

**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, 2013**

**1. CALL TO ORDER**

The meeting was called to order by Chairman Gerhardt at 8:02 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:

Ms. Kim Brown, Senior Account Executive, Cox Business  
Ms. Ellen Cabitt, Manager of Product Development, Cox Business  
Mr. Courtney Carpenter, Chief Information Office, College of William & Mary  
Ms. Cheryl Cochet, EDA Fiscal Agent  
Mr. Mark Duncan, Director of Community and Government Relations, Colonial  
Williamsburg Foundation  
Mr. Richard Gary, Hunton & Williams LLP on behalf of Dominion Virginia Power  
Ms. Victoria Gussman, Director of Property Planning and Management, Colonial  
Williamsburg Foundation/Williamsburg Development Inc.  
Ms. Stephanie Harrington, Dominion Virginia Power  
Mr. John McDonald, Director, Financial and Management Services, JCC  
Ms. Laura Messer, EDA Recording Secretary  
Mr. Patrick Page, Information Technology Administrator, JCC  
Mr. Michael Quinan, Christian & Barton LLP on behalf of BASF  
Mr. Leo Rogers, EDA Counsel  
Mr. Russell Seymour, EDA Secretary  
Ms. Kathryn Sipes, Business Development and Retention Coordinator, JCC  
Mr. Telly Tucker, EDA Assistant Secretary

### 3. MINUTES

#### a. November 14, 2013 Meeting Minutes

Mr. Gerhardt asked if there were any changes to the November 14 regular meeting minutes. There being no other changes, he asked for a motion to approve the minutes. Mr. Montgomery made a motion to approve the minutes as amended, which was seconded by Mr. Harris. The minutes were approved unanimously by voice vote.

### 4. FINANCIAL STATEMENTS

#### a. November Financial Statements

Mr. Gerhardt asked Ms. Cochet for a financial update. She discussed revenue received from both interest and from the incubator.

She discussed the expenditures in Period 5 (November 2013). She said that Triangle Business & Innovation Center revenue had been collected as well as interest. She noted that the EDA's portion of the 2013 Celebration of Business had been paid. She said that both bank fees and legal fees had been paid.

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

### 5. PRESENTATIONS

#### a. James City County Technology

Mr. Patrick Page, IT Administrator for JCC, began a presentation about the connectivity of JCC. He started with a discussion of the history of fiber optic connectivity in the County. He discussed the system and challenges over the years. He noted different aspects of the system including that there would eventually be four "rings" of service that would increase redundancy of the network.

Mr. Page discussed the benefits to the County, the James City Service Authority and also the Williamsburg-James City County Public School System. He discussed partnerships in the region.

He noted that the County researched and reviewed other localities and their models of fiber connectivity. Those mentioned included the City of Newport News, the Surry County Broadband Project, and the New River Valley Broadband Network.

Mr. Montgomery asked if the County's network was only for the County and Mr. Page stated that it was. Mr. Gerhardt inquired about the speed of the network. Mr. Page said that it was a 1 GB connection through Cox Business. Mr. Gerhardt noted TBIC was not on the

County's network and discussed the potential of that occurring.

Mr. Tingle inquired about public-private partnerships. Mr. Page said that the County had invested in its own fiber, but there was existing fiber conduit in place for private businesses.

There being no more questions, the EDA thanked Mr. Page.

b. College of William & Mary

Mr. Courtney Carpenter began a discussion of the College of William & Mary's (W&M) network. Mr. Carpenter said that all main campus buildings received a 10 GB connection that would be expanding to a 40 GB connection. He noted all residence halls were wireless and that 80% of students never plug into their connection noting that many students watch streaming media online.

Mr. Carpenter discussed the fiber connectivity as illustrated on a map. He stated that fiber ran from the main campus area down Ironbound Rd. to both of the Discovery buildings in New Town and also to the Dillard Complex.

Mr. Carpenter discussed W&M's connectivity to other research organizations in the region including its affiliate, the Virginia Institute of Marine Science (VIMS) as well as Jefferson Lab, Old Dominion University and its affiliate, the Virginia Modeling Analysis and Simulation Center in Suffolk. Mr. Carpenter noted the challenge of the York River and the connection crossing to VIMS. He said there were many environmental issues with installing network capabilities, but that it had been accomplished.

Mr. Carpenter discussed connections and East Coast data centers in both Atlanta, GA and Ashburn, VA.

He said that W&M had the same capabilities as both Virginia Tech and the University of Virginia.

Lastly, Mr. Carpenter discussed how computer science was a growing major at W&M. He said that fiber connectivity was key to growing the major.

The EDA noted the Triangle Business & Innovation Center was located near both New Town and also the Dillard Complex. They briefly discussed the partnership with the Mason School of Business.

The EDA thanked Mr. Carpenter.

c. Cox Business

Ms. Brown and Ms. Cabitt began a discussion of what Cox had in place. The EDA discussed being able to have information regarding the master plan for fiber. Ms. Cabitt

stated that was confidential, but engineers for Cox would be happy to identify buildings that are capable of receiving fiber connectivity upon request.

Ms. Brown noted that Stonehouse Commerce Park has fiber and that it is in part due to a mini data center that exists in Lightfoot. She stated that renovations had just been completed at this facility.

The EDA asked several questions to Ms. Brown and Ms. Cabitt specifically about splicing connections and nodes. A node is a connection point, a redistribution point or a communication endpoint. Ms. Brown stated that Cox engineers often review the "load" on a node and try to not let any node on their network get beyond 60% saturation. They would add another node to any connection to redistribute the connectivity.

The EDA thanked Ms. Brown and Ms. Cabitt.

d. Miscellaneous Technology Discussion

Mr. Carpenter noted the other companies that offer technology capacity in the region including Windstream and Metro as well as Verizon.

Mr. Page noted that two issues exist as the EDA moves forward with technology discussions. He stated that one issue with the Triangle Business & Innovation Center is the unknown variable of what a client's needs may be. He stated that the unknown there added a variable unlike any other situation and could not be predicted. The length of stay of any client includes variables as well. He also noted that as technology keeps changing, it is impossible to know what capabilities may emerge especially with cloud computing.

Mr. Harris noted the issues with start-up companies not being able to afford the expense for the technology capacity they may need and said he saw it as a real issue for new businesses.

Everyone agreed that these factors all play a part in the discussion of technology capabilities in the County.

6. **DISCUSSION ITEM**

a. Dominion Virginia Power Transmission Line

Prior to going into closed session, Mr. Rogers stated that there were several individuals present to discuss their view on the Dominion Power Line case. He asked the EDA if they would like to hear from the individuals prior to the closed session. The EDA agreed.

Mr. Rogers stated that the State Corporate Commission had approved the potential of a Dominion Virginia Power transmission line being constructed across the James River. The EDA parcel may be affected by the construction of this transmission line.

Mr. Gerhardt noted he has represented Williamsburg Developments Inc. and Colonial Williamsburg Foundation and for that reason determined he would be abstaining from discussion and vote on the matter. Mr. Gerhardt left the room.

Mr. Rogers explained to the EDA that primarily there were two variations of the Dominion Virginia Power transmission line being considered. He stated both Variation 1 and Variation 4 (which had been Variation 3) were being reviewed by the Army Corps of Engineers. Mr. Rogers stated that the Army Corps of Engineers may find either variation of the transmission line to be unacceptable.

Mr. Mark Quinan, on behalf of BASF, stated that Variation 1 was detrimental to the development of the BASF site. Variation 1 crosses the middle of the BASF property and would bisect the area. He said that while both routes crossed BASF, that BASF prefers Variation 4. Variation 4 does not cross the brown fields of BASF, which have been remediated from environmental impacts.

Mr. Richard Gary, on behalf of Dominion Virginia Power, discussed the issues of both Carter's Grove and the flight paths from Fort Eustis in Newport News. He stated that Variation 3 had been moved to correct these issues and that is how it became Variation 4. He stated that as the line does cross the EDA property, Dominion Virginia Power was asking for an easement and would like a signed memorandum of understanding.

Mr. Gary stated that the line was needed for utility connectivity.

Mr. Mark Duncan and Ms. Victoria Gussman, on behalf of Colonial Williamsburg and its subsidiary Williamsburg Development Inc. discussed the effects of the proposed transmission line. Mr. Duncan stated that it was premature to move forward until the Army Corps of Engineers concluded with their permit process. Ms. Gussman thanked the EDA for their willingness to include abutting parcel owners in their May resolution.

Mr. Duncan stated that WDI stood by its position for a transmission line not to impact the James River and that the impact of above ground lines was unacceptable.

The EDA thanked everyone for their comments.

## 7. **CLOSED SESSION**

Mr. Montgomery made a motion to go into closed session pursuant to Section 2.2-3711 (A) (3) of the Code of Virginia to discuss the consideration of an acquisition/disposition of a parcel/parcels of property for public use. Mr. Harris seconded the motion, which was approved unanimously with Mr. Gerhardt already having recused himself and left the room.

The EDA went into closed session at 9:30 am. The EDA came out of closed session at 10:00 am. All meeting attendees were invited back into the room.

Mr. Montgomery made a motion that the EDA only spoke of the property at hand while in closed session and also made a motion that the EDA reconfirm the resolution it approved on May 9, 2013 with minor amendments reflecting that it supports other businesses' approval of the right of way easement before Dominion Virginia Power proceeds. This compounded motion was seconded by Mr. Warner.

Mr. Seymour took a roll call vote:

Ms. Carson	AYE
Ms. DuBois	AYE
Mr. Gerhardt	Abstain
Mr. Harris	AYE
Mr. Montgomery	AYE
Mr. Tingle	AYE
Mr. Warner	AYE

## 8. ACTION ITEMS

### a. Election of Officers

Mr. Gerhardt stated that the Nominating Committee had selected Mr. Warner as Chair for 2014 and Ms. Carson as Vice Chair. Mr. Seymour would once again be Secretary to the EDA and Ms. Ann Davis would remain the EDA Treasurer.

Ms. DuBois made a motion to accept the slate of officers, which was seconded by Mr. Harris and passed unanimously by voice vote.

### b. EDA Committees, Boards, and Liaisons

Mr. Seymour stated that the proposed slate of committees, boards, and liaisons would remain mostly the same for 2014. He noted the one change as being the renaming of the Grants Committee to the Community Business Initiatives Committee.

Mr. Montgomery made a motion to accept the proposed slate of committees, boards, and liaisons, which was seconded by Mr. Harris and passed unanimously by voice vote.

### c. EDA Calendar

Mr. Seymour reviewed the proposed 2014 EDA meeting calendar. Mr. Harris noted he would like to cancel the July and August meetings due to summer vacations. He said if the need to meet arose, the EDA could amend their calendar. The EDA agreed.

Mr. Montgomery made a motion to accept the amended calendar, which was seconded by Mr. Warner. Mr. Tingle asked that the amended calendar be sent to the EDA. Ms. Messer stated she would do so following the meeting.

### d. VDOT Resolution for Columbia Drive

Ms. Sipes briefed the EDA on the proposed resolution to request the Board of Supervisors to submit an application to the Virginia Department of Transportation to provide an exception for Columbia Drive. Mr. Gerhardt said the resolution was very straight forward.

Mr. Montgomery made a motion to accept the proposed resolution, which was seconded by Mr. Harris and passed unanimously by voice vote.

9. **REPORTS**

a. Triangle Business & Innovation Center Liaison

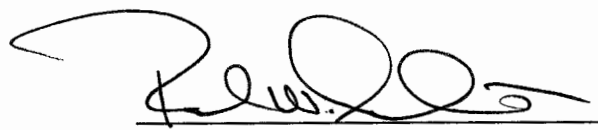
Mr. Gerhardt stated the incubator had undergone a name change. He also stated that the Client Selection Committee had met and it looked as if there would soon be a new client.

b. Rural Economic Development Committee (REDC)

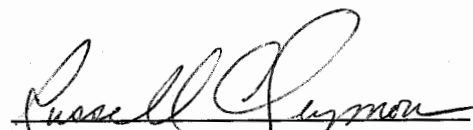
Ms. DuBois stated that REDC had conducted its stakeholder interviews and met with the consultants for the Agricultural and Forestry Industries Development Fund grant. She said she would discuss this further at the January meeting.

10. **ADJOURNMENT**

Mr. Gerhardt stated he would like to defer the discussion on the 2014 Ladies Pro Golf Association event at Kingsmill Resort to the January meeting due to time constraints. The EDA agreed with this deferral. Mr. Seymour thanked everyone for their time. Mr. Montgomery made a motion to adjourn. The meeting was adjourned at 10:08 AM.



Paul W. Gerhardt, Chairman



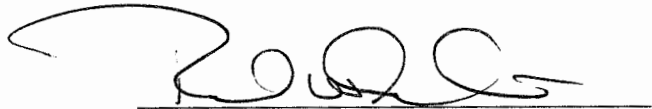
Russell C. Seymour, Secretary

**RESOLUTION**

**REQUEST APPLICATION TO THE VIRGINIA DEPARTMENT OF  
TRANSPORTATION (VDOT) TO ACCEPT COLUMBIA DRIVE FOR MAINTENANCE**

- WHEREAS, the James River Commerce Park was created to encourage new business growth in James City County; and
- WHEREAS, the James River Commerce Park has attracted new businesses and jobs to the eastern part of James City County; and
- WHEREAS, Columbia Drive was constructed by the James City County Economic Development Authority to expand the James River Commerce Park and was intended to be a public street; and
- WHEREAS, the right of way for Columbia Drive has already been dedicated for public use, but remains a private road; and
- WHEREAS, the James City County Economic Development Authority owns a vacant parcel in the James River Commerce Park that is actively marketed, but the private street access makes the site less attractive to prospective buyers; and
- WHEREAS, trends show that prospective buyers are more frequently looking for smaller sites and legal subdivision of the property is prohibited without access to a public street; and
- WHEREAS, 24VAC30-92-60 allows for the public service requirements be reduced for individual streets serving state or local economic development projects.

NOW, THEREFORE BE IT RESOLVED, that the Economic Development Authority of James City County, Virginia, hereby requests the Board of Supervisors submit a Secondary Street Acceptance Exception Request to the Virginia Department of Transportation and request Columbia Drive in the James River Commerce Park be accepted for public maintenance.



Paul W. Gerhardt  
Chairman, Economic Development Authority

ATTEST:



Russell C. Seymour  
Secretary, Economic Development Authority

Adopted by the Economic Development Authority of the County of James City, Virginia,  
this 12<sup>th</sup> day of December, 2013.



## RESOLUTION

MEETING DATE: December 12, 2013

### CERTIFICATION OF CLOSED MEETING

WHEREAS, the Economic Development Authority of James City County, Virginia (EDA) has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the EDA that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Economic Development Authority of James City County, Virginia, hereby certifies that, to the best of each members' knowledge; (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies; and (ii) only such public business matters were heard, discussed or considered by the EDA as were identified in the motion, Section 2.2-3711 (A) (3) of the Code of Virginia to discuss the consideration of an acquisition/disposition of a parcel/parcels of property for public use.



Marshall N. Warner, Vice Chair  
Economic Development Authority

### VOTE:


AYE: 6

NAY: 0

ABSTAIN: 1

(For each nay vote, the substance of the departure from the requirements of the Act should be described.)

### ATTEST:



Russell C. Seymour, Secretary  
Economic Development Authority