

MINUTES  
ECONOMIC DEVELOPMENT AUTHORITY  
| THURSDAY, OCTOBER 6, 2016 |

A meeting of the Frederick County Economic Development Authority was held on Thursday, October 6, 2016, at 8:00A.M. in the County Administration Building, First Floor Conference Room, 107 North Kent Street, Winchester, Virginia.

**PRESENT:** Stan Crockett, Doug Rinker, Dennis McNutt, John Riley and Gary Lofton

**STAFF:** Patrick Barker and Donna McIlwee, Frederick County Economic Development Authority, and Michael Bryan, Attorney

**MEETING CALLED TO ORDER:** Chairman Crockett called the meeting to order at 8:00 a.m.

**APPROVAL OF MINUTES - APPROVED**

The minutes from the September 1, 2016, meeting were presented.

Upon a motion duly made by Mr. Riley and seconded by Mr. Lofton, the minutes from the September 2, 2016, meeting were approved as corrected.

J. Stanley Crockett	Aye
Robert Claytor	Absent
Gary Lofton	Aye
James Longerbeam	Absent
Dennis McNutt	Aye
John Riley	Aye
Doug Rinker	Aye

**TREASURER'S REPORT - APPROVED**

Mr. Barker submitted the following report:

Checking Account - Bank of Clarke County as of September 29, 2016 - \$9343.98.

Savings Account - Scott & Stringfellow as of September 29, 2016 - \$199,395.91.

The Treasurer's Report was approved as submitted by the following recorded vote:

J. Stanley Crockett	Aye
Robert Claytor	Absent
Gary Lofton	Aye
James Longerbeam	Absent
Dennis McNutt	Aye
John Riley	Aye
Doug Rinker	Aye

### **PROACTIVE RETAIL MARKETING UPDATE**

Mr. Barker gave a review of contact results since the EDA executed a contract with Buxton in December 2014. To date, 9 need a franchisee; 3 are short-term targets; 28 are long-term targets; and 7 targets have been closed. He also stated that the commercial brokerage firms for Rutherford Crossing and Winchester Gateway are now contacting some of the retailers on their own. Also, Buxton has extended the deadline to extend the 3<sup>rd</sup> year of our contract until December 22, 2016.

Mr. Barker presented the following next steps for consideration:

- Continue with Buxton for year 3 (\$50,000—must notify by December 22nd if plan to cancel)
- Contract with an alternative firm
  - Focus on real estate and discover retail matches based on analytics
  - Communication with retail matches (minimum of 30 per year) is done by firm, not EDA staff
  - \$120,00 for 3-year term (\$50K, \$35K, and \$35K)
- Focus only on retail developers
  - On site meetings with targeted retail developers in nearby metro areas
  - \$TBD, marketing materials related to specific properties and travel expenses
- Other ideas ???

After discussion, the consensus of the Board was to accept the date extension from Buxton.

Mr. Riley stated he would like to have more information on other options for the Board to consider if it is decided to cancel the contract with Buxton.



Mr. Rinker stated he would like information on other pathways if the Board would decide not to contract with an outside source.

### **ECONOMIC/LEGISLATIVE RECEPTION**

Mr. Barker stated the EDA has been sponsoring an annual economic/legislative reception for local elected representatives and state agencies in order to promote industry, develop trade, and increase commerce for the benefit of Frederick County and its citizens. He solicited the Board's desire for 2017.

On motion of Mr. Riley, seconded by Mr. Rinker, the Board voted to host a reception with dinner on January 12, 2017.

J. Stanley Crockett	Aye
Robert Claytor	Absent
Gary Lofton	Aye
James Longerbeam	Absent
Dennis McNutt	Aye
John Riley	Aye
Doug Rinker	Aye

### **CLOSED SESSION IN ACCORDANCE WITH SECTION 2.2-3711(A)(3) OF THE CODE OF VIRGINIA (1950, AS AMENDED) FOR THE DISCUSSION AND CONSIDERATION OF THE ACQUISITION OF REAL PROPERTY FOR A PUBLIC PURPOSE, OR OF THE DISPOSITION OF PUBLICLY HELD REAL PROPERTY, WHERE DISCUSSION IN AN OPEN MEETING WOULD ADVERSELY AFFECT THE BARGAINING POSITION OR NEGOTIATING STRATEGY OF THE AUTHORITY**

Upon Motion duly made by Mr. Lofton, seconded by Mr. Riley, the Authority unanimously RESOLVED to go into a closed meeting in accordance with Section 2.2-3711(A)(3) of the Code of Virginia (1950, as amended) for the discussion and consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Authority.

### **RETURN TO OPEN SESSION**



At the conclusion of the closed meeting concerning the discussion or consideration of the acquisition of real property for a public purpose, or the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Authority, the following Resolution was unanimously adopted upon roll call vote as set forth below:

WHEREAS, the Frederick County Economic Development Authority has concluded its “closed meeting” at a meeting held on August 4, 2016, and desires return to an “open meeting”; and

WHEREAS, the adoption of this Resolution is intended to serve as the “Certificate” described in Section 2.2-3712(D) of the Code of Virginia (1950, as amended).

NOW THEREFORE, BE IT RESOLVED that the Frederick County Economic Development Authority does hereby reconvene in an “open meeting” at its meeting held on August 4, 2016; and

BE IT FURTHER RESOLVED that each and every Member of said Authority who votes in the affirmative for this Resolution does thereby certify to the best of each Member’s knowledge that only public business matters lawfully exempted from open meeting requirements of the Virginia Freedom of Information Act were heard, discussed or considered during the closed meeting, and that only such public business matters as were identified in the Motion which convened the closed meeting were heard, discussed or considered during the course of said closed meeting by the Authority:

J. Stanley Crockett	Aye
Robert Claytor	Absent
Gary Lofton	Aye
James Longerbeam	Absent
Dennis McNutt	Aye
John Riley	Aye
Doug Rinker	Aye

Mr. Riley made a motion to accept the offer from Rao & Shields for the Robinson School, execute the purchase and sale agreement, and authorize the dedication of 2.6 acres of the remaining parcel to the Hope Drive extension.



Following a suggestion by counsel, Mr. Riley then amended his motion to only include the sale and purchase of the Robinson School. This was seconded by Mr. Rinker and the following vote recorded:

J. Stanley Crockett	Aye
Robert Claytor	Absent
Gary Lofton	Aye
James Longerbeam	Absent
Dennis McNutt	Aye
John Riley	Aye
Doug Rinker	Aye

Mr. Riley then made a motion to dedicate the associated right-of-way necessary for the extension of Hope Drive to the City of Winchester. Mr. Rinker seconded this motion and the following vote recorded:

J. Stanley Crockett	Aye
Robert Claytor	Absent
Gary Lofton	Aye
James Longerbeam	Absent
Dennis McNutt	Aye
John Riley	Aye
Doug Rinker	Aye

**SUCH OTHER BUSINESS AS MAY COME BEFORE THIS AUTHORITY**

Due to a conflict with the scheduled date of the November meeting, it was agreed to change the date to the 2<sup>nd</sup> Thursday, November 10.

**ADJOURN**

There being no further business to come before this Authority, the meeting was adjourned. (8:25 A.M.)

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Stan Crockett  
Chairman

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Brenda Garton  
Secretary

