

MINUTES
JAMES CITY COUNTY ECONOMIC DEVELOPMENT AUTHORITY
REGULAR MEETING

May 16, 2023

4:00 PM

A. CALL TO ORDER

Ms. Gajda called the meeting to order at 4:00 p.m.

B. ROLL CALL

Ellen Smith Gajda, Chair
Lynn Meredith, Vice Chair
Rebecca Mulvain - arrived at 4:08 p.m.
Brandon Nice
Joe Stanko

ADOPTED

AUG 15 2023

Absent:

Vince Campana
William Turner

Also Attending:

Christopher Johnson, Economic Development Authority (EDA) Secretary
Jeff Wiggins, EDA Fiscal Agent
Sue Sadler, Board of Supervisors' Liaison to the EDA
Scott Stevens, County Administrator
Jason Purse, Assistant County Administrator
Maxwell Hlavin, Sands Anderson, Acting EDA Counsel

C. APPROVAL OF MINUTES

1. Minutes Adoption - April 18, 2023

Mr. Johnson stated that draft minutes from the April 18, 2023, meeting were not completed by the time that the Agenda Packet was posted online and distributed to the Directors. Draft minutes for the April 18, 2023, and May 16, 2023, meetings would be included in the next regularly scheduled Agenda Packet for adoption.

D. FINANCIAL REPORTS

1. April Financial Reports

A motion to Approve was made by Lynn Meredith; motion Passed.

AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 3
Ayes: Gajda, Meredith, Mulvain, Nice, Stanko
Absent: Campana, Mulvain, Turner

Mr. Wiggins presented the revenue and expense reports and informed the EDA the cash balance was approximately \$755,000.

E. CLOSED SESSION

Mr. Johnson stated that Mr. Adam Kinsman, EDA Counsel, had a conflict of interest due to representation of both the Board of Supervisors and the EDA and had retained outside counsel, Mr. Maxwell Hlavin of Sands Anderson, as Acting EDA Counsel.

Enter Closed Session

A motion to enter Closed Session was made by Brandon Nice; motion Passed.

AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 3

Ayes: Gajda, Meredith, Nice, Stanko

Absent: Campana, Mulvain, Turner

Ms. Gajda led the EDA into Closed Session in accordance with the Code of Virginia for the purposes of: 1) discussion or consideration of the disposition of publicly held real property located at 8930 Columbia Drive, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Authority pursuant to Virginia Code Section 2.23711(A)(3); and 2) consultation with legal counsel regarding specific matters related to agreements and property owned by the Authority requiring the provision of legal advice by such counsel pertaining to real property located at 8915, 8925, and 8930 Columbia Drive pursuant to Virginia Code Section 2.23711(A)(8).

Ms. Mulvain joined the meeting during the Closed Session.

The EDA returned to Open Session.

Certify Closed Session

A motion to Certify the Closed Session was made by Brandon Nice; motion Passed.

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

Ayes: Gajda, Meredith, Mulvain, Nice, Stanko

Absent: Campana, Turner

A motion to authorize the EDA, through its Secretary and County Administration, to facilitate discussion with a contract purchaser of EDA property located at 8930 Columbia Drive as a means of resolving the contract purchaser's default and that the EDA, through its Secretary, send a notice of default in accordance with the provisions of the sales contract, if necessary.

A motion to approve the authorization was made by Brandon Nice; motion Passed.

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

Ayes: Gajda, Meredith, Mulvain, Nice, Stanko

Absent: Campana, Turner

F. NEW BUSINESS

There was no new business.

G. OLD BUSINESS

There was no old business.

H. LIAISON REPORTS

There were no liaison reports.

I. DIRECTOR'S REPORT

Mr. Johnson thanked the Directors for their careful consideration and thoughtful comments during today's meeting and encouraged those present to attend the Business Appreciation Event at Precarious Beer Project in the City of Williamsburg, an event co-sponsored by the three Greater Williamsburg EDAs this evening from 5-7 p.m.

J. UPCOMING DATES OF INTEREST


There were no upcoming dates of interest.

K. ADJOURNMENT

A motion to Adjourn was made by Lynn Meredith; motion Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 2
Ayes: Gajda, Meredith, Mulvain, Nice, Stanko
Absent: Campana, Turner

1. Adjourn until June 20, 2023

At approximately 4:50 p.m., Ms. Gajda adjourned the Authority.


Christopher Johnson, Secretary
Economic Development Authority


Ellen Smith Gajda, Chair
Economic Development Authority

ADOPTED
MAY 16 2023

RESOLUTION

CERTIFICATION OF CLOSED MEETING

WHEREAS, on May 16, 2023, the Economic Development Authority of James City County, Virginia (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 2.2-3711 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 or consideration of the disposition of publicly held real property located at 8915, 8925, and 8930 Columbia Drive, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Authority pursuant to Section 2.2-3711(A)(3) of the Code of Virginia; and 2) consultation with legal counsel regarding specific legal matters related to agreements and property owned by the Authority requiring the provision of legal advice by such counsel pertaining to real property located at 8915, 8925, and 8930 Columbia Drive pursuant to Section 2.2-3711(A)(8) of the Code of Virginia.

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 a meeting called and held on May 16, 2023, and that such resolution is in full force and effect on the date hereof.



Ellen Smith Gajda
Chair, Economic Development Authority

ATTEST:


Christopher Johnson
Secretary to the EDA

CAMPANA
GAJDA
MEREDITH
MULVAIN
NICE
STANKO
TURNER

VOTES

| <u>AYE</u> | <u>NAY</u> | <u>ABSTAIN</u> | <u>ABSENT</u> |
|------------|------------|----------------|---------------|
| — | — | — | ✓ |
| ✓ | — | — | — |
| ✓ | — | — | — |
| ✓ | — | — | — |
| ✓ | — | — | — |
| ✓ | — | — | — |
| — | — | — | ✓ |

Adopted by the Economic Development Authority of James City County, Virginia, this 16th day of May, 2023.