

**MINUTES**  
**ECONOMIC DEVELOPMENT AUTHORITY (EDA)**  
**OF JAMES CITY COUNTY**  
**101-D Mounts Bay Road, Williamsburg, VA 23185**  
**November 12, 2015**  
**8:00 AM**

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**A. CALL TO ORDER**

**B. ROLL CALL**

Marshall N. Warner, Chair  
Robin B. Carson, Vice Chair  
Christopher Odle  
Thomas G. Tingle  
Paul W. Gerhardt  
Stephen H. Montgomery  
Timothy G. Harris

John J. McGlennon, Roberts District, BOS Liaison  
Max Hlavin, EDA Legal Counsel  
Russell C. Seymour, EDA Secretary  
Kate J. Sipes, Business and Retention Coordinator  
Teresa J. Fellows, Recording Secretary

Also Present:

Michelle M. Gowdy, County Attorney  
Stephanie N. Lahr, Senior Budget and Accounting Analyst

At 8:05 a.m., Mr. Warner called the meeting to order and a quorum was established.

**C. APPROVAL OF MINUTES**

1. September 10, 2015 Meeting

Mr. Montgomery made a motion to approve the minutes that were sent out in advance of the meeting, which was seconded by Ms. Carson.

The motion passed by a unanimous voice vote.

2. October 12, 2015 Special Meeting

Mr. Montgomery made a motion to approve the minutes that were sent out in advance of the meeting, which was seconded by Mr. Harris.

The motion passed by a unanimous voice vote.

**D. FINANCIAL REPORTS**

1. Treasurer's Report, September and October 2015

2. Expenditures Report, September and October 2015

Ms. Lahr gave a brief overview of the financial reports.

As there were no questions for staff, Mr. Gerhardt made a motion to approve the financial reports as presented, which was seconded by Mr. Montgomery.

The motion passed by a unanimous voice vote.

3. Financial Audit, Dixon Hughes Goodman, LLC

Ms. Leslie Roberts, Dixon Hughes Goodman LLC, gave an overview of the EDA financial audit.

Discussion ensued regarding the EDA-owned shell building and whether or not carrying the architecture and engineering expenses is still necessary.

Mr. Tingle noted that the O-I settlement should be listed as a net zero since the County reimbursed the EDA for the amount of the settlement. He also noted that the small business loan given to Brass Cannon would not be forgivable if they relocate to York County.

Mr. Tingle made a motion to approve the financial audit as presented by Ms. Roberts, which was seconded by Mr. Montgomery.

The motion passed by a unanimous voice vote.

**E. CLOSED SESSION**

1. The discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the government unit would be adversely affected pursuant to Section 2.2-3711 (A)(6) and the discussion of the award of a public contract involving the expenditure of public funds, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body pursuant to Section 2.2-3711 (A)(29) regarding a prospective business looking to locate in the County.
2. The consideration of the acquisition/disposition of a parcel/parcels of property for public use pursuant to Section 2.2-3711 (A)(3); the discussion of a prospective business or industry or expansion of an existing business or industry where no previous announcement has been made pursuant to Section 2.2-3711 (A)(5); the discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the government unit would be adversely affected pursuant to Section 2.2-3711 (A)(6); and the consultation with legal counsel on a specific legal matter requiring the provision of legal advice pursuant to Section 2.2-3711 (A)(7), all regarding the Jamestown Marina.

Mr. Warner read the motion and subsequent Code Sections listed on the Agenda, which was seconded by Mr. Montgomery.

The motion passed by a unanimous voice vote.

At 8:30 a.m., the EDA entered Closed Session.

At 9:07 a.m., Mr. Hlavin left the Closed Session due to a scheduling conflict.

At 9:30 a.m., the EDA reentered Open Session.

3. Certification of Closed Session

Mr. Montgomery made a motion to certify the Closed Session, which was seconded by Mr. Warner.

On a roll call vote:

Ms. Carson	AYE
Mr. Gerhardt	AYE
Mr. Harris	AYE
Mr. Montgomery	AYE
Mr. Odle	AYE
Mr. Tingle	AYE
Mr. Warner	AYE

4. Authorization to Potentially Further Incentivize a Prospective Business to Locate in the County

Mr. Montgomery made a motion to approve the resolution, which was seconded by Ms. Carson.

On a roll call vote:

Ms. Carson	AYE
Mr. Gerhardt	AYE
Mr. Harris	AYE
Mr. Montgomery	AYE
Mr. Odle	AYE
Mr. Tingle	AYE
Mr. Warner	AYE

**F. NEW BUSINESS**

1. Agreement, Operation and Management of a Business Incubator

Mr. Seymour gave an overview of the agreement document that was included in the Agenda Packet and noted that the City of Williamsburg and York County EDAs still need to take action on the agreement as well.

Mr. Tingle made a motion to approve the agreement, which was seconded by Mr. Montgomery.

The motion passed by a unanimous voice vote.

2. Lease of Property from the County

The EDA agreed to continue this meeting until 8 a.m. on December 2 to continue the discussion of leasing the property from the County and to hopefully have a finalized lease to take action on.

3. Kitchen Agreement (Incubator)

Ms. Sipes gave an overview of the initiative as was outlined in the memorandum included in the Agenda Packet.

Significant discussion ensued regarding the merits of the initiative. The EDA gave unanimous approval to staff to continue moving forward with developing the program and working out an agreement with Williamsburg-James City County Schools.

At 9:45 a.m., Mr. McGlennon left the meeting due to a scheduling conflict.

4. EDA By-Laws

Mr. Seymour gave an overview of the proposed By-Laws that were included in the Agenda Packet. He asked that the Directors review them and come back to staff with any questions or comments. He stated that ideally the EDA would vote on the By-Laws at its Organizational Meeting next month.

5. EDA Policy for Remote Participation

Mr. Seymour stated that the Remote Participation Policy was included in the Agenda Packet for their review. Ideally, action would be taken at the Organizational Meeting next month.

6. Enterprise Zone Discussion

Mr. Seymour stated that information regarding the Enterprise Zone is covered in his Director's Report included in the Agenda Packet. He asked that any questions or comments be sent to staff.

7. Celebration of Business Discussion

Mr. Seymour gave an update on the upcoming Celebration of Business event. He reminded the Directors that he sent out emails containing a list of invitees that he would appreciate the Directors calling.

**G. OLD BUSINESS**

**H. COMMITTEE REPORTS**

1. Committee Updates

Mr. Tingle referenced an update on the James River Site that was included in the Agenda Packet.

Mr. Montgomery stated that a Sports Grant committee meeting is forthcoming and he would report back afterwards.

Mr. Harris stated that he has been looking into forming a research committee tasked with getting food trucks approved in both the City and the County.

Discussion ensued regarding the merits of allowing food trucks in the County.

**I. DIRECTOR'S REPORT**

Mr. Seymour stated that the Director's Report would be included in the Agenda Packet from this point forward. He stated that the County will lose the Enterprise Zone designation at the end of the year. He stated that staff is working with the Attorney's office to try and draft some incentives that can be offered in its place and staff hopes to be able to present those to the EDA in the spring.

Mr. Seymour highlighted some facts and figures that have been put together by the Treasurer's office which show the strength of the business community in the County.

Mr. Seymour stated that a new contract was approved for Ms. Terri Buntrock to continue as the Arts Month Coordinator by the Greater Williamsburg Chamber and Tourism Alliance. He stated that she would be addressing the EDA in February 2016.

**J. UPCOMING DATES OF INTEREST**

1. START! 4.0, November 13-15, 2015, Applied Research Center, Newport News
2. 2015 VA Economic Summit, December 4, 2015, Williamsburg Lodge and Conference Center

Mr. Seymour reminded the Directors about these two upcoming events. He asked that if a Director wants to attend the Virginia Economic Summit to please let staff know so that they can handle the reservation.


**K. ADJOURNMENT**


1. Continue Meeting until 8 a.m. on December 2, 2015

Mr. Montgomery made a motion to continue the meeting until 8 a.m. on December 2, which was seconded by Mr. Warner.

The motion passed by a unanimous voice vote.

At 10:37 a.m., Mr. Warner adjourned the EDA.

  
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Marshall Warner, Chair

  
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Russell C. Seymour, Secretary