

ALBEMARLE COUNTY
ECONOMIC DEVELOPMENT AUTHORITY MINUTES
APRIL 19, 2022
4:00 PM
Electronic Meeting

Directors Present: Don Long, Katherine Imhoff, John Mottola, Stephen McNaughton, Stuart Munson, George Ray, David Shreve

Staff Present: Doug Walker, Deputy County Executive; Roger Johnson, Economic Development Director; J.T. Newberry, Economic Development Principal Business Development Manager; Ashley Perry Hernandorena, Economic Development Management Analyst; Richard DeLoria, Senior Assistant County Attorney; Diantha McKeel, Board of Supervisors Liaison to the EDA, Jack Jouett District

1. Establish Quorum and Call to Order

Chair Long convened the meeting at 4:00 p.m. and read the following statement:

Notwithstanding any provision in the EDA Bylaws to the contrary, as permitted under Virginia Code § 15.2-1413 and Albemarle County's Continuity of Government Ordinance, we are holding this meeting by real time electronic means with no Authority member physically present at a single, central location. All Authority members are participating electronically. All Authority members will identify themselves and state their general physical location during the roll call which we will hold next.

This meeting is being recorded and will be uploaded to the County's website.

The public has real time audio-visual access to this meeting over Zoom and real time audio access over telephone, both as provided in the lawfully posted meeting notice. The public is invited to offer live comment during the Public Comment period. Comments are limited to three minutes and must be germane to matters on today's agenda.

Mr. DeLoria provided the roll call and confirmed a quorum.

2. Matters from the Public

Ms. Perry Hernandorena confirmed no speakers signed up or raised their hand to speak.

3. Approval of Minutes

Minutes from March 15, 2022 were reviewed. Chair Long requested a verbiage change from "vexing" to "considering" on page 3. Mr. Ray motioned to approve the minutes, which was seconded by Mr. Munson.

MOTION: The motion passed unanimously.

4. Financial Report

Mr. Shreve reported that there was no change since the last Financial Report ending February 28, 2022.

5. New Business

a. Director's Report

Mr. Newberry invited Directors to the upcoming Defense Affairs Committee (DAC) Quarterly Meeting to be held at North Fork Discovery Park on Thursday, April 28, 2022, featuring panelists from the defense sector in Albemarle County.

Chair Long informed the Authority that he participated in a tabletop exercise earlier this month held at North Fork, with Mr. Walker, Mr. Johnson, Mr. Newberry, and staff from the UVA Foundation to discuss economic development opportunities.

b. Draft Building Reuse Grant Policy

Mr. Newberry presented the Draft Building Reuse Grant Policy, which was developed to address the issue of companies delaying or reducing their investment in the County due to lack of usable space for business. He proposed that a Building Reuse Grant would be used to support primary businesses in target industries, in good financial standing with the County, that were consistent with Project ENABLE and the County's Comprehensive and Strategic Plans. Approved sites include commercial/industrial space that has been vacant and unoccupied for at least six months. The grant would rebate up to 50% of capital costs (no fixtures, furniture, or equipment) after a lease of at least two-years is signed and improvements are made.

He said after incorporating the Authority's feedback, staff would present the information as a consent agenda item to the Board of Supervisors May 18, 2022 and then return to the EDA for formal adoption or further work.

Mr. Newberry asked Directors to refer to the primary document and provide any feedback on the draft policy. Considerations to the Climate Action Plan and the County's core value of "Community" are incorporated into the grant proposal, as well as targeting under-resourced businesses. Historically, the Economic Development Office has defined under-resourced businesses as those that are owned and operated by women, minorities, or veterans because data shows these firms face barriers to accessing capital. He explained that grants would range between \$25,000 and \$250,000 subject to budget resources. He noted that Economic Development does not yet have a dedicated revenue source.

He added that the grants would be awarded under a performance agreement to protect the County's investment.

Feedback from Directors included adding the following provisions to the draft:

- Balance the grant match with a lease period in a sliding scale format and consider lengthening the lease period required to a three-year minimum.
- Considerations should be put in place to prevent lease rates increasing if significant capital improvements are made to a property to keep our area competitive and attractive to prospective businesses.
- Consider establishing priority areas to discourage non-local property owners and investors from purchasing property and then leaving it unoccupied without improvement.
- Allow property owners as eligible applicants but address those applications on a case-by-case basis.
- Expand eligibility to include businesses that are not "primary businesses." Doing so will offer further value and provide more opportunity to businesses in greatest need.

Mr. Newberry confirmed that staff should direct applicants to illustrate and highlight the funding gap that the County's grant would be filling to assist their business. He thanked Directors for their feedback and said the grant would be ready for the EDA to adopt on June 21, 2022, after it is presented to the Board.

6. Unfinished Business

a. Closed Session

Chair Long read the following CLOSED MEETING MOTION:

I move that the Albemarle County Economic Development Authority go into a closed meeting as authorized by the Virginia Freedom of Information Act, section 2.2-3711(A) of the Code of Virginia under:

- Subsection 6 to discuss and consider:

The investment of public funds for the development of the Lewis & Clark Exploratory Center at Darden Towe

Park, where bargaining is involved and where, if made public initially, would adversely affect the financial interest of the County; and

-Subsection 8 to discuss and consider:

Consultation with EDA legal counsel regarding the Lewis & Clark Exploratory Center loan, which requires legal counsel's advice and, if provided in open session, would adversely affect the EDA's negotiating posture.

The Motion which was seconded by Mr. Shreve.

MOTION: The motion passed unanimously.

Closed Meeting Certification – Following the closed meeting, Chair Long read the following Closed Meeting Certification:

I move that the EDA certify by recorded vote that to the best of each Director's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorizing the Closed Meeting were heard, discussed, or considered in the Closed Meeting.

MOTION: The motion passed by roll call vote.

7. Other Matters

Chair Long announced Mr. Munson's retirement from the Authority effective June 2022 and thanked him for his service to the Authority.

Mr. DeLoria said the General Assembly passed a bill permitting certain public bodies to conduct virtual meetings on less than a regular basis and that the EDA does not have a written policy allowing Directors to participate electronically.

He wanted to ask the Board to consider adopting an electronic participation policy to allow members to participate outside of normal circumstances, if necessary. He also suggested the consideration to adopt a policy for all virtual meetings if deemed necessary moving forward. Two virtual meetings cannot be held back-to-back, according to law, under typical circumstances after September 1st.

Mr. Walker confirmed that the technology capacity exists to accommodate a member participating electronically without issue. Return for in-person meetings for Group 2 will be no sooner than June and the Board will continue to discuss this issue in May.

8. Adjournment

There being no further business Chair Long moved to adjourn with no objection.

The next meeting will be held May 17, 2022.

Teste: _____
Donald Long, Chairman

Approved: _____
Roger D. Johnson, Assistant Secretary