

Meeting Minutes  
ECONOMIC DEVELOPMENT AUTHORITY  
August 28, 2018

At a regular meeting of the Economic Development Authority of York County, Virginia, held on August 28, 2018 at 4:00 p.m. in the East Room of York Hall, 301 Main Street, Yorktown, Virginia, those present were:

R. Anderson Moberg, Chairman  
Steven A. Meade, Vice-Chairman  
John Biagas, Secretary  
Vernard E. Lockwood, II, Treasurer  
J. Mark Carter  
Harmon J. Coxton  
Leslie Henderson Schultz

Others present:

Neil A. Morgan, County Administrator  
James Barnett, County Attorney  
James W. Noel, Jr., Assistant Secretary and Director of Economic Development  
Melissa M. Davidson, Assistant Director of Economic Development  
Deborah L. Gardner, Economic Development Assistant

**CALL TO ORDER**

The meeting was called to order at 4:02 p.m. by Chairman Moberg.

**ROLL CALL**

A quorum was established with all members present.

**CLOSED MEETING**

The Chairman noted that it was in his judgment appropriate for the Authority to enter into closed meeting as authorized by the Virginia Freedom of Information Act for the purpose of public property under Section 2.2-3711(A)(3) and prospective business Section 2.2-3711(A)(5).

Mr. Coxton moved that the Authority enter into a closed meeting for the aforesaid purpose(s) and that the Authority deemed it necessary, as specified by the Virginia Freedom of Information Act, that Neil Morgan, Jim Barnett, Jim Noel, Melissa Davidson, Debbie Gardner, Dave McCormack and

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Emily Sanfratella be present during the closed meeting. This motion was seconded by Mr. Meade and approved.

On roll call the vote was:

Yea: (7) Biagas, Carter, Coxton, Lockwood, Meade, Schultz, Moberg  
Nay: (0)

The Authority entered into closed meeting at 4:04 p.m.

### **RETURN FROM CLOSED MEETING**

The Authority returned to open meeting at 5:06 p.m.

### **ROLL CALL VOTE CERTIFYING COMPLIANCE WITH SECTION 2.2-3711.1 D OF THE CODE OF VIRGINIA**

Mr. Carter moved that, to the best of each members' knowledge, only public business matters lawfully exempted from the open meeting requirements specified under the Virginia Freedom of Information Act were discussed in closed meeting, and that only such public business matters related to public property under Section 2.2-3711(A)(3) and prospective business Section 2.2-3711(A)(5) were discussed during closed meeting. Mr. Lockwood seconded this motion.

The Chairman stated that if any member of the Authority believed that there was a departure from the requirements of the Virginia Freedom of Information Act, that the member was required by law to state his objection prior to the vote, indicating the substance of the departure that in his judgment had taken place. No such objection was raised. The roll call was as follows:

On roll call the vote was:

Yea: (7) Carter, Coxton, Lockwood, Meade, Schultz, Biagas, Moberg  
Nay: (0)

### **CITIZENS' COMMENT PERIOD**

None.

### **NEW BUSINESS**

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CASA PEARL

Mr. John Hopke, Ms. Chelsea Maksimowicz and Mr. Michael Maksimowicz appeared to provide an update on the renovations of the Casa Pearl Restaurant, 722 Merrimac Trail, Williamsburg. They explained that unforeseen expenses occurred due to the age of the building and the utilities, and they are now over budget with the building renovations. Ms. Maksimowicz stated, because of the budget overages, they would not be able to afford the awnings, which range in price from \$34,960 to \$40,000. She provided the original drawings with the awnings and said the building would be more aesthetically appealing and energy efficient with the awnings. She is asking the EDA to consider providing another grant to cover the cost of the proposed awnings - \$40,000 for galvanized awnings or \$34,960 for non-galvanized awnings.

Mr. Morgan asked for the overall cost of the project and the anticipated opening date.

Mr. Hopke stated as of now, the overall cost is \$1M and the opening date is scheduled for October 21, 2018.

Mr. Biagas asked if they would have the operational funds necessary to get them through the first two or three months after opening.

Mr. Hopke noted they did have the funds.

The Casa Pearl folks left the meeting at 5:13 p.m.

Mr. Coxton mentioned the previous grant that they were given.

Mr. Noel noted it was \$14,247 for the Demolition Loan Program to remove the gas canopy; and \$36,120 for landscaping and asbestos removal.

Mr. Coxton suggested the EDA provide them a lesser amount, perhaps one-half or \$25,000.

Mr. Lockwood recommended the EDA provide them a \$30,000 grant and \$10,000 loan.

Mr. Biagas stated his support for the grant because they have taken a blighted property and upgraded it to something that is going to be income-producing, and have also made improvements to enhance the corridor. He stated he did not see where \$40K was not that much money for supporting this investment.

Mr. Morgan agreed that they should help to make this happen since the couple have taken one of the worst properties in the corridor and fixed it up. He noted this is just what the County has wanted with respect to blighted properties.

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Discussion took place concerning a 'buy-in' for the property owners.

Mr. Biagas moved to approve a \$30,000 grant for the awning improvement, with the option of an interest-free \$10,000 loan, with payments to begin after the 24<sup>th</sup> month of operation.

On roll call the vote was:

Yea: (7) Coxton, Lockwood, Meade, Schultz, Biagas, Carter, Moberg  
Nay: (0)

#### 7120-7124 GEORGE WASHINGTON MEMORIAL HIGHWAY (GWMH)

Mr. Noel reported that the County-acquired the property, across from the EDA-owned lot at 7120-7124 GWMH, will be used as a regional drainage project. He stated an easement will be needed across the EDA-owned property to help facilitate drainage to this basin.

Mr. Lockwood moved to approve a variable width easement to the County for ingress-egress of the EDA-owned property located at 7120-7124 George Washington Memorial Highway.

On roll call the vote was:

Yea: (7) Lockwood, Meade, Schultz, Biagas, Carter, Coxton, Moberg  
Nay: (0)

#### APPROVAL OF MINUTES

Mr. Noel reported there was a scrivener's error in the February 27, 2018 meeting minutes that indicated an incorrect address. He is asking for a motion to correct the address in the minutes.

Mr. Coxton moved to amend the February 27, 2018 minutes to read as follows:

Mr. Noel discussed the possible land exchange of EDA-owned property, located at 9219 George Washington Memorial Highway, for the County-owned property located at ~~57516710~~ George Washington Memorial Highway. The County-owned parcel contains a pump station with a great deal of surplus land. The parcel will have to be subdivided before it can be exchanged. He stated these two properties were close in valuation, but noted the EDA would probably realize more money, by selling the residue pump station property than by selling the parcel currently owned. He noted that the owners of the adjacent land have expressed interest in acquiring this property.

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Mr. Anderson moved to approve the land exchange, between the County of York and the Economic Development Authority, which would allow the even swap of property owned by the EDA at 9219 George Washington Memorial Highway and property owned by the County at ~~57516710~~ George Washington Memorial Highway. The EDA will pay for subdividing the pump station parcel.

On roll call the vote was:

Yea: (7) Meade, Schultz, Biagas, Carter, Coxton, Lockwood, Moberg  
Nay: (0)

## **OLD BUSINESS**

### GO VA GRANT

Mr. Noel provided an update on the GO VA Grant for the Fuel Farm property for the Unmanned Systems Testing and Demonstration Area. He noted there is a solar company, KDC Solar, interested in purchasing the entire 462-acre tract. Mr. Noel mentioned they have expressed an interest in a binding Memorandum of Understanding with the RIFA, currently being formed, memorializing an exchange of land for infrastructure development. Mr. Noel stated with respect to the grant, they have engaged Patten, Wornom, Hatten & Diamonstein to assist with the formation of the Regional Industrial Facility Authority (RIFA) and it will be named the Eastern Virginia Regional Industrial Facility Authority. He stated the goal is for it to be formed by November 1, 2018 and to be opened up to other localities. Mr. Noel noted that work has begun on preparing an RFP for engineering/construction plan services for the first phase of development.

### GREATER WILLIAMSBURG PARTNERSHIP (GWP)

Mr. Noel gave an update on the GWP and stated they will not be hiring an Executive Director as previously planned. He explained the plan is to engage a mid-level type person to handle matters with the board and to reevaluate how the partnership moves forward with promulgating regional economic development. He shared concerns about the partnership's ability to perform effective regional economic development when the resources required for proper marketing are limited. Mr. Noel also explained it was decided to include some elected officials as members of the board and to make chief-appointed officials voting members of the board. He said because of a lack of prospects, it is difficult to validate this approach to economic development and determine how the organization should move forward.

Mr. Morgan noted the Chairman of the GWP resigned the day after these decisions were made.

Discussion continued on the focus and the operation of the GWP.

**APPROVAL OF MINUTES**

Mr. Biagas moved that the minutes of the July 24, 2018 Regular Meeting be approved.

On roll call the vote was:

Yea: (7) Schultz, Biagas, Carter, Coxton, Meade, Moberg  
Nay: (0)  
Abstention: (1) Lockwood

**COUNTY ADMINISTRATOR COMMENTS**

Mr. Morgan reported the preliminary performance of fiscal year ended July 1, 2018 with an approximate surplus of \$5M with a \$208M budget. He noted that the surplus does not have to be put into the capital budget because of the expected \$4M from SB942 that has been added. Mr. Morgan mentioned that, even though the surplus was smaller than last year's \$7M, the amount available for discretionary use is basically the same as last year. He noted approximately \$2.5M of the \$5M is discretionary after paying a few things. Mr. Morgan stated there is a large facility study recommendation going to the Board of Supervisors next week and, because of SB942, the County now has the ability to plan future capital projects that have long been deferred. He mentioned the Yorktown Library will be closed for expansion and the County is looking for temporary space to move staff and inventory. He noted they are exploring space in the York Village and perhaps exchanging rent for providing a capital grant to fix up the property thereby improving the aesthetics of the shopping center.

**DIRECTOR OF ECONOMIC DEVELOPMENT COMMENTS**

Mr. Noel reported that Project Crypto is still moving forward and he has received the needed electricity information on the project from Dominion Virginia Power. He stated the prospect is going to inquire with Dominion about an option to buy all of the land, the virtual building site, and the bowtie site, the remaining land in the YRCP and the fly ash cells.

**ASSISTANT DIRECTOR OF ECONOMIC DEVELOPMENT COMMENTS**

No comments.

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**MEMBERS' COMMENTS**

None.

**ATTORNEY COMMENTS**

Mr. Barnett mentioned that Mr. Meade's firm has a client interested in a piece of EDA-owned property and Mr. Meade is concerned about a conflict of interest. His opinion is that there is no practical conflict, but legal ethics requires his to ask this question. He stated that with the EDA's support, he would send an email stating no conflict of interest.

By consensus, the Authority agreed for Mr. Barnett to send the email.

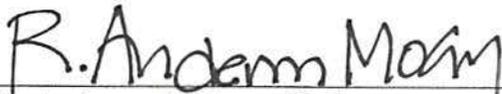
**CHAIRMAN'S COMMENTS**

No comments.

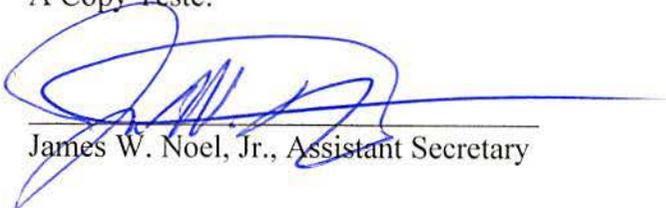
**ADJOURN**

There being no further business, the Chairman adjourned the meeting at 6:00 p.m.

(SEAL)

  
R. Anderson Moberg, Chairman

A Copy Teste:

  
James W. Noel, Jr., Assistant Secretary