,000,000. He stated that funds for the proposed grants were appropriated in the County budget.

Mr. Tucker reviewed a memo that had been distributed depicting the companies, who were eligible for grants. He stated each of the companies had already received Enterprise Zone grants and that most were well into the five-year grants.

DCB Group / Climatrol – Year 4

- Real Estate \$ 4,477.68
- M&T/BTPP \$ 45.74 (\$30.59 owed from previous yr)

H.R. Development, LLC / Ritchie Curbow – Year 4

- Real Estate \$ 5,634.94 (\$(.14) owed from previous yr)

WND Holdings LLC / Volvo Rents - Year 4

- Real Estate \$ 1,811.05
- M&T/BTPP \$18.61 (\$12.41 owed from previous yr)

Mid-Eastern Company LLC / Carter Cat Facility –Year 2

- Real Estate \$ 17,341.20

Haynes Distribution Center – Year 4

- Real Estate \$ 22,011.84
- M&T/ BTPP \$ 26,693.60

Ms. Carson made a motion to approve the grants as presented, which was seconded by Mr. Montgomery and approved unanimously by voice vote.

Mr. Montgomery stated the distribution of the funds may be a noteworthy photograph opportunity to help publicize economic development.

Mr. Tingle inquired as to how many businesses applying for incentives were in the expanded area specifically McLaws Circle. Mr. Tucker stated three businesses qualified for incentives this year, nine for next year, and three more for the following year, 2014.

Mr. Tingle asked how many people were employed by each business in the Enterprise Zone. Mr. Tucker stated he would reference the applications and let the EDA know.

Mr. Gerhardt asked how OED publicizes the Enterprise Zone. Mr. Tucker stated that there were marketing materials as well as an annual workshop that is held. He stated mailers were done to emphasize the changes in the Zone as well.

6. OED STAFF REPORT

Ms. Sipes updated the EDA on the ongoing banker forums and the regional loan fund. She stated 8 community banks were involved. Mr. Warner briefly discussed the investment and the equity between the banks. Mr. Warner noted that the fund would not produce revenue and all interest earned would likely be reinvested, so that the fund would become self-sustaining.

Mr. Tingle inquired about private investors and there was a brief discussion.

Mr. Seymour stated that everyone from OED staff participated in Start! Peninsula at Christopher Newport University the first weekend of December. There were three winners from the potential business plans. Mr. Tingle asked if any participants were from JCC. Mr. Seymour stated that he knew of one participant that is located in JCC.

Mr. Seymour stated he had participated in a meeting with a new group that is focusing on looking at the James River as a multi-jurisdictional asset.

Mr. Seymour stated there had also been a career readiness seminar for high school students that he and Ms. Sipes had attended. This is a community-based initiative with Ms. Mary Minor, a former Williamsburg-JCC School Board Member.

Mr. Seymour noted that website traffic was up 30% from calendar year 2011.

Mr. Seymour discussed HREDA and prospects. The EDA noted a necessary future discussion of retail redevelopment.

Mr. Seymour noted the continued discussion of a Dominion Power Line across the BASF and EDA owned JRCC parcel.

Lastly, Mr. Seymour noted correspondence with Owens-Illinois about the performance-based agreements on file. He stated that until the tax assessment was complete, payments would not be made. Mr. Seymour said there had been no response from Owens-Illinois.

7. **REPORTS**

a. Grants Committee

Mr. Warner noted that there was an upcoming Grants Committee meeting for the beginning of January. He stated that this would discuss how the first Business Accelerator Program participant felt about the program.

Mr. Kinsman noted that a warrant had been issued to have Mr. Mark Todero appear in court due to the debt he owes from the Business Assistance Program grant he was awarded in the amount of \$5,000. Todero's business, Beanbank Coffee closed at the end of 2011 and he did not inform the EDA.

b. James City County Business and Technology Incubator

Mr. Gerhardt noted that the regional incubator agreement would be voted on by the Williamsburg City Council later in the day.

c. Miscellaneous Business

Mr. Gerhardt noted it was vital to continue with the EDA's strategic planning process that was begun last year. The EDA concurred that they needed to plan and set goals for its participation in the regional incubator as well as other strategic initiatives that the EDA thinks are important.

d. Real Estate

Mr. Tingle stated that the base map for the JRCC parcel had been completed and the next step was for OED staff to meet with the Real Estate Committee and AES Consulting, who had been awarded the request for proposal for the site work.

He briefly noted the impairment that a power line would cause to the property.

e. Rural Economic Development Committee


Ms. DuBois stated that there was work being done by the James City County Citizens' Coalition (J4C) to compile a directory of agricultural resources. Mr. Seymour stated he and Ms. Sipes had met with J4C.


Ms. DuBois said that in the coming months a new website page would be developed to support rural economic development on the OED website.

Ms. Sipes noted that a conference call had been done in conjunction with Development Management regarding some federal grants for rural and agricultural development.

8. **ADJOURNMENT**

There being no more further business, Mr. Montgomery made a motion to adjourn. The meeting was adjourned at 9:40 AM.


Paul W. Gerhardt, Chairman


Russell C. Seymour, Secretary