

MEETING MINUTES

**ECONOMIC DEVELOPMENT AUTHORITY (EDA)
OF JAMES CITY COUNTY (JCC)
101-D MOUNTS BAY ROAD
WILLIAMSBURG, VA 23185
8:00 AM, THURSDAY, SEPTEMBER 12, 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. Thomas Tingle
Mr. Marshall Warner, Vice Chair

Also Present:

Ms. Cheryl Cochet, EDA Fiscal Agent
Mr. Adam Kinsman, EDA Counsel
Ms. Laura Messer, EDA Recording Secretary
Mr. Russell Seymour, EDA Secretary
Ms. Kathryn Sipes, Business Development and Retention Coordinator, JCC
Mr. Telly Tucker, EDA Assistant Secretary

Absent:

Mr. Tim Harris, Director
Mr. Stephen Montgomery, Director

3. MINUTES

a. August 8, 2013 Meeting Minutes

Mr. Gerhardt asked if there were any changes to the August 8 regular meeting minutes. There being no changes, he asked for a motion to approve both sets of minutes. Mr. Tingle made a motion to approve the minutes, which was seconded by Mr. Warner. The minutes were approved unanimously by voice vote.

4. FINANCIAL STATEMENTS

a. August Financial Statements

Mr. Gerhardt asked Ms. Cochet for a financial update. She discussed the revenue from both interest (\$1,300) and the incubator (\$1,500).

She discussed the expenditures in Period 2 (August 2013). She said the first portion of the FY2014 audit had been paid as well as legal fees. She stated that \$5,000 had been paid to the Small Business Development Center and that \$26,814 had been paid to the Regional Air Service Enhancement Cooperation Agreement. She stated that the first payment to the new Incubator manager had been made.

The EDA had a brief discussion about the audit fees and inquired as to the total cost of the audit. Ms. Cochet stated that it was \$9,000 this year, which was an increase. The EDA questioned the audit process. Mr. Warner stated that it is best for the EDA to utilize the same auditor as the County.

There being no further questions, Mr. Warner made a motion to approve the August financial report, which was seconded by Ms. Carson and passed unanimously by voice vote.

5. ACTION TEM

a. Mainland Farms Update

Mr. Kinsman presented information on the conservation easement for Mainland Farms and said that the EDA was being asked to transfer ownership of the property to James City County. The EDA asked if a motion was sufficient or if a further action would need to be taken.

Mr. Gerhardt asked if the EDA's legal counsel had determined if the easement would provide tax credits. Mr. Kinsman stated that since the EDA and the County are both not tax payers that tax credits are not applicable even though an easement would be placed on the property. He said that no Industrial Development Authority or locality is able to receive such credits.

Mr. Gerhardt asked what would happen to the current lease agreement in place. He suggested that the EDA still receive that funding. Mr. Bradshaw stated that he saw no issue with that and believed that the proceeds of the lease could still go to the EDA as the manager of the lease. The EDA noted that the contract is in place through January of 2016.

The EDA had a discussion about the restrictions that an easement would place on the property. They noted that the property is currently zoned A1. Mr. Kinsman noted that an easement would not be as restrictive, but would require permission. He also noted that final approval would have to come from the Williamsburg Land Conservancy on the easement.

Ms. Carson noted the popularity of corn mazes such as the Amazing Maise Maze and noted that flexibility for special events would be best. She also suggested weddings and festivals as potential opportunities for the property. The EDA all agreed with Ms. Carson noting the popularity of agribusiness and agritourism.

The EDA noted that game management would need to be included because of the potential detriment that large deer populations cause to the crops being grown on the property.

Mr. Bradshaw noted that the easement should go forward at the first October meeting of the Board of Supervisors. Mr. Tingle noted it was important for the EDA to remember that the easement is a “forever document” and once approved would be difficult to alter.

The EDA asked Mr. Kinsman to amend the draft of the easement to include agribusiness and agritourist opportunities and the other things that they had discussed in cooperation with Ms. DuBois, who is chair of the Rural Economic Development Committee, a subcommittee of the EDA.

The EDA agreed they would like to discuss the document before it goes to the BOS. Ms. Messer noted that agenda items would be due for the next BOS meeting on September 20. The EDA decided to continue the meeting until Monday, September 23 at 11:00 am to discuss the final changes in the easement.

6. DISCUSSION ITEM

a. Columbia Drive

Ms. Sipes updated the EDA on Columbia Drive and its potential inclusion into the Virginia Department of Transportation (VDOT) System. She discussed the use of marketing the property as an exception for inclusion because it is causing an impediment to the property’s development. She stated that a resolution from the EDA would assist in the process of application for Columbia Drive to VDOT.

7. STAFF REPORT

Mr. Seymour began an update to the EDA. He noted that the Enterprise Zone application selection was underway at the state. He said that there were four zones available and that there had been 11 applications. He said that there had been some discussion with local delegates.

Mr. Seymour stated he had attended a Business Town Hall Meeting and received some positive feedback about the Enterprise Zone and how JCC markets it. The Town Hall focused on tourism and other issues including the widening of Interstate 64.

Mr. Seymour noted that Arts Month was in full swing and that the bulk of events in the County were September 23-September 29. He said that the event calendar was fully

updated on the Economic Development website.

Mr. Seymour noted that Start Peninsula was in the near future and reminded the EDA that they had sponsored part of the event last year and that their portion was \$1,500. He said this year there had been some discussion of a joint sponsorship on behalf of the regional incubator.

Mr. Tingle asked Mr. Seymour if the EDA would receive an annual report for Arts Month and Mr. Seymour stated he did expect Mr. Bob Harris and Ms. Terry Buntrock to both attend an EDA meeting after Arts Month was complete.

The EDA inquired about the Marshall Plan and what the status was. Ms. Sipes stated that the group was still trying to work through some of the details.

Ms. Sipes told the EDA that October 4 would be Manufacturing Day in conjunction with the Williamsburg-James City County Schools and students would visit several local businesses for seminars.

The EDA thanked Mr. Seymour for the updates.

7. **REPORTS**

a. Board of Supervisors Liaison

Mr. Bradshaw noted that there was a special-use permit issue ongoing.

b. Sports Grants

It was noted that money had been allocated for both the Blue Talon Turkey Trot and also Colonial Lacrosse.

c. Triangle Business Incubator Liaison

Mr. Gerhardt said that the next incubator meet-up would be soon and that the cider client would be the guest and would provide samples. Mr. Seymour noted that the cider client had changed their name and were now known as Buskey Barrel Cider Co.

d. 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.

Ms. DuBois stated there will be stakeholder meetings as a part of the process.

There was a brief update about a public communications and Mainland Farms and showing

the property as an asset.

8. CONTINUATION

There being no further business at this time, Ms. Carson made a motion to continue the meeting on September 23, 2013 at 11:00 AM, which was seconded by Mr. Tingle. Discussion ended at 9:23 AM.

9. CALL TO ORDER

The meeting was reconvened by Chairman Gerhardt at 11:05 AM.

10. ROLL CALL

A roll call identified the following members present:

Ms. Robin Carson
 Ms. Leanne DuBois
 Mr. Tim Harris
 Mr. Paul Gerhardt, Chairman

Also Present:

Mr. M. Anderson Bradshaw, JCC Board of Supervisors
 Ms. Cheryl Cochet, EDA Fiscal Agent
 Mr. Adam Kinsman, EDA Counsel
 Ms. Laura Messer, EDA Recording Secretary
 Ms. Caren Schumacher, Executive Director, Williamsburg Land Conservancy
 Mr. Russell Seymour, EDA Secretary
 Mr. Telly Tucker, EDA Assistant Secretary

Absent:

Mr. Stephen Montgomery, Director
 Mr. Tom Tingle, Director
 Mr. Marshall Warner, Director

11. ACTION ITEM: MAINLAND FARMS

Mr. Kinsman began a discussion about why the EDA had reconvened stating that placing a conservation easement on Mainland Farms required the EDA to convey the property to the County.

Mr. Gerhardt stated that he would refrain from providing further input on the easement document because he had been advised that the Williamsburg Landing had recently engaged one of his colleagues to review the final document on its behalf.

Mr. Kinsman said that much of the document for the easement had been fleshed out and that it contained very broad guidelines. He noted that Mr. Tingle had requested that cideries and breweries be added as permissible.

The EDA had a discussion about temporary versus permanent structures and also about passive and active recreation.

Ms. Carson and Ms. DuBois noted the word selection of carnival versus a fair. Each felt that fair was more appropriate.

The EDA discussed how in terms of cideries and breweries that the use may not be appropriate unless materials for the end product were cultivated and processed on the land. Ms. DuBois said she felt comfortable with allowing the processing and production of products that are made from agriculture grown on the land. Ms. Schumacher of the Williamsburg Land Conservancy agreed that she felt under those circumstances that it was appropriate use of the land.


Ms. Schumacher thanked the EDA for the opportunity for the Williamsburg Land Conservancy to be the holder of the easement. She said that it was an honor.

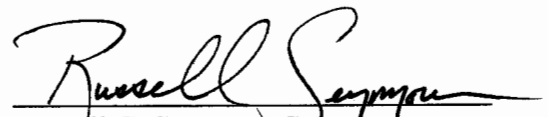
There being no further discussion, Mr. Kinsman asked if there was a motion to direct the Secretary of Economic Development Authority to execute documents necessary to transfer the Mainland Farm property to the County and to request that the County enter into an easement agreement in conformance with the draft document attached as Exhibit A and to assign rental proceeds from the current contract with Mr. David Hula to the EDA. Ms. Carson made the motion, which was seconded by Mr. Harris. The motion approved unanimously by voice vote from all four present directors.

The EDA briefly discussed the process moving forward for the easement. Ms. Schumacher stated that the Williamsburg Land Conservancy had already approved a resolution to move forward as the easement holder and that she would provide a copy of it to Mr. Kinsman.

12. ADJOURNMENT

There being no more time for further business, Mr. Seymour thanked everyone for their time. Ms. Carson made a motion to adjourn. The meeting was adjourned at 11:23 AM.


Paul W. Gerhardt, Chairman


Russell C. Seymour, Secretary