

MEETING MINUTES

**ECONOMIC DEVELOPMENT AUTHORITY (EDA)
OF JAMES CITY COUNTY (JCC)
101-D MOUNTS BAY ROAD
WILLIAMSBURG, VA 23185
8:00 AM, THURSDAY, AUGUST 8, 2013**

1. CALL TO ORDER

The meeting was called to order by Chairman Gerhardt at 8:00 AM.

2. ROLL CALL

A roll call identified the following members present:

Ms. Robin Carson
Ms. Leanne DuBois
Mr. Paul Gerhardt, Chairman
Mr. Tim Harris
Mr. Stephen Montgomery
Mr. Thomas Tingle
Mr. Marshall Warner, Vice Chair

Also Present:

Mr. Jared Arango, The Peninsula Pentecostals
Mr. Steve Barrs, CA Barrs
Ms. Cheryl Cochet, EDA Fiscal Agent
Mr. Paul Holt, Planning Director, JCC
Mr. Christopher Johnson, Principal Planner, JCC
Ms. Laura Messer, EDA Recording Secretary
Mr. Robert Middaugh, County Administrator, JCC
Mr. Allen Murphy, Director of Development Management, JCC
Mr. Leo Rogers, EDA Counsel
Mr. Russell Seymour, EDA Secretary
Ms. Kathryn Sipes, Business Development and Retention Coordinator, JCC
Mr. Tim Trant, Kaufman & Canoles on behalf of The Peninsula Pentecostals
Mr. Telly Tucker, EDA Assistant Secretary

3. MINUTES

a. July 11, 2013 Meeting Minutes

Mr. Gerhardt asked if there were any changes to the July 11 regular meeting minutes. There being no changes, he asked for a motion to approve both sets of minutes. Ms. DuBois made a motion to approve the minutes, which was seconded by Mr. Harris. The minutes were

approved unanimously by voice vote.

4. **FINANCIAL STATEMENTS**

a. July Financial Statements

Mr. Gerhardt asked Ms. Cochet for a financial update. She discussed the expenditures in Period 1 (July 2013) and noted that it was a new fiscal year. Ms. Cochet stated that incubator client revenue in the amount of \$950 and interest revenue in the amount of \$1,255 from the Certificates of Deposit had been collected. Ms. Cochet noted that bond fees from Chambrel had been received, but were reclassified to FY 2013.

Ms. Cochet discussed the expenditures and said that they included monthly expenses of legal fees.

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

5. **DISCUSSION ITEMS**

a. Mainland Farms Update

Mr. Rogers presented a brief update on Mainland Farms and stated that it was likely the Board of Supervisors would ask for a transfer of the property to them. He stated this would be asked of the EDA at the September EDA meeting.

Mr. Gerhardt thanked Mr. Rogers for the update.

b. Building Collaborative Communities Grant Proposal

Mr. Tucker stated that the Office of Economic Development (OED) had recently learned about the Building Collaborative Communities (BCC) Grant Program through the Virginia Department of Housing and Community Development. He stated it was a fairly new opportunity funded by Governor Bob McDonnell. Mr. Tucker said that OED was looking at the possibility of applying for a regional grant to review the entrepreneurial ecosystem. He said that reviewing the resources and opportunities would assist in finding what gaps exist in the Historic Triangle.

Mr. Tucker said that the grant required a 25% match and that if OED decided to pursue the opportunity it would be with the City of Williamsburg and York County. He stated that a \$5,000 match would be asked of the EDA if the opportunity is pursued.

Mr. Tingle asked about how this program would be different than the small business assistance grants that had been previously implemented. Mr. Tucker said that the BCC grant program was both two-part: planning and implementation. He said if the region applied for a BCC grant it would be in the amount of \$50,000 with each EDA providing a

\$5,000 match. Mr. Tucker said the BCC grant would allow both entrepreneurship and the Triangle Business Incubator to be focuses in the assessment and show the sustainability of entrepreneurship.

Ms. DuBois stated she had experience with the BCC grant program and that it was a good opportunity to pursue.

The EDA thanked Mr. Tucker for informing them of the opportunity and looked forward to seeing the proposal.

6. **STAFF REPORT**

Mr. Seymour provided a brief update of staff's activities and noted that a longer staff report would occur in September. He said that there were still two requests for proposal in progress. He said the feasibility study for an aquatic center or field house was still being narrowed down. He said that the marketing proposals were still in progress and that candidates would be interviewed in August.

Mr. Seymour stated that following REV3, he had gone to businesses in New Town to see specifically if they had any increase in business from the Glow Run 5K. He said everyone seemed pleased. He said a return on investment calculation was in progress and that REV3 was interested in returning to JCC.

Mr. Seymour discussed the recent National Softball Association event held in the area with JCC being a large venue for the tournament. He stated that Parks and Recreation and Sports Williamsburg had each done great jobs in helping the tournament run smoothly. He said there was a huge turnout that included visiting players from areas such as Michigan, Ohio, North and South Carolina, and Pennsylvania. He said there was a "Fun Fest" event that included the pinning ceremony for the participating players. He said a variety of businesses from the area had booths at the Fun Fest.

Mr. Montgomery asked Mr. Seymour what barriers existed for both events returning to JCC. Mr. Seymour stated that traffic was an issue for REV3, but he believed the issues would be resolved.

Mr. Montgomery reminded Mr. Seymour that the Sports Grant Committee for which he was the liaison was available for any assistance that was needed including providing support.

Mr. Tingle asked who was leading recruiting the events and Mr. Seymour said it was both the Greater Williamsburg Chamber and Tourism Alliance and JCC.

The EDA thanked Mr. Seymour for the updates.

7. **REPORTS**

a. Triangle Business Incubator Liaison

Mr. Gerhardt stated that there had been an Incubator Management Team meeting. He said that there were several clients being actively pursued.

Mr. Tingle asked for an update on current clients. Mr. Gerhardt stated there had been two recent virtual clients including one of the Start Peninsula winners, which is a cider business. Mr. Tingle questioned who was physically residing in the Incubator. Mr. Gerhardt said Breathe Healthy was still located in the space on Palmer Lane. Mr. Gerhardt stated that the Mason School of Business was also working on developing a plan to help recruit student-founded businesses.

Mr. Tingle asked that reports from the Incubator Manager return and that he understood that it may be difficult since it is a regional effort now, but the EDA agreed that this was an important part of the Incubator.

Mr. Tingle questioned the need for potential flex space in relation to the Incubator. He stated that the office space may not fully meet the needs of clientele. There was a brief discussion on the future of space at the Incubator.

Mr. Gerhardt asked for an update on acquiring the first floor of the building the Incubator building on Palmer Lane and Mr. Seymour said that it was in progress.

b. Real Estate Holdings Committee

Mr. Tingle asked if Mr. Rogers had an update on the State Corporation Commission case involving Dominion Power. Mr. Rogers said that JCC had received an opinion from the hearing commissioner that favored the BASF site bisection on the southern portion of the property.

Mr. Tingle asked what the process was before the official verdict was reached. Mr. Rogers said that JCC would file a response to the hearing commissioner's opinion and a decision should be reached in the fall. He stated that there were still environmental and administrative processes that may alter any decision made about the proposed Dominion Power line.

Mr. Rogers stated that there was still an open case in the JCC-Williamsburg Circuit Court about a special-use permit being required for the switching station. He did not believe this case would be pursued.

The EDA had a brief discussion about marketing their James River Commerce Center parcel as the Dominion Power case continues.

Mr. Tingle thanked Mr. Rogers for the update.

c. Rural Economic Development Committee

Ms. DuBois stated that seven proposals had been received for the request for proposal (RFP) for strategic planning for the Agricultural and Forestry Industries Development Grant Project. She stated the group was following the JCC Purchasing process and that three applicants for the RFP had risen to the top following discussions. She stated that four interview questions had been developed.

Ms. DuBois stated she remained pleased with the Board of Supervisors taking the conservation of Mainland Farms as a priority.

The EDA had a brief discussion about the "Understanding Rural" panel and discussions held by the Planning Division including the groups that spoke out against rural lands.

Ms. DuBois noted the importance of crops being grown especially after having met with a local chef. She discussed the use of local hops being grown for small batch breweries and also the use of locally grown grains in distilleries.

Mr. Harris noted the continued issues of cold storage and processing facilities.

The EDA had a brief discussion about Relay Foods and their new pick-up location in New Town.

8. ACTION ITEM

a. M-2 General Industrial District

Prior to any discussion by the EDA, Mr. Gerhardt informed the EDA that his firm represented a client that has an interest in property that would be directly affected by the proposed M-2 General Industrial Zoning Ordinance changes, and that he would not be participating in any discussion or votes pertaining to the issue, whereupon Mr. Gerhardt asked Vice Chairman Warner to conduct the meeting and he excused himself from the meeting.

Mr. Warner thanked the two invited Planning Commissioners for coming to the EDA meeting, both Ms. Robin Bledsoe, Chair of the Policy Committee, and Mr. Rich Krapf, Vice Chairman. Mr. Warner asked Mr. Seymour to present an introduction to the discussion.

Mr. Seymour stated OED had sent the EDA all the requested materials from the July 11 meeting on July 19. He stated that a discussion about M-2 General Industrial had occurred with Mr. Donald Patten, who is a partner of Green Mount Industrial Park's development group. Mr. Patten had cited questions about several parts of the Zoning Ordinance including restaurants not being allowed. These questions were sent to the Zoning Administrator who had responded. Mr. Seymour stated that many of the businesses located in M-2 General Industrial only had 30 minutes for their lunch break and a variety of the businesses had cafeterias at their locations.

Mr. Seymour noted the importance of M-2 General Industrial stating that there were approximately 935 acres of remaining developable M-2 in JCC, but not all of it was currently accessible. He said that Ms. Kim Hazelwood, who works for the County's GIS department, had assisted OED in calculating the total number of remaining developable acres, which the EDA had received.

Mr. Seymour said M-2 General Industrial land is important because it is tax-generating.

Mr. Warner noted the e-mails that had been exchanged between EDA Directors and opened the matter for discussion.

County Administrator Middaugh noted that County Administration had decided that it was not helpful to try to address specific issues in the Planning Commission memo or those raised by the parcel owner/buyer, but that it was important to focus on the purpose of M-2 General Industrial land. Mr. Middaugh noted that what was very clear in the Planning Commission memo sent to the EDA was their rationale behind the decision to support places of public assembly in M-2 General Industrial. Mr. Middaugh said everyone seems to believe that public assembly is not appropriate in M-2. Mr. Middaugh said that it is not in the Planning Commission's purview to decide if the process went incorrectly and that is a matter to be handled solely by the Board of Supervisors. He stated that land use was the focus of the Planning Commission and that this discussion is not parcel specific. It does not matter what restaurant or church wishes to locate in M-2 General Industrial, but to focus on what is best for the County as a whole. He stated parcel information is not pertinent.

Mr. Middaugh stated that Mr. Patten had said that this was a "knee-jerk" reaction and Mr. Middaugh explained that this was not that, but rather that there were 60 mistakes in the current M-2 General Industrial portion of the Zoning Ordinance and that led to potential misuse of M-2 designated lands. He stated it was critical for the issue to be corrected immediately, that time was of the essence, and that it was not a knee-jerk reaction. Mr. Middaugh encouraged the EDA to focus on the task at hand, which is what is in the Zoning Ordinance, what are appropriate uses for M-2 land and what is pertinent to proper use of County lands. Mr. Middaugh reminded the EDA that the BOS values their opinion and that they were asked to look at the Zoning Ordinance and not a specific user.

Mr. Tingle asked that Mr. Krapf and Ms. Bledsoe provide the background from the Planning Commission meeting on July 3 and what led up to that meeting.

Mr. Krapf stated that he is currently the Vice-Chair of the Planning Commission and he chaired the July 3 meeting where the changes to the current Zoning Ordinance were discussed. He stated the vote by the Planning Commission at that meeting was 4-2 with Mr. Tim O'Connor and himself being against adding places of public assembly to M-2 General Industrial. Mr. Krapf stated that Ms. Bledsoe had much more background because of her role as Policy Committee Chair, but said he and Mr. O'Connor chose to focus on the intent of the zoning uses permitted in M-2 General Industrial. He said M-2 clearly indicates uses industrial in nature that would not fit with other commercial or businesses areas. He

reiterated Mr. Middaugh's notation of the discussion being M-2 for the entire County not just the specific parcel in contention.

Mr. Krapf said as far as he and Mr. O'Connor were concerned the active case was not a part of their decision making process. He said it was strictly the issue of M-2 and its intent including what are the permitted and specialty permitted uses.

Ms. Bledsoe began by stating that while she respected Mr. Middaugh that she could not disagree more with his statement about what the Planning Commission is supposed to do as their role appointed by the BOS. She said that the Planning Commission is supposed to vet information for the BOS. She said that she has worked with both Mr. Chris Johnson and Mr. Paul Holt for over a year now and that their work product is impeccable. She said they make no mistakes and always provide all requested information. She said it was very clear that this situation was so extraordinary to the Planning Commission. She said it was very clear that something did not work. She said the Planning Commission would not agree to remove places of public assembly from M-2 General Industrial because what transpired was not right.

Ms. Bledsoe emphasized that she felt it was impossible for the experts of planning to not catch the mistake prior to April. She continued and said that the Planning Commissioners who voted for places of public assembly in M-2 felt that there was manipulation of a situation. She said it was important to do what was right even if it was not their purview. She said it was for the greater good of the County and that she and the three other commissioners, who voted for the approval of places of public assembly in M-2 would make the same decision again. She said it is nothing against County staff, but that they did not agree with how this was handled.

She said she completely understands Mr. Krapf's thought process and that the active case was not an active case was not going to be an active case because of what transpired. She said she and the other three commissioners fundamentally disagreed with what happened.

She said the memo she provided to the EDA was not her work, but also included the opinions of the other three commissioners. She said this scenario is not right and that she does not know who was at fault, but that she did not take enough time before the first Policy Committee meeting. She said she let everyone down by not doing her job better. She said at the second Policy Committee, it was difficult to understand the process of how the matter got to that point.

She said Mr. Tim Trant and members of The Peninsula Pentecostals were both present at that meeting and there would be no resolution and that the matter had to move forward.

Ms. Bledsoe reiterated she felt it was the Planning Commission's place to make a decision using the active case as a part of the process.

Mr. Rogers stated that as the EDA's Legal Counsel for 24 years, it is his role is to advise the EDA on what their role is and that the EDA is not a legislative body nor is it a judicial

body and they are about to delve into the facts of a case, which as Mr. Middaugh said is not related to any specific case, but is of general application, as such, the EDA did not have to listen to those comments. He stated that Mr. Adam Kinsman, Deputy County Attorney, advised the Planning Commission on their role and they chose to ignore his advice. He said that the chronology presented to the EDA by Ms. Bledsoe has a common refrain of the absence of facts. Mr. Rogers said the absence of facts causes flaws in the argument. He said the absence of facts implies motives, perceptions and appearances – nobody has a bad motive here. He said staff is trying to correct a mistake, property owner is trying to sell property, and the church is trying to get a project completed. Mr. Rogers reminded the EDA that at the last meeting, Mr. Bradshaw reminded the EDA of their role.

Mr. Rogers said the EDA is being asked, “Should churches go in the most intensive industrial district?” Mr. Rogers suggested that the EDA may not want to go down that path. He said the EDA should not be the body to make a decision on the way the process was handled. Mr. Rogers cautioned the EDA before they take that path and said that the sole issue is what uses should be in M-2 General Industrial.

Mr. Middaugh said that Ms. Bledsoe suggested that staff did not make a mistake, but County Administration, County Attorney’s Office and Development Management have stated that a mistake was made. Mr. Holt said an entire set of use errors was made during reformatting.

Mr. Holt said that corrections have been proposed to correct the issue that was made and that it was not an issue of a single piece of property, but rather the entire M-2 General Industrial Zoning Ordinance.

Mr. Tingle said that following the materials that were sent from Mr. Seymour and Planning staff that he had reviewed the minutes from Planning Commission and Policy Committee as well as the comparative zoning of different localities’ M-2 or most heavy industrial zoning districts. He said the comparative zoning were both similar to JCC in terms of size and composition of businesses, but also were competitive to the County for economic development. Mr. Tingle said he had sent the EDA an e-mail of some of the analysis he completed when he reviewed the different zonings.

Mr. Tingle said the County is trying to correct a mistake, but that he wanted to note observations he had about M-2 General Industrial.

He said banks and financial institutions were permitted prior to 2012, but not in the proposed Zoning Ordinance. He said a customer-based bank may not be appropriate, but a corporate headquarters for a bank such as C & F Bank in Stonehouse, which is M-1 may hinder future development. Mr. Seymour stated that Stonehouse is zoned PUD, Planned Unit Development District.

Mr. Tingle said that auto service was no longer included in the 2012 Zoning Ordinance. He cited the example of an industrial fueling station. He asked if it was a compatible use for trucks leaving an industrial park. Ms. Carson said she thought it was included under truck

stops, which are permitted. Mr. Holt said that in the proposed Zoning Ordinance those types of business are under vehicle service stations and Mr. Johnson said they are by-right.

Mr. Tingle noted an industrial dry cleaner or laundry may be appropriate to include. Mr. Holt said those are permissible. Ms. Carson said not facilities where the public would take their laundry, but for large businesses such as hoteliers, should be allowed.

Mr. Murphy stated that what Mr. Tingle discovered through his observations is exactly part of why the formatting errors occurred. The uses were removed from an alphabetized list and placed into a table.

Mr. Tingle discussed fire and shooting ranges that are not allowed in current M-2, but may be a compatible use. He noted limousine and taxi services makes sense in the lower part of the County particularly if the Skiffes Creek Connector occurs because of the location to Interstate 64.

Mr. Tingle noted auto part sales such as an industrial warehouse with no customer transactions may make sense.

He noted the potential removal of people-intensive uses such as mini-golf, amusement parks, and hospitals being removed from M-2 General Industrial. He noted a comparison of by-right and special-use permits and properties.

He asked if it was necessary to list manufacturing by type, but would it be better to simply exclude what is not wanted in M-2? He asked Mr. Holt if it was the decision of the Zoning Administrator for manufacturing not included in the table and Mr. Holt said that it would be the decision of the Zoning Administrator.

Mr. Tingle noted some uses that may be important to include such as animal kennels, auto and appliance repair, and wineries. He noted different examples of each.

He asked how the EDA can be a part of rezoning land. He asked if OED receives a large number of land users searching for heavy industrial land. Mr. Tingle asked if it is important to look at M-1 zoned land and M-2 zoned land and which land type is the focus. Mr. Tingle asked about the need for special-use permits for any commercial buildings over 10,000 square feet. He reminded the EDA of the process trying to expand requirements for special-use permits several years ago.

The EDA had a discussion about commercial special-use permits and Mr. Murphy discussed a part of the zoning ordinance that is intended to catch retail businesses and separate them from warehouses. He noted the issue of use versus impact and that the County must be certain of the issue of commercial versus industrial.

Mr. Tingle noted that he agrees with Mr. Middaugh and Mr. Rogers about the EDA's role, but noted that it is hard to divorce the issue and how the County ended up at point. He noted a variety of experiences he had with the County including the Business Climate Task

Force and Comprehensive Plan and noted the predictability and transparency in the process. He said the goal was for subjectivity and politics to be removed, and for the process to be objective. He reminded the EDA that the process needs to be predictable.

Mr. Tingle noted the process here was not as predictable or transparent as the EDA would like to be should be a qualification to any opinion given to the Board of Supervisors.

Mr. Warner asked for additional comments. Mr. Harris said as a business owner that he has no desire to see the public in an industrial park and that he would be deterred to start a business in a location that had permitted public uses whether it be a church, putt-putt or retail. Mr. Harris noted that it is not the EDA's place to make a decision, but was concerned about how the applicant was treated and that the EDA would not want businesses to be treated in that manner. Mr. Harris noted that M-2 did need to be corrected of the current flaws.

Mr. Montgomery said that he does not view the EDA as a judicial or legislative body. He said he does not appreciate Mr. Patten or Mr. Tim Trant making the EDA a legislative body. He said the EDA is advisory to both the BOS and OED. He said that the EDA has been asked for advice and that it should be given. He said judicial or legislative comments need to be separated from any advice on M-2 that is given to the BOS. Mr. Montgomery stated he feared long-term consequences of doing otherwise would tarnish the role of the EDA and its opinions. He said the EDA must do only what they are allowed to do and what is their mission. Mr. Montgomery made a motion to cease and desist in discussion of the applicant and focus on the matter of the general application of M-2, which was seconded by Ms. Carson.

Ms. DuBois stated it was difficult to remove the issue of what has happened. She noted the business climate issues caused conflict for her. Mr. Montgomery agreed that it was difficult, but noted they are two separate issues and that the EDA's job was to focus on the issue of M-2.

Mr. Montgomery noted that there would be a number of opportunities to express personal judgment on the issue at hand, but the EDA must handle the issue asked of them. He reiterated he did not want the EDA to lose their ability to provide input to the BOS.

Mr. Rogers asked about the motion Mr. Montgomery made and Mr. Montgomery said the motion was to remove any and all discussion of the church's case moving forward in the discussion.

Mr. Trant asked Mr. Warner, the Vice Chairman, if he could have the opportunity to comment before the discussion was closed. Mr. Montgomery stated he did not support any comment from Mr. Trant.

Mr. Middaugh said that it was not a normal process and that it was a unique and unfortunate circumstance. He said that the treatment of business is not an issue and said this kind of situation will never happen again.

He said the active case originally came in for a rezoning, but then the mistake in the Zoning Ordinance was realized.

Ms. Carson asked for a restating of the motion, and Mr. Montgomery restated the motion to cease and desist in discussion of the applicant and focus on the matter of the general application of M-2, which was then seconded a second time by Ms. Carson.

Mr. Warner reiterated that he would like to focus on the M-2 and what the EDA's role is, but asked if the EDA could make an observation the treatment of the applicant. Mr. Rogers stated that EDA could personally tell the BOS any of their own observations on the case. He stated that Ms. Bledsoe's memo would be sent to the BOS. He reminded the EDA what a member of the BOS asked of the EDA at their last meeting. Mr. Tingle clarified Mr. Warner's question to Mr. Rogers and Mr. Rogers noted that any opinion from the EDA could be used in future litigation if a case is filed by the applicant.

Ms. Carson noted the time and said that she felt the EDA should only respond to what is asked of them at this point. She said there are a lot of issues and that Mr. Tingle brought up many valid points such as the environment of what businesses come forth. She said many of the issues seemed procedural and that Mr. Tingle's prudent questions should be handled.

Ms. DuBois said she understands the EDA cannot solve this matter, but wants to recognize that an issue occurred.

Mr. Warner asked for any further discussion and asked all those in favor of the motion which passed unanimously by voice vote.

Mr. Rogers asked that the Planning Commissioners be excused for a 10:00 am meeting. The EDA thanked Mr. Krapf and Ms. Bledsoe for their time.

The EDA had a discussion about Mr. Tingle's comments and noted that facilities with any sort of public component should not be permitted. Mr. Murphy said that OED and the EDA Planning Commission Liaison have been involved in the process. He continued and said that the list of uses was not complete, but that Development Management would accept any suggestions provided to the EDA.

Mr. Montgomery made a motion that Mr. Tingle meet with Mr. Seymour and Planning Staff to discuss his suggestions. He said that he felt Mr. Tingle was most qualified because of his career specialty. He said it was not vital for the EDA as a whole to participate in the discussion.

Mr. Seymour noted that economic development projects are not always as easy as to fit into a mold. Mr. Seymour stated Mr. Tucker confirmed that 11 projects this year fit into M-2 and that 14 projects in 2012 were M-2. He said it is about 75% of the projects that OED received based on what is defined in M-2. Mr. Tucker reviewed the projects as steel/metal fabrication and breweries. He said that heavy manufacturing is almost always placed in M-2.

Mr. Harris asked about mini golf being allowed in M-2 with a special-use permit and Ms. Carson agreed that she questions outdoor recreation, outdoor amusement, amusement parks, post offices and other types of public-access facilities such as hospitals. Ms. Carson said those types of facilities are not included in other localities. She said she felt all those uses should be removed from M-2 even with a special-use permit. Mr. Seymour asked Ms. Carson to reiterate the uses she questioned and she said, "Hospitals, indoor sports facilities including firing and shooting ranges, outdoor centers of amusement such as miniature golf, bumper boats, and water slides, outdoor sports facilities including golf courses, driving ranges, batting cages, and skate parks." She said as the tourism representative having these facilities in an industrial park does not favor the County's image and reputation.

Mr. Harris noted post offices were not necessary either unless it was a postal processing facility.

Mr. Seymour agreed and said that anything that would generate traffic or have a negative impact on existing businesses is inconsistent.

Ms. Carson noted that tea rooms may also not be necessary.

Mr. Murphy noted that the removal of those facilities is fine with Development Management. Mr. Warner said all uses that would generate public traffic should be removed and Ms. Carson noted that wineries are included, but may be an issue because wineries are tourism localities.

Mr. Tingle noted it may be appropriate to be careful about defining things and used LaTienda's initial showroom that grew into a commercial retail location.

Mr. Warner asked for a motion. Mr. Montgomery made a motion to limit non-commercial and non-industrial uses in the M-2 General Industrial District in the Zoning Ordinance.

Mr. Rogers asked that a recording of the EDA meeting be kept on file for two years because of the great policy discussion that occurred and also in case a suit is filed by Kaufman & Canoles.

Mr. Tingle asked if it would be beneficial for the BOS to have the draft minutes of this meeting. Mr. Rogers said that would be possible.

Mr. Montgomery amended his original motion to include that any suggestions of inclusions or removals of uses following a discussion of M-2 uses from the meeting that Mr. Tingle will have with Mr. Seymour and Development Management be included in the information sent to the BOS.

Mr. Montgomery restated his motion and made a motion to limit non-commercial and non-industrial uses in the M-2 General Industrial District in the Zoning Ordinance, that a recording of the meeting be kept for two years, and that any suggestions that come forward

from Mr. Tingle's meeting with staff are included in the EDA's opinion. Ms. DuBois seconded the motion, which passed unanimously by the EDA.


Mr. Seymour asked what material should be sent to the BOS and Mr. Tingle said that only the motion be sent to the BOS with a memo of any changes of use that should be included or removed following his meeting with staff.

Mr. Montgomery reminded the EDA that strategic planning was vital to help the EDA focus on their mission and that some of the issues discussed are strategic in nature. He said it is important to proactively address issues.

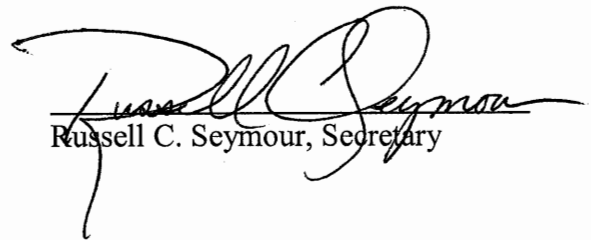
Mr. Seymour said OED staff was completing their own strategic plan, which would be presented at the next EDA meeting. Mr. Montgomery said he looked forward to hearing it and was happy to provide assistance.

8. ADJOURNMENT

There being no more time for further business, Mr. Warner thanked everyone for their time. Mr. Montgomery made a motion to adjourn. The meeting was adjourned at 9:51 AM.



Paul W. Gerhardt, Chairman



Russell C. Seymour, Secretary