

MINUTES
JAMES CITY COUNTY ECONOMIC DEVELOPMENT AUTHORITY
REGULAR MEETING

ADOPTED
JUN 16 2020

May 19, 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 4:00 p.m.

B. ROLL CALL

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

Also Attending:

Christopher Johnson, Economic Development Authority (EDA) Secretary
Jeff Wiggins, EDA Fiscal Agent
Maxwell Hlavin, out-going EDA Counsel
Liz Parman, in-coming EDA Counsel
Adam Kinsman, County Attorney
Jenni Tomes, James City County Treasurer
Kate Sipes, Assistant Director, Economic Development
Laura Messer, Tourism and Marketing Coordinator, Economic Development

Mr. Tingle requested the addition to the agenda of a Closed Session discussion.

Mr. Campana introduced Mr. Brandon Nice as the newest member of the EDA.

C. CONTINUATION OF THE ESSENTIAL FUNCTIONS OF GOVERNMENT

Resolution Adoption - EDA Electronic Meeting, May 19, 2020

A motion to Approve the Resolution was made by William Turner; motion Passed.
AYES: 7 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Campana, Meredith, Nice, 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 - April 21, 2020

A motion to Approve was made by Tom Tingle; motion Passed.
AYES: 7 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Campana, Meredith, Nice, Stanko, Stockton, Tingle, Turner

E. FINANCIAL REPORTS

April 2020 Financial Reports

A motion to Approve was made by Carlton Stockton; motion Passed.
AYES: 7 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Campana, Meredith, Nice, Stanko, Stockton, Tingle, Turner

Mr. Wiggins presented the revenue and expense reports for April 2020.

F. CLOSED SESSION

1. Enter Closed Session

A motion to enter Closed Session was made by Vince Campana; motion Passed.
AYES: 7 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Campana, Meredith, Nice, Stanko, Stockton, Tingle, Turner

Mr. Campana 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); 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); 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); 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 Lynn Meredith; motion Passed.

AYES: 7 NAYS: 0 ABSTAIN: 0 ABSENT: 0

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

G. NEW BUSINESS

Mr. Nice informed the EDA that after discussing his business relationship in Billsburg Brewery with EDA Legal Counsel, he will not be participating in the discussion regarding the Marina Property or the discussion regarding Billsburg Brewery Improvements.

Mr. Tingle informed the EDA that he will not be participating in the discussion regarding the Marina Property; while Legal Counsel has determined he has no legal conflict, he acknowledges a perception of conflict and has chosen to not participate.

1. Marina Property

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

AYES: 5 NAYS: 0 ABSTAIN: 2 ABSENT: 0

Ayes: Campana, Meredith, Stanko, Stockton, Turner

Abstain: Nice, Tingle

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. Johnson presented a request to modify the supplemental agreement with Billsburg Brewery that was approved by the EDA in May. The modifications were to change the months of deferred rent from May, June, and July 2020 to July, August, and September 2020 at the request of the tenant.

2. Billsburg Brewery Improvements

A motion to support Billsburg Brewery in the effort to create additional storage space on site was made by William Turner; motion Passed.

AYES: 5 NAYS: 0 ABSTAIN: 2 ABSENT: 0

Ayes: Campana, Meredith, Stanko, Stockton, Turner

Abstain: Nice, Tingle

Mr. Johnson introduced Billsburg Brewery's plan to submit a site plan for approximately 300 square feet of storage behind the existing warehouse. Mr. Johnson explained the additional space will be used for either empty keg storage or cold storage, making room inside the warehouse available for a canning line to be installed. Mr. Johnson explained the lease does require the tenant to obtain approval from the EDA for certain proposed improvements.

3. Enterprise Zone Grants

A motion to approve the annual Enterprise Zone payments was made by Tom Tingle; motion Passed.

AYES: 7 NAYS: 0 ABSTAIN: 0 ABSENT: 0

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

Ms. Sipes presented the annual list of Enterprise Zone incentive recipients, reminding the EDA the grants were based on a five-year declining schedule. Ms. Sipes noted that changes in the legislation prohibited new grants due to the expiration of the state designation, and a new local incentive program would be needed to continue similar benefits after the presented projects received all five years of the grant. Ms. Sipes also reminded the EDA the incentive dollars would be transferred to the EDA from the County's General Fund and checks to the qualifying companies would be sent from the EDA.

H. OLD BUSINESS

1. Revised Draft Budget - Fiscal Year 2021

A motion to approve the revised draft budget as amended was made by Lynn Meredith; motion Passed.

AYES: 7 NAYS: 0 ABSTAIN: 0 ABSENT: 0

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

Ms. Sipes presented a revised draft EDA budget reflecting the discussion at the April EDA meeting. Ms. Sipes noted the changes in the Marina Property (from \$59,941 to \$49,173) and Cash Reserves (from \$18,962 to \$29,730) Revenue line items as a result of the action taken earlier in the meeting with regard to the Marina Property tenant, thereby amending the revised budget.

Mr. Tingle stated his support for a review of the Fiscal Year 2020 budget versus year-end actual in the coming months.

2. Columbia Drive Repairs

Ms. Sipes summarized minor construction that was recently completed on Columbia Drive as one of the final steps to have the road and rights-of-way accepted by the Virginia Department of Transportation (VDOT) as a state-maintained road. Ms. Sipes explained that Columbia Drive has been a privately-owned street since it was completed and much effort has been made in recent years to have the street become a public street, noting the EDA owns the parcel at the end of Columbia Drive and has been marketing the property for industrial development for years. As a private street owned by the EDA, staff had recently arranged for a chain to be placed across the street to limit access from idle semi-trucks. Ms. Sipes explained that upon completion of the needed repairs, the EDA would need to have a new gate or chain installed at the end of the street on EDA property in order to prevent unauthorized access and dumping on the property. Ms. Sipes noted no action was required at this time, but staff would return with cost estimates for access control measures.

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

No further update at this time.

4. GO Virginia

Mr. Tingle reported the last meeting was held electronically on May 7, and approved grant funding for two new projects. Mr. Tingle noted the two projects were a \$99,000 capacity building grant for a hydro-drone on the Eastern Shore and a \$530,000 resiliency grant for the exploration of an offshore wind supply chain hub for Hampton Roads.

5. Greater Williamsburg Chamber & Tourism Alliance Sports Marketing Committee

No update at this time.

6. Greater Williamsburg Partnership

No update at this time.

7. James River Commerce Center (JRCC) Architectural Review Board

No update at this time.

8. Real Estate Holdings

No further update.

9. Workforce Development

No report at this time.

J. DIRECTOR'S REPORT

Mr. Johnson updated the EDA on the Greater Williamsburg Business Assistance Fund in partnership with the Virginia 30-Day Fund, noting the \$10,000 in seed money provided by the EDAs of York County, James City County, and the City of Williamsburg had now exceeded \$50,000 due to private leveraged contributions. Mr. Johnson also noted the Board of Supervisors had voted in May to contribute \$500,000 for James City County businesses, expanding the fund even further.

Mr. Johnson also reminded the EDA of the discussion to offer some recognition to those companies and individuals who participated in the inaugural overseas marketing mission to Germany in February.

Mr. Tingle noted a Resolution of Appreciation and some public recognition should be offered for their willingness to take the time to represent our region.

Mr. Johnson indicated staff would make some preparations and return to the EDA at a future meeting.

K. UPCOMING DATES OF INTEREST

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

L. ADJOURNMENT

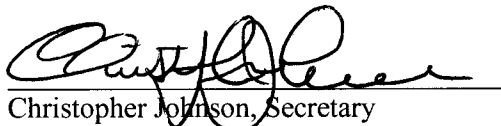
Adjourn until June 16, 2020

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

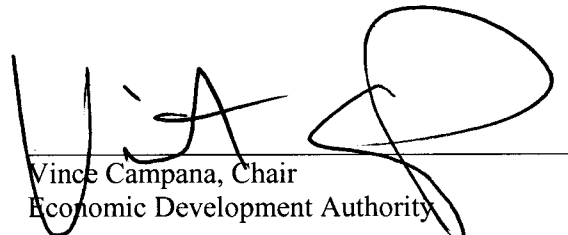
AYES: 7 NAYS: 0 ABSTAIN: 0 ABSENT: 0

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

At approximately 5:08 p.m., Mr. Campana adjourned the Authority.



Christopher Johnson, Secretary
Economic Development Authority



Vince Campana, Chair
Economic Development Authority

RESOLUTION

ECONOMIC DEVELOPMENT AUTHORITY ELECTRONIC MEETING HELD MAY 19, 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

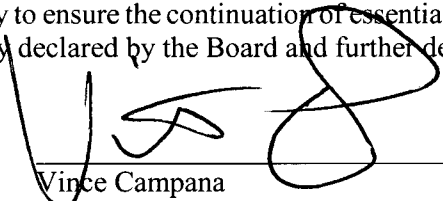
WHEREAS, on April 14, 2020, the Board readopted the continuity of government Ordinance (the “Ordinance”), which, under certain circumstances, permits the Board and its subordinate boards, committees, and commissions to conduct regularly scheduled, special, or emergency meetings solely by electronic or 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 May 19, 2020 at which time those items listed on the agenda attached hereto (the “Agenda”) will be considered; and

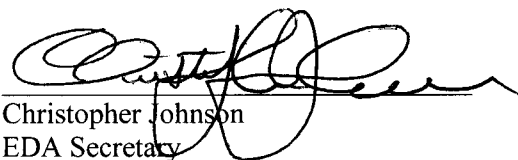
WHEREAS, each of the members of the James City County Economic Development Authority have reviewed each the items listed on the Agenda and have determined that consideration of each is necessary to ensure the continuation of the essential functions of the government during the emergency described in 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	✓	—	—
NICE	✓	—	—
STANKO	✓	—	—
STOCKTON	✓	—	—
TINGLE	✓	—	—
TURNER	✓	—	—

Adopted by the Economic Development Authority of James City County, Virginia, this 19th day of May, 2020.

RESOLUTION

CERTIFICATION OF CLOSED MEETING

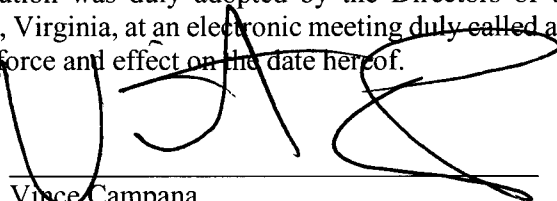
WHEREAS, on May 19, 2020 the Economic Development Authority of James City County, Virginia, (the "Authority") convened an electronic meeting pursuant to the Continuity of Government ordinance adopted by the James City County Board of Supervisors on April 14, 2020; and

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).

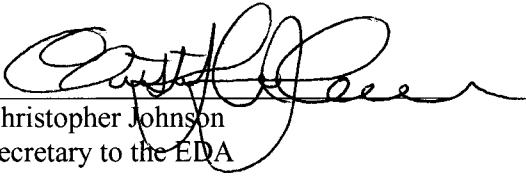
The undersigned hereby certifies that the above resolution was duly adopted by the Directors of the Economic Development Authority of James City County, Virginia, at an electronic meeting duly called and held on May 19, 2020 and that such resolution is in full force and effect on the date hereof.



Vince Campana
Chairman, Economic Development Authority

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

ATTEST:


Christopher Johnson
Secretary to the EDA

STANKO
STOCKTON
TINGLE
TURNER

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

Adopted by the Economic Development Authority of James City County, Virginia, this 19th day of May, 2020.