

MINUTES
JAMES CITY COUNTY ECONOMIC DEVELOPMENT AUTHORITY
REGULAR MEETING

April 21, 2020
4:00 PM

**THE MEETING WAS HELD ELECTRONICALLY PURSUANT TO THE CONTINUITY OF
GOVERNMENT ORDINANCE ADOPTED ON APRIL 14, 2020 BY THE BOARD OF
SUPERVISORS OF JAMES CITY COUNTY, VIRGINIA.**

**THE MEETING WAS CONDUCTED VIA ZOOM WITH PUBLIC ACCESS PROVIDED
THROUGH INTERNET AUDIO AND VIDEO, AS WELL AS TELEPHONIC AUDIO.
COMMENTS ON AGENDA ITEMS WERE ACCEPTED BY EMAIL SUBMISSION TO THE
EDA SECRETARY.**

A. CALL TO ORDER

Mr. Campana called the meeting to order at 4:03 p.m.

ADOPTED
MAY 19 2020

B. ROLL CALL

Vince Campana, Chair
Lynn Meredith
Joe Stanko
Carlton Stockton
Tom Tingle
William Turner

Also Attending:

Christopher Johnson, Economic Development Authority (EDA) Secretary
Jeff Wiggins, EDA Fiscal Agent
Maxwell Hlavin, EDA Counsel
Kate Sipes, Assistant Director, Economic Development
Laura Messer, Tourism and Marketing Coordinator, Economic Development

C. CONTINUATION OF THE ESSENTIAL FUNCTIONS OF GOVERNMENT

Resolution Adoption - EDA Electronic Meeting, April 21, 2020

A motion to Approve the Resolution was made by Carlton Stockton; motion Passed.
AYES: 6 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Campana, Meredith, Stanko, Stockton, Tingle, Turner

Mr. Hlavin introduced a resolution addressing the fact that the meeting was being held in an electronic format pursuant to the continuity of government ordinance adopted by the Board of Supervisors due to social distancing guidelines issued in response to the COVID-19 outbreak.

D. APPROVAL OF MINUTES

Minutes Adoption - January 21, 2020

A motion to Approve was made by Tom Tingle; motion Passed.

AYES: 6 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Campana, Meredith, Stanko, Stockton, Tingle, Turner

E. FINANCIAL REPORTS

January, February, and March 2020 Financial Reports

A motion to Approve was made by Carlton Stockton; motion Passed.

AYES: 6 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Campana, Meredith, Stanko, Stockton, Tingle, Turner

Mr. Wiggins presented the revenue and expense reports for January 2020, February 2020, and March 2020.

F. CLOSED SESSION

1. Enter Closed Session

A motion to enter Closed Session was made by William Turner; motion Passed.

AYES: 6 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Campana, Meredith, Stanko, Stockton, Tingle, Turner

Mr. Turner moved to go into Closed Session in accordance with the Code of Virginia for the purposes of: 1) discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the interest in locating or expanding its facilities in the community pursuant to Va. Code Section 2.2-3711(A)(5); and 2) the investment of public funds to incentivize relocating or expanding companies where competition or bargaining is involved where, if made public initially, the financial interest of the Authority and the County would be adversely affected pursuant to Va. Code Section 2.2-3711(A)(6); and 3) discussion or consideration of the disposition of publicly held real property located at 8925 Columbia Drive, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Authority pursuant to Va. Code Section 2.2-3711(A)(3); and 4) discussion or consideration of proprietary information related to economic development, voluntarily provided by private business pursuant to a promise of confidentiality from the Authority and used for business development and retention pursuant to Va. Code Section 2.2-3711(A)(39); and 5) consultation with legal counsel retained by the Authority regarding specific legal matters related to agreements and property owned by the Authority requiring the provision of legal advice by such counsel pursuant to Va. Code Section 2.2-3711(A)(8).

2. Certify Closed Session

A motion to adopt the resolution to certify the Closed Session was made by Vince Campana; motion Passed.

AYES: 6 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Campana, Meredith, Stanko, Stockton, Tingle, Turner

G. NEW BUSINESS

1. Marina Property

A motion to enter into a supplemental agreement with Billsburg Brewery was made by Vince Campana; motion Passed.

AYES: 6 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Campana, Meredith, Stanko, Stockton, Tingle, Turner

As a result of discussion in Closed Session and at the request of Billsburg Brewery, the tenant at the Marina property managed by the EDA, Mr. Campana presented a motion to enter into a supplemental agreement with Billsburg Brewery due to the COVID-19 outbreak and unforeseen interruptions in business activity. Mr. Campana's motion included rent abatement for the month of April 2020, as well as rent deferral for May, June, and July 2020 to be repaid over a 12-month period, with the understanding that Billsburg Brewery will pursue additional financial relief from other local, state, and/or federal programs and share financial information with the EDA upon request in order to elucidate the financial realities of the COVID-19 outbreak. Finally, Mr. Campana's motion included the ability of the EDA Chair to work with EDA Counsel to finalize said agreement in accordance with these provisions.

2. Draft Budget-Fiscal Year 21

Ms. Sipes presented a draft EDA budget for the upcoming fiscal year, based upon discussions with Mr. Wiggins and Mr. Stockton. Ms. Sipes noted the revenue estimates were provided by Mr. Wiggins. Ms. Sipes further noted the intention to remove the bank balance from the budget and return to a more conventional format; using this format the budget was prepared with the intent to minimize expenditures. Ms. Sipes further noted the expense line items with significant changes from the current year include the James River Commerce Center, Business Assistance, Annual Audit, and Office Supplies. The Annual Audit line item was increased, based on the estimated cost provided by Mr. Wiggins; all other expense line items changed were reduced to cover known financial obligations only; and remove additional funds for unforeseen expenses. Ms. Sipes noted any additional expenses could be accommodated with a vote to amend the budget as needed and with input of the full EDA.

Mr. Tingle noted his preference for the new format without the bank balance, but requested a monthly reporting of the bank balance for accountability and transparency.

Ms. Sipes replied she can work with Mr. Wiggins to have that information available at each monthly meeting and reflected in the minutes.

Ms. Meredith noted the draft budget would require a modification in light of the action taken with regard to Billsburg Brewery.

Ms. Sipes agreed to make the necessary modifications and bring the draft budget to the May meeting for adoption.

3. Virginia 30 Day Fund

A motion to approve a contribution in the amount of \$3,333.33 from the EDA's Business Assistance line item to Greater Williamsburg Partnership for the Virginia 30-Day Fund was made by Tom Tingle; motion Passed.

AYES: 6 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Campana, Meredith, Stanko, Stockton, Tingle, Turner

Mr. Johnson presented an opportunity that was identified in the previous few days to collaborate with the Greater Williamsburg Partnership (GWP), the Williamsburg Community Foundation (WCF) and the Virginia 30-Day Fund (VA 30-Day Fund). Mr. Johnson explained the VA 30-Day Fund is a statewide 501(c)3 that has created grants in the amount of \$3,000 to Virginia businesses. Mr. Johnson noted the VA 30-Day Fund was created by Pete Snyder, an alumnus of the College of William & Mary. Mr. Johnson shared that the GWP has been communicating with Mr. Snyder and has determined that dollars contributed could be allocated for grants to businesses in the Greater Williamsburg localities. Mr. Johnson further explained the WCF can accept contributions from local public and private sources and give those funds to the VA 30-Day Fund, a 501(c)3 organization, for the specific purpose of funding grants to Greater Williamsburg businesses.

Mr. Johnson presented the proposal by the GWP to the EDAs of James City County, York County, and the City of Williamsburg to jointly contribute \$10,000 (\$3,333.33 from each locality) to the GWP for the purpose of creating a grant program with the VA 30-Day Fund, in partnership with the WCF, for businesses located in Greater Williamsburg. Mr. Johnson explained the \$10,000 contribution can in turn leverage contributions from other public or private entities willing and able to provide funds through the WCF to the VA 30-Day Fund and eventually to businesses in James City, York County, and the City of Williamsburg adversely affected by the COVID-19 closures.

Mr. Johnson concluded by proposing the EDA support this initiative from the Business Assistance line item in the Fiscal Year 20 budget, noting the balance of \$5,000. Mr. Johnson reminded the EDA of its action to approve \$2,000 for a regional effort in The Edge District at a previous EDA meeting, and that money had not yet been invoiced or paid.

Mr. Tingle asked if that project was proceeding on schedule.

Mr. Johnson responded that he was uncertain if the specific marketing efforts had proceeded, but was under the impression that other funding had been identified and the EDA's \$2,000 would likely not be needed.

Mr. Tingle indicated his support of partnering with GWP and WCF, noting the relative small amount of money could encourage other organizations or individuals to contribute.

Ms. Meredith noted her agreement.

H. OLD BUSINESS

There was no Old Business.

I. LIAISON REPORTS

1. Board of Supervisors Liaison

No update at this time.

2. Eastern Virginia Regional Industrial Facility Authority

No update at this time.

3. Finance

Mr. Stockton acknowledged the Committee's work to prepare the draft budget for Fiscal Year 21.

4. GO Virginia

Mr. Tingle reported the last meeting was held at Legacy Hall on February 6 at 10 a.m. and noted his appreciation for Mr. Hipple joining the meeting and making opening remarks. Mr. Tingle continued that the Committee heard an update at this meeting on open grants for projects that had received GO Virginia funding, and considered applications for two new projects.

5. Greater Williamsburg Chamber & Tourism Alliance Sports Marketing Committee

No update at this time.

6. Greater Williamsburg Partnership

No update at this time.

7. JRCC Architectural Review Board

No update at this time.

8. Real Estate Holdings

Mr. Tingle reported a meeting was held on February 6 and the Committee reviewed the licensing agreement with Mr. Spivey as requested by the EDA. The Committee recommendation is that Mr. Spivey submit quarterly reports of his monitoring activity and staff forward those reports to the Real Estate Committee when they are received.

9. Workforce Development

No report at this time.

J. DIRECTOR'S REPORT

Mr. Johnson referenced the Director's Report in the Agenda Packet, noting the LPGA Kingsmill Championship has been canceled for 2020.

K. UPCOMING DATES OF INTEREST

Mr. Johnson noted all anticipated events had been canceled or postponed indefinitely due to COVID-19.

L. ADJOURNMENT

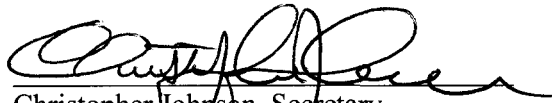
Adjourn until May 19, 2020

A motion to Adjourn was made by William Turner; motion Passed.

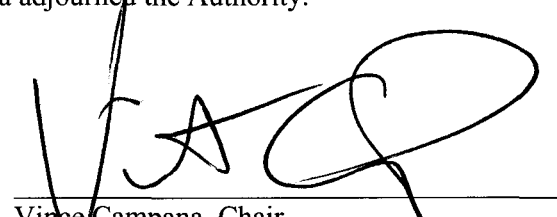
AYES: 6 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Campana, Meredith, Stanko, Stockton, Tingle, Turner

At approximately 5:20 p.m., Mr. Campana adjourned the Authority.



Christopher Johnson, Secretary
Economic Development Authority



Vince Campana, Chair
Economic Development Authority

RESOLUTION

CERTIFICATION OF CLOSED MEETING

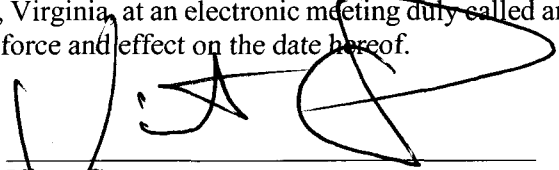
WHEREAS, on April 21, 2020 the Economic Development Authority of James City County, Virginia, (the "Authority") convened an electronic meeting pursuant to the Continuity of Government ordinance adopted by the James City County Board of Supervisors on April 14, 2020; and

WHEREAS, at such electronic meeting, the Authority convened a closed meeting pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Authority that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Authority hereby certifies that, to the best of each member's 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 Authority as were identified in the motion, including: (1) discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the interest in locating or expanding its facilities in the community pursuant to Va. Code Section 2.2-3711(A)(5); and (2) the investment of public funds to incentivize relocating or expanding companies where competition or bargaining is involved where, if made public initially, the financial interest of the Authority and the County would be adversely affected pursuant to Va. Code Section 2.2-3711(A)(6); and (3) discussion or consideration of the disposition of publicly held real property located at 8295 Columbia Drive, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Authority pursuant to Va. Code Section 2.2-3711(A)(3); and (4) discussion or consideration of proprietary information related to economic development, voluntarily provided by private business pursuant to a promise of confidentiality from the Authority and used for business development and retention pursuant to Va. Code Section 2.2-3711(A)(39); and (5) consultation with legal counsel retained by the Authority regarding specific legal matters related to agreements and property owned by the Authority requiring the provision of legal advice by such counsel pursuant to Va. Code Section 2.2-3711(A)(8).

The undersigned hereby certifies that the above resolution was duly adopted by the Directors of the Economic Development Authority of James City County, Virginia, at an electronic meeting duly called and held on April 21, 2020 and that such resolution is in full force and effect on the date hereof.



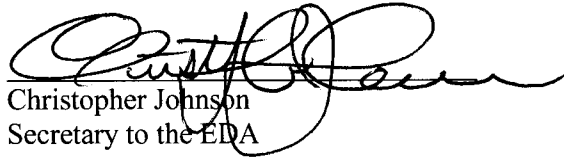
Vince Campana
Chairman, Economic Development Authority

	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
CAMPANA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MEREDITH	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
STANKO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ATTEST:

STOCKTON
TINGLE
TURNER

<input checked="" type="checkbox"/>	_____	_____
<input checked="" type="checkbox"/>	_____	_____
<input checked="" type="checkbox"/>	_____	_____


Christopher Johnson
Secretary to the EDA

Adopted by the Economic Development Authority of James City County, Virginia, this 21st day of April, 2020.

RESOLUTION

ECONOMIC DEVELOPMENT AUTHORITY ELECTRONIC MEETING HELD APRIL 21, 2020

WHEREAS, on March 24, 2020 the James City County Board of Supervisors (the "Board") adopted an emergency Ordinance to ensure the continuity of government in response to the coronavirus pandemic negatively affecting the health, safety, and welfare of the citizens of James City County (the "County"); and

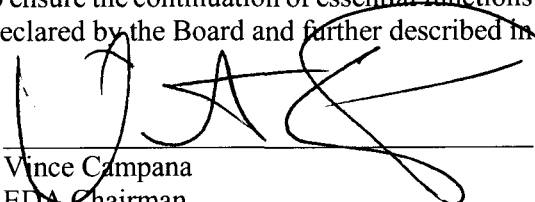
WHEREAS, on April 14, 2020, the Board readopted the continuity of government Ordinance (the "Ordinance"), which, under certain circumstances, permits the Board and its subordinate boards, committees, and commissions to conduct regularly scheduled, special, or emergency meetings solely by electronic or telephonic means without a quorum of members physically present (a "Virtual Meeting"); and

WHEREAS, the James City County Economic Development Authority is a subordinate board appointed by the Board and is therefore eligible to conduct a Virtual Meeting; and

WHEREAS, the James City County Economic Development Authority desires to conduct a Virtual Meeting on April 21, 2020 at which time those items listed on the agenda attached hereto (the "Agenda") will be considered; and

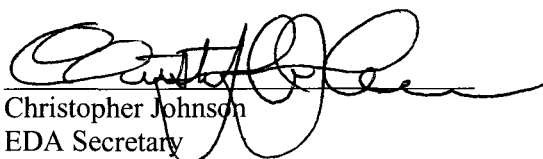
WHEREAS, each of the members of the James City County Economic Development Authority have reviewed each the items listed on the Agenda and have determined that consideration of each is necessary to ensure the continuation of the essential functions of the government during the emergency described in the Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the Economic Development Authority of James City County, Virginia, hereby finds and declares that immediate consideration of each of the items set forth in the Agenda is necessary to ensure the continuation of essential functions of the government during the emergency declared by the Board and further described in the Ordinance.



Vince Campana
EDA Chairman

ATTEST:



Christopher Johnson
EDA Secretary

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
CAMPANA	✓	—	—
MEREDITH	✓	—	—
STANKO	✓	—	—
STOCKTON	✓	—	—
TINGLE	✓	—	—
TURNER	✓	—	—

Adopted by the Economic Development Authority of James City County, Virginia, this 21st day of April, 2020.