

A G E N D A
JAMES CITY COUNTY ECONOMIC DEVELOPMENT AUTHORITY
REGULAR MEETING
101 Mounts Bay Road, Building D
December 13, 2022
4:00 PM

- A. CALL TO ORDER**
- B. ROLL CALL**
- C. APPROVAL OF MINUTES**
 - 1. Minutes for Approval
- D. FINANCIAL REPORTS**
 - 1. Financial Reports
- E. CLOSED SESSION**
- F. NEW BUSINESS**
 - 1. Election of Officers for CY2023
 - 2. Adoption of 2023 EDA Meeting Calendar
- G. OLD BUSINESS**
- H. LIAISON REPORTS**
- I. DIRECTOR'S REPORT**
 - 1. Director's Report
- J. UPCOMING DATES OF INTEREST**
- K. ADJOURNMENT**

ITEM SUMMARY

DATE: 12/13/2022

TO: The Economic Development Authority

FROM: Christopher M. Johnson, Director of Economic Development

SUBJECT: Minutes for Approval

ATTACHMENTS:

	Description	Type
	Minutes for Approval	Exhibit

REVIEWERS:

Department	Reviewer	Action	Date
Economic Development Authority Clerk	Sipes, Kate	Approved	12/9/2022 - 11:09 AM

MINUTES
JAMES CITY COUNTY ECONOMIC DEVELOPMENT AUTHORITY
REGULAR MEETING

November 15, 2022
4:00 PM

A. CALL TO ORDER

Mr. Campana called the meeting to order at 4:04 p.m.

B. ROLL CALL

Vince Campana, Chair
Lynn Meredith, Vice Chair
Ellen Smith Gajda
Rebecca Mulvain
Brandon Nice - arrived at 4:20 p.m.
Joe Stanko
William Turner

Also Attending:

Christopher Johnson, Economic Development Authority (EDA) Secretary
Kate Sipes, Assistant Director, Economic Development
Jeff Wiggins, EDA Fiscal Agent
Chris Kulp, EDA Bond Counsel, Hunton Andrews Kurth, LLP
Anne Curtis Saunders, Associate, McGuireWoods
Tom Johnson, Senior Vice President, S.L. Nusbaum Realty Co.
Leslie Roberts, Partner, Brown Edwards & Company, LLP

Mr. Johnson, EDA Secretary, in deference to the guests in attendance for New Business matters, requested that the Agenda be amended to move Item F, New Business, ahead of Item E, Closed Session. Hearing no objections, Mr. Campana stated that the agenda was amended as requested by Mr. Johnson.

C. APPROVAL OF MINUTES

1. Minutes Adoption - October 18, 2022

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

AYES: 6 NAYS: 0 ABSTAIN: 0 ABSENT: 1

Ayes: Campana, Meredith, Gajda, Mulvain, Stanko, Turner

Absent: Nice

D. FINANCIAL REPORTS

1. October Financial Reports

A motion to Approve was made by Ellen Smith Gajda; motion Passed.

AYES: 6 NAYS: 0 ABSTAIN: 0 ABSENT: 1

Ayes: Campana, Meredith, Gajda, Mulvain, Stanko, Turner
Absent: Nice

Mr. Wiggins presented the revenue and expense reports and informed the EDA the cash balance was approximately \$690,000.

E. NEW BUSINESS

1. Bond Application, Blaine Landing II

A motion to Approve the Bond Resolution for Blaine Landing, L.P. was made by William Turner; motion Passed.

AYES: 6 NAYS: 0 ABSTAIN: 0 ABSENT: 1

Ayes: Campana, Meredith, Gajda, Mulvain, Stanko, Turner
Absent: Nice

Mr. Johnson introduced Mr. Kulp of Hunton Andrews Kurth, LLP, acting as Special Counsel to the EDA in association with Mr. Adam Kinsman, EDA Counsel.

Mr. Kulp stated that the EDA held a Public Hearing for the Blaine Landing II residential housing project at the January 18, 2022, EDA meeting and adopted an Inducement Resolution. He further stated that the Board of Supervisors approved a resolution authorizing the EDA to issue up to \$8 million in Revenue Bonds at its Business Meeting on February 22, 2022. Mr. Kulp added that the developer has been working diligently to secure financing for the portion of the project using Low-Income Housing Tax Credits. Mr. Kulp reminded the EDA that approval of a Bond Resolution was not to be construed as a guarantee of success for the project, but the EDA was providing access to a financing mechanism per state statute. He clarified that the question before the EDA is whether the EDA is willing to serve as a conduit financier and noted this project was different from previous bond financing approved recently by the EDA because this project was to finance the construction of a new facility rather than refinance previously issued debt.

Mr. Kulp introduced Ms. Saunders from McGuireWoods, LLP, representing the developer S. L. Nusbaum Realty Co. Ms. Saunders reiterated the fact the EDA was being asked to serve as a conduit for financing and stated that the borrower would be responsible for all fees for the project, including those fees for the Special Counsel. She stated that the developer, Mr. Tom Johnson from S.L. Nusbaum Realty Co., was also present and available to answer questions.

Mr. Kulp clarified that when the Inducement Resolution was adopted by the EDA in January 2022, the amount of the original request was for \$8 million in Revenue Bonds. And the current request increases that amount to \$8.8 million. He stated that Federal Tax Law and the Internal Revenue Service allows for a 10% deviation of the original requested amount without having to go back through the public hearing process. The Bond Resolution under consideration requests up to \$8.8 million in Revenue Bonds.

Mr. Campana opened the floor to questions from the Authority.

Mr. Turner requested clarification on the financial institutions involved with the project and whether the bonds would be direct purchase.

Ms. Saunders responded that U.S. Bank is the Trustee, an affiliate of Towne Bank is purchasing the 4% tax credits, and the bonds will be publicly offered by Stifel, who is the Underwriter.

Mr. Stanko asked what the rate of return would be on the bond.

Ms. Saunders stated that they are scheduled to price in a couple of weeks and do not have the final interest rate at this time. That amount would be set at the time of pricing. At the current time, the interest rate is 3.9% with a maximum of 12%.

Mr. Stanko asked if there was a rating for the bond and the term.

Ms. Saunders stated that Moody's has rated the bond as AAA and the maturity is anticipated to be two and a half years.

Mr. Turner requested an update on the 9% project.

Mr. Tom Johnson stated that the 4% and 9% would close contemporaneously but the bonds support just the 4% project.

Mr. Chris Johnson reminded the EDA that under State Law the bonds are not deemed to constitute a debt of the EDA or constitute a pledge of faith and credit or taxing power of the EDA or the County. Mr. Johnson stated that all Directors had confirmed prior to the meeting that they meet the residency requirements of the IDA Act.

Mr. Turner asked whether Mr. Kinsman had reviewed the proposal.

Mr. Kulp responded that he has been reviewing the documents on behalf of the EDA as Special Counsel appointed by Mr. Kinsman.

Mr. Kulp noted the applicant has selected the one-time fee up front option for the administration fee to the EDA estimated to be \$28,800 with the final amount to be determined when the bonds are priced in December 2022.

Hearing no further questions, Mr. Campana requested a motion.

A motion to Approve the Bond Resolution was made by William Turner; motion Passed.

AYES: 7 NAYS: 0 ABSTAIN: 0 ABSENT: 1

Ayes: Campana, Meredith, Gajda, Mulvain, Stanko, Turner

Absent: Nice

2. Annual EDA Auditor's Report

A motion to Accept the audit report was made by Ellen Smith Gajda; motion Passed.

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

Ayes: Campana, Meredith, Gajda, Mulvain, Nice, Stanko, Turner

Mr. Nice joined the meeting during the Auditor's Report.

Mr. Wiggins introduced Ms. Leslie Roberts with Brown, Edwards, and Company, LLP to present the annual audit.

Ms. Roberts presented the annual audit noting there were no findings, and the process was smooth.

F. CLOSED SESSION

Enter Closed Session

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

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

Ayes: Campana, Meredith, Gajda, Mulvain, Nice, Stanko, Turner

Mr. Campana led the EDA into Closed Session in accordance with Section 2.2-3711 (A)(5) of the Code of Virginia concerning 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.

The EDA returned to Open Session on a unanimous voice vote.

Certify Closed Session

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

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

Ayes: Campana, Meredith, Gajda, Mulvain, Nice, Stanko, Turner

Resolution for Project Sandcastle

A motion to Approve a resolution was made by Ellen Smith Gajda; motion Passed.

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

Ayes: Campana, Meredith, Gajda, Mulvain, Nice, Stanko, Turner

A motion to approve a resolution to authorize the Chairman to execute those documents necessary to provide a grant to and enter into a performance-based agreement with an existing company conditioned upon the James City County Board of Supervisors' approval and appropriation of funds.

G. OLD BUSINESS

There was no Old Business.

H. LIAISON REPORTS

There were no liaison reports.

I. DIRECTOR'S REPORT

Mr. Christopher Johnson referred to the Director's Report and highlighted the Manufacturing Day for Warhill High School on October 21 and Jamestown High School on November 4.

Mr. Johnson provided an update on the Small Business Relief Program stating that a contract amendment agreement had been signed with the Virginia Department of Housing and Community Development which will provide an additional \$200,000 in funding and

allow staff to fund grant request applications for an additional 14 small businesses in the County.

J. UPCOMING DATES OF INTEREST

Mr. Johnson reminded the Authority that the Annual Celebration of Business event would be held on Thursday, November 17 starting at 4:30 p.m. at The Maine of Williamsburg, 2580 John Tyler Highway.

Mr. Johnson stated that the Hampton Roads Alliance is holding its Annual Holiday Reception on Friday, December 9 at 5 p.m. at the Williamsburg Community Building, 401 North Boundary Street to celebrate the one-year anniversary of James City County, York County, and the City of Williamsburg joining the Alliance. Mr. Johnson indicated that an invitation would be sent via email to the Directors and encouraged all who could attend to RSVP for the event.

K. ADJOURNMENT

A motion to Adjourn was made by Rebecca Mulvain; motion Passed.

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

Ayes: Campana, Meredith, Gajda, Mulvain, Nice, Stanko, Turner

1. Adjourn until December 13, 2022

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

Christopher Johnson, Secretary
Economic Development Authority

Vince Campana, Chair
Economic Development Authority

ITEM SUMMARY

DATE: 12/13/2022

TO: The Economic Development Authority

FROM: Christopher M. Johnson, Director of Economic Development

SUBJECT: Financial Reports

ATTACHMENTS:

	Description	Type
▣	Financials Expense Report	Exhibit
▣	Financials Revenue Report	Exhibit
▣	Financials Balance Sheet Report	Exhibit

REVIEWERS:

Department	Reviewer	Action	Date
Economic Development Authority Clerk	Sipes, Kate	Approved	12/9/2022 - 11:09 AM

YEAR-TO-DATE BUDGET REPORT

FOR 2023 05

ACCOUNTS FOR: 300	EDA							
ORIGINAL	APPROP	REVISED	BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
259 EDA Operating								
300-259-0200-				Advertising				
	550.00	550.00		0.00	0.00	0.00	550.00	.0%
300-259-0205-				Promotion				
	46,900.00	46,900.00		7,825.40	0.00	0.00	39,074.60	16.7%
300-259-0220-				Travel And Training				
	1,000.00	1,000.00		0.00	0.00	0.00	1,000.00	.0%
300-259-0235-				Annual Audit				
	11,000.00	11,000.00		11,210.00	5,210.00	0.00	-210.00	101.9%
300-259-0319-				Office Supplies				
	200.00	200.00		0.00	0.00	0.00	200.00	.0%
300-259-0702-				Bad Debt Expense				
	0.00	0.00		13,028.00	13,028.00	0.00	-13,028.00	100.0%
300-259-5900-				Regional Econ Devel Support				
	34,500.00	34,500.00		34,500.00	0.00	0.00	0.00	100.0%
300-259-5902-				VA High Speed Rail				
	1,000.00	1,000.00		0.00	0.00	0.00	1,000.00	.0%
300-259-5903-				James River Commerce Ctr-Ops				
	14,800.00	14,800.00		0.00	0.00	0.00	14,800.00	.0%
300-259-5904-				Mainland Farm Oper Expenses				
	100.00	100.00		0.00	0.00	0.00	100.00	.0%
300-259-5913-				Small Business Assistance				
	10,000.00	20,000.00		0.00	0.00	0.00	20,000.00	.0%
300-259-5915-				Marina Property				
	101.00	101.00		0.00	0.00	0.00	101.00	.0%
300-259-5918-				Contingency				
	34,544.00	24,544.00		0.00	0.00	0.00	24,544.00	.0%
TOTAL EDA Operating								
	154,695.00	154,695.00		66,563.40	18,238.00	0.00	88,131.60	43.0%
TOTAL EDA								
	154,695.00	154,695.00		66,563.40	18,238.00	0.00	88,131.60	43.0%
TOTAL EXPENSES								
	154,695.00	154,695.00		66,563.40	18,238.00	0.00	88,131.60	

YEAR-TO-DATE BUDGET REPORT

FOR 2023 05

ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
GRAND TOTAL 154,695.00	154,695.00	66,563.40	18,238.00	0.00	88,131.60	43.0%
** END OF REPORT - Generated by Jeffrey wiggins **						

YEAR-TO-DATE BUDGET REPORT

FOR 2023 05

ACCOUNTS FOR: 300 EDA					REMAINING REVENUE	% COLL
ORIGINAL	ESTIM REV	REVISED ESTIM REV	ACTUAL YTD REVENUE	ACTUAL MTD REVENUE		
308 Charges For Services						
300-308-3400-			Lease Income			
	-14,725.00	-14,725.00	-14,725.00	-14,725.00	0.00	100.0%
TOTAL Charges For Services						
	-14,725.00	-14,725.00	-14,725.00	-14,725.00	0.00	100.0%
309 Miscellaneous						
300-309-3970-			Marina Property			
	-69,220.00	-69,220.00	-28,644.19	-5,796.37	-40,575.81	41.4%
300-309-3972-			Bond Fee Revenue			
	-70,750.00	-70,750.00	-32,045.25	0.00	-38,704.75	45.3%
TOTAL Miscellaneous						
	-139,970.00	-139,970.00	-60,689.44	-5,796.37	-79,280.56	43.4%
TOTAL EDA						
	-154,695.00	-154,695.00	-75,414.44	-20,521.37	-79,280.56	48.8%
TOTAL REVENUES						
	-154,695.00	-154,695.00	-75,414.44	-20,521.37	-79,280.56	

YEAR-TO-DATE BUDGET REPORT

FOR 2023 05

ORIGINAL ESTIM REV	REVISED ESTIM REV	ACTUAL YTD REVENUE	ACTUAL MTD REVENUE	REMAINING REVENUE	% COLL
GRAND TOTAL					
-154,695.00	-154,695.00	-75,414.44	-20,521.37	-79,280.56	48.8%
** END OF REPORT - Generated by Jeffrey Wiggins **					

BALANCE SHEET FOR 2023 5

FUND: 300 EDA			NET CHANGE FOR PERIOD	ACCOUNT BALANCE
ASSETS				
300401	0000	General Cash	22,921.37	714,735.12
300413	8250	Misc Receivables	.00	32,045.25
300413	8253	Loan Receivables	-20,638.00	.00
300415	8275	Lease Receivable	.00	743,088.90
300415	8276	Lease Interest Receivable	.00	3,461.56
300455	0814	Land Improvements	.00	237,988.25
300455	0815	Land	.00	710,794.67
300455	0819	Buildings	.00	290,094.53
300455	0820	Accum Deprec-Buildings	.00	-33,876.81
300455	0831	Infrastructure	.00	182,379.34
300455	0832	Accum Deprec-Infrastructure	.00	-29,124.54
300455	0837	Accum Deprec-Land Improvements	.00	-55,645.56
300455	0840	Land Improvements (ND)	.00	34,200.00
TOTAL ASSETS			2,283.37	2,830,140.71
LIABILITIES				
300585	0920	Deferred Inflow-Leases	.00	-723,836.95
TOTAL LIABILITIES			.00	-723,836.95
FUND BALANCE				
300601	6138	Net Position - Restatement	.00	32,359.86
300601	6140	Net Pos - Net Invmt Cap Assets	.00	-1,362,287.60
300601	6142	Net Pos - Unrestricted	.00	-767,524.98
300601	6150	Revenue-Year To Date	-20,521.37	-75,414.44
300601	6151	Expenditures-Year To Date	18,238.00	66,563.40
300601	6152	Encumbrances-Year To Date	-5,210.00	.00
300601	6909	Bugetary FB Res for Encumbranc	5,210.00	.00

BALANCE SHEET FOR 2023 5

FUND: 300 EDA		NET CHANGE FOR PERIOD	ACCOUNT BALANCE
FUND BALANCE			
	TOTAL FUND BALANCE	-2,283.37	-2,106,303.76
	TOTAL LIABILITIES + FUND BALANCE	-2,283.37	-2,830,140.71

** END OF REPORT - Generated by Jeffrey Wiggins **

ITEM SUMMARY

DATE: 12/13/2022

TO: The Economic Development Authority

FROM: Christopher M. Johnson, Director of Economic Development

SUBJECT: Adoption of 2023 EDA Meeting Calendar

ATTACHMENTS:

	Description	Type
	Draft 2023 EDA Meeting Calendar	Exhibit

REVIEWERS:

Department	Reviewer	Action	Date
Economic Development Authority Clerk	Sipes, Kate	Approved	12/9/2022 - 11:10 AM

**2023 DRAFT MEETING CALENDAR
ECONOMIC DEVELOPMENT AUTHORITY
OF JAMES CITY COUNTY, VIRGINIA**

4 p.m., Tuesday, January 17, 2023

4 p.m., Tuesday, February 21, 2023

4 p.m., Tuesday, March 21, 2023

4 p.m., Tuesday, April 18, 2023

4 p.m., Tuesday, May 16, 2023

4 p.m., Tuesday, June 20, 2023

4 p.m., Tuesday, July 18, 2023

4 p.m., Tuesday, August 15, 2023

4 p.m., Tuesday, September 19, 2023

4 p.m., Tuesday, October 17, 2023

4 p.m., Tuesday, November 14, 2023

4 p.m., Tuesday, December 19, 2023*

*All meetings except for November are on the third Tuesday of each month. The November meeting will be held on the second Tuesday due to the Thanksgiving Holiday.

This 2023 Meeting Calendar was adopted by the Economic Development Authority of James City County at its _____ meeting. The Economic Development Authority reserves the right to modify this schedule, as necessary. Special meetings may also need to be called as situations warrant.

Unless posted to the contrary, all meetings will be held in the main conference room of 101-D Mounts Bay Road, Williamsburg, VA 23185.

ITEM SUMMARY

DATE: 12/13/2022

TO: The Economic Development Authority

FROM: Christopher M. Johnson, Director of Economic Development

SUBJECT: Director's Report

ATTACHMENTS:

	Description	Type
	Director's Report	Exhibit

REVIEWERS:

Department	Reviewer	Action	Date
Economic Development Authority Clerk	Sipes, Kate	Approved	12/9/2022 - 11:10 AM

MEMORANDUM

DATE: November 13, 2022

TO: The Economic Development Authority

FROM: Christopher M. Johnson, Director of Economic Development

SUBJECT: Director's Report, November-December 2022

Small Business Relief Grant Program – Staff continues to work to address outstanding issues for the remaining eight applications that have yet to be funded. To date, the program has processed 91 applications for \$900,878 in funding requests. Checks totaling \$779,377 have been distributed to 63 local small businesses.

James River Commerce Center –A closing date of December 14, 2022, has been scheduled for the 58.53-acre EDA-owned property at 8930 Columbia Drive in the James River Commerce Center. Closing may be delayed to finalize all required documents but will happen before the end of the calendar year.

Virginia Business Ready Sites Program – Staff participated in a site visit by the Virginia Economic Development Partnership (VEDP) and KPMG Consulting Review Team on Wednesday, November 30 for the grant application that was submitted for Hazelwood Farms Enterprise Center. The site visit was the last step in the grant application process and a decision is expected by the end of the calendar year.

Shop Local Boost Program – The Greater Williamsburg Chamber of Commerce held a Shop Local Boost event in New Town on Wednesday, November 30 in front of the Regal Cinema and the entire allotment of Williamsburg Area Restaurant Association gift certificates and gift cards were sold out in a little over an hour and a half.

State and Local Statement of Economic Interests (SLSOEI) – With the upcoming Holiday season fast approaching, the new calendar year also brings with it the task of having to complete the annual SLSOEI forms required of all State and Local Officials. The County Attorney's office will send the 2023 form and the accompanying Frequently Asked Questions manual via email to each of you in the coming weeks. If you saved your 2022 SLSOEI form, the exercise should not take long to complete. If you need a copy of your most recent form, it can be forwarded to you electronically to make the effort as easy as possible.

Regional Events/Initiatives:

- Staff attended the Williamsburg Chamber of Commerce Board Meeting at the Great Wolf Lodge on Thursday, November 17.
- Staff conducted the third Manufacturing Day on Friday, November 18. Forty-eight students from Lafayette High School toured Black Creek Workshop and Anheuser-Busch.
- Staff met with a German Orthotics manufacturer for a follow-up site visit to meet with Public Safety officials from the three Greater Williamsburg localities on Friday, November 18.
- Staff attended the Board of Supervisors Business Meeting on Tuesday, November 22 and a Resolution was adopted to allow the County to proceed with a Performance Agreement for equipment replacement at an existing business.
- Staff attended the Virginia Economic Development Association (VEDA) Winter Meeting at the Omni Richmond Hotel on Thursday, December 1 as well as the VEDA 40th Anniversary Celebration.