

**INDUSTRIAL DEVELOPMENT AUTHORITY
OF THE TOWN OF FRONT ROYAL & COUNTY OF WARREN,
VIRGINIA dba ECONOMIC DEVELOPMENT AUTHORITY (EDA)**

At a regular meeting of the Board of Directors of the Industrial Development Authority of the Town of Front Royal and the County of Warren, Virginia, dba Economic Development Authority held on Friday, April 28, 2023, at 8:00 AM at the Warren County Government Center, Conference Room, 220 N. Commerce Avenue, Front Royal, VA 22630, and streamed online.

Call to Order:

Mr. Jenkins called the meeting to order at 8:02 AM with the following roll call:

Jenkins, here; MacDougall, here; Ashworth, here; Martin, here; Wolfe, here; Townshend; here. Mr. Walter and Ms. Pandak were not present when the roll was called.

Mr. Townshend stated that he is at Indianapolis attending a convention, and there were no objections to allowing him to participate remotely.

Approval of Agenda:

On a motion by Mr. Ashworth, seconded by Mr. Wolfe, and the following vote, the agenda was adopted as presented.

Jenkins, Aye; MacDougall, Aye; Ashworth, Aye; Martin, Aye; Wolfe, Aye; Townshend, Aye.

Approval of March 25, 2023, Minutes:

On a motion by Ms. Martin, seconded by Mr. Wolfe, and the following vote, the minutes were approved as presented.

Jenkins, Aye; MacDougall, Aye; Ashworth, Aye; Martin, Aye; Wolfe, Aye; Townshend, Aye.

Reports:

A) Chairmans Report - Mr. Jenkins and Mr. Petty met with Queen Consulting to discuss the migration of emails to the County email system and furthermore discussed cost-saving ideas to reduce the monthly bill with Queen. Additionally, the MOU for the County support services is not ready for review currently and is still under attorney review.

Mr. Wolfe asked if financial management will be included in the MOU. Mr. Jenkins stated that it would be and is an all-encompassing document.

B) Asset Committee - Ms. Martin stated that there was a meeting recently and meetings will continue monthly, and specific items will be discussed in closed session. Mr. Jenkins asked if anyone had been appointed Chair of the Asset Committee, and Mr. Ashworth stated that they had not made that decision at this time.

C) Finance Committee - Mr. Wolfe stated the Small Business Loan Committee met and there was a

presentation by a representative of the USDA Loan Committee. The next meeting has been scheduled, and the anticipation is to start accepting Loan applications within 60 days. Mr. Wolfe commented that the USDA wants the lending program to be asset based, and it will need to be decided who will do the UCC Filing and pursue late payments.

Mr. Jenkins stated that there needs to be a strong public awareness of the program. Mr. Wolfe agreed and emphasized the need to have a minority member on the committee and will be beneficial in attracting businesses.

Mr. Petty went over the current EDA Tracking Spreadsheet and stated that if the current format looks good then a more detailed format that has a clearer breakdown of the categories and will include assets and the more confidential information (litigation) all included in one spreadsheet.

Mr. Jenkins asked if there was a forecast for spending that project if line items will be on, over, or under budget. Mr. Petty stated that he has been working with County staff from a budget standpoint and emphasized 2 big items that are outstanding. IT Federal was accounted for to make payments that was offset by revenue they were paying monthly on; however, they have not been paying due to the litigation. Furthermore, legal fees have exceeded the budget this year, likely due to the increased activity.

Mr. Wolfe asked the Board if they would like to see numbers monthly and commented that it was not necessary and could cause confusion and suggested using the annual budget. Mr. Jenkins agreed but emphasized the importance of having a forecast to ensure proper transparency and balancing.

Mr. Petty stated that items that are currently under budget with unspent funds will most likely be transferred to line items that are over budget in order to balance.

D) Warren County Director of Economic Development Update

Mr. Petty stated that the budget has been the top priority and getting it prepared for the end of the fiscal year. Furthermore, he has been working on the MOU that is still a work in progress and will soon be getting comments from legal. The purpose of the MOU is to define the roles that the County and the EDA have planned out.

Additionally, Mr. Petty still takes an active role in the Shenandoah rail trail. Mr. Jenkins asked if there are any plans for a follow up meeting soon, or if there are rail trail activities planned. Mr. Petty stated that there was none planned at the moment and the prior meeting was part of a community outreach and public forum. However, their annual meeting will be in June and Delores Oates is the County representative. Mr. Jenkins asked if anyone from the Board would be interested in attending the June meeting and Ms. Martin stated she was and will work with Joe to help her attend.

Mr. Petty then stated that his point of contact at the EPA regarding Avtex had taken a different position and now has a new contact who is currently reviewing all documentation. Mr. Jenkins asked if the goal to get the property transferred to the County by the end of the Fiscal Year is still on track. Mr. Petty stated that he will follow up with legal again, but due to personnel Ms. Martin stated that September is more likely but the hope is still for it to be complete before. Mr. Jenkins asked for a deep dive to be completed next month to get a clearer picture of the status of the transfer, trail planning, etc. Ms. Martin agreed but expressed a concern about grants, ownership, and the need to have a clean transfer as soon as possible.

Mr. Walter what the EDA's activity and participation will be once the transfer to the County is complete. Ms. Martin stated that the EDA would be a partner and would take an advisory role.

Mr. Ashworth asked Mr. Petty when the last meeting with legal took place regarding this process. Mr. Petty stated that he has spoken to them but they are also occupied with the MOU and other County Business, but it is still on their list of priorities.

Board Member Updates:

Mr. Walter and Mr. Jenkins visited Kendrick lane and commented on the large number of records that are being stored there in various formats. Mr. Walter stated the EDA could cleanly capture and move the records exclusively to a new location provided by the County. Furthermore, Mr. Walter stated the need to do a survey from a volume perspective to see exactly how much is there in order to determine the correct amount of space needed for storage, with the ultimate goal of cataloging and digitizing. Mr. MacDougall asked if there was a schedule to place to start this process. Mr. Petty stated that the retrieval of the documents is currently scheduled for mid-May, which entails boxing up the documents for staging, with a move date of June. The coordination of disposal would take place shortly after. Mr. Wolfe asked if a final attorney signature can be included prior to any destruction of documents given the pending lawsuits. Mr. Walter stated that any disposal would be "downstream" and will not take place anytime soon. Furthermore, when that time comes it will go through all the proper channels and approvals.

New Business:

- A) Open-Door Business Session** – Mr. Petty gave a date of June 1st from 10:00AM – 12:00PM at the Warren County Community Center, with the topic of Workforce. Expected representatives include Shenandoah University, Blue Ridge Tech Center, Laurel Ridge Workforce Development etc.

Closed Session:

Ms. Pandak read the meeting into closed session at 9:05AM. On a motion made by Mr. Wolfe, seconded by Mr. Ashworth, and the following vote, the meeting went into closed session.

Jenkins, Aye; MacDougall, Aye; Ashworth, Aye; Martin, Aye; Wolfe, Aye; Townshend, Aye; Walter, Aye

- A. 4 matters – Discussion of disposition of publicly held real property where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, Stephens Industrial Park, 1321 Happy Creek Rd, Avtex redevelopment, Happy Creek Industrial Park, and legal advice related thereto, pursuant to Va. Code § 2.2-3711.A.3 and 8.
- B. 2 matters – Consultation with legal counsel pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body, EDA vs Jennifer McDonald et al, EDA v. Town of Front Royal et al, pursuant to Va. Code § 2.2-3711.A.7 and 8.

Ms. Pandak read the meeting out of closed session at 11:11AM. On a motion by Mr. Wolfe, seconded by Mr. Walter and the following vote, the Board certified and exited closed session:

Jenkins, Aye; MacDougall, Aye; Ashworth, Aye; Martin, Aye; Wolfe, Aye; Walter, Aye. Mr. Townshend was not present to vote due to prior engagements.

Additional New Business:

On a motion by Ms. Martin, seconded by Mr. Wolfe, and the following vote, the board approved LRCC us of the parking for the period of May 15th through June 30th.

Jenkins, Aye; MacDougall, Aye; Ashworth, Aye; Martin, Aye; Wolfe, Aye; Walter, Aye.

On a motion by Ms. Martin, seconded by Mr. Wolfe, and the following vote, the board authorized the County to proceed with property appraisals for 1321 Happy Creek Road and Stevens Industrial.

Jenkins, Aye; MacDougall, Aye; Ashworth, Aye; Martin, Aye; Wolfe, Aye; Walter, Aye.

Adjournment:

On a motion by Ms. Martin, seconded by Mr. Wolfe, and the following vote, the board adjourned the meeting at 11:13AM.

Jenkins, Aye; MacDougall, Aye; Ashworth, Aye; Martin, Aye; Wolfe, Aye; Walter, Aye.