



## Regular Meeting Agenda

Warren County Government Center: Caucus Room, 220 N. Commerce Ave, Front Royal, VA

July 28, 2023,

8:00 AM

### Call to Order:

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

Jenkins, present; Walter, present; Ashworth, present; Townshend, present; Wolfe, present; Martin, present; MacDougall, present.

### Adoption of Agenda (Agenda was approved at 8:28AM during Asset Committee Update):

On a motion made by Ms. Martin, seconded by Mr. Townshend, and the following vote, the Board amended the Agenda to include the discussion and possible and possible revision of the Stephens Industrial convenance.

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

### Approval of Minutes - June 23, 2023:

On a motion made by Mr. Walter, seconded by, Mr. Wolfe, and the following vote, the minutes were approved as presented:

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

### Reports:

- **Executive Committee:**
- **Avtex Ad Hoc Update:** Ms. Martin stated that she and Mr. MacDougall met with parsons on site, and while going over the proposed plan, discovered that there is only one area on the conservancy site that was giving Parsons and the EPA concerns. Therefore, the trail plan has been amended to run strictly along the river. This will eliminate approximately 90% of the fencing required. The EPA would also like to have another meeting with all of the stakeholders.

Mr. Petty echoed Ms. Martin stating that the trail is completely along the riverside and will use some of the existing roads that go through the parcel. He then addressed a small issue of terrain and that the trail won't be completely flat and is taller and steeper in certain areas as well as being in a floodplain, but discussed how mesh grates, prefabricated pedestrian bridges, and fencing options that can be used to assist with these issues while being cost effective. Mr. Jenkins asked if the reduction in fencing would equate to lower construction costs and expenditures. Mr. Petty stated that it will most likely be a balance because while there will be less fencing, there will now be more spent on actual trail construction since a preexisting road will no longer be used. Mr. Jenkins then asked what the next steps in the project were, and Mr. Petty stated that the big next step is to have a discussion with the Town's Tourism manager to discuss ARPA funds and from there speak to the Town Council and Board of Supervisors on any changes.

Ms. Martin then commented that Parsons is more than willing to take anyone along the trail and show them where the new developments are expected. Mr. Jenkins asked if a few tours can be scheduled over the next few months. Mr. Petty said they could as long as it was coordinated with the work that is currently being done on site.

- **EDA Office/Records Relocation:** Mr. Walter stated that approximately 95% of the records boxed up and ready

to be transported, and only a few more banker's boxes are needed then Mr. Petty will get with Public Works to have the records moved to the house on Second St. Mr. Jenkins expressed the need to have a records retention policy as well as a records officer who will possibly also be the FOIA officer.

- **Asset Committee:** Ms. Martin stated that the only thing to be discussed in the open session is the Stephen's Industrial park convenance. It was originally thought it covered all properties however it only covers two pieces, Shahi Foods and 53 additional acres. The rest of the properties in Stephens Industrial have existed without convenance since its inception. As a result, the Committee has recommended rescinding those covenants. Ms. Pandak confirmed that the EDA has the authority to amend them or eliminate them with no input from any other party. Mr. Walter asked if this was just a discussion about removing the convenance or if this is to be voted on presently. Ms. Martin anticipated calling in the question to rescind the covenants entirely for Stephens Industrial.
- **Finance Committee/Budget Update:** Mr. Wolfe stated that the litigation will be discussed in closed session but is currently working on a balance sheet that does not discuss the litigation in any sort of specificity. Mr. Jenkins asked for a recap of the quarterly allotments from the County and a description of how appropriations and transfers are being handled this year. Mr. Petty showed the Board the most up to date tracking spreadsheet of expenditures as well as the adopted budget from the County.
- **Small Business Loan Committee Update:** Mr. Petty stated that the advisory committee sent forward the recommendations regarding the scope of services and will now be sent to the USDA for final approval and hopes to have news from them within the month and the program can be rolled out to those waiting.
- **Board Member Updates:** Mr. Walter stated that he had further conversations with Wesley enterprises but currently is not in a position to move into any kind of formal talks due to limitations on both ends. The next step would be to do an assessment of the property and impact to see if their needs can be met before a serious conversation can take place.
- **Warren County Director of Economic Development Update:** Mr. Petty stated that he will be finalizing the year end close with the Finance department. Furthermore, the County was awarded the Capacity Incubator Grant with the region and the contract was just signed with the State, therefore it is unknown what the details include. This will help with start-ups in the Shenandoah Valley and business incubation. The Tourism Manager position that is currently being advertised and hopes to have that position filled in the near future.

#### Old Business:

- **EDA & County MOU:** Mr. Petty stated that the most recent MOU has everything paired down to I.T., storage, and ongoing operational support and has had discussions with Ms. Cook and Dr. Daley but has not yet gone to the Board of Supervisors for review and vote.

On a motion made by Ms. Martin, seconded by Mr. Walter, and the following vote, the Board approved the MOU as amended with the amendment to the address of 126 East 2<sup>nd</sup> Street Front Royal, and authorized the chair and secretary to sign.

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

- **Use Policy at EDA-Owned Property:** Mr. Petty asked if there were any updates from the Asset Committee who have been looking at securing the parking lot on Kendrick lane. Mr. Jenkins suggested that the Asset Committee take that item back and have a discussion at their next meeting for either a policy or a resolution.

#### New Business:

- **Stephens Industrial Park Covenants:** Ms. Pandak suggested that a motion be adopted that has the word 'repealing the covenants and restrictions in Stephens Industrial Park, authorizing the chair and the secretary to sign the necessary documents for that repeal.'

On a motion made by Ms. Martin, seconded by Mr. Townshend, and the following vote, the Board moved to repeal the covenants.

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

**Closed Session:**

Prior to Ms. Pandak reading the meeting into a closed session, two items were added for discussion. The first being 1325 Progress Drive, and the second was a discussion on debt payments with legal.

On a motion made by Ms. Martin, seconded by Mr. Townshend, the Board entered into a closed session at 9:15 AM

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

- A. 4 matters – Discussion of disposition of publicly held real property Stephens Industrial Park, Avtex Redeployment Site, 1321 Happy Creek Road, 1325 Progress Drive and legal advice related thereto, pursuant to Va. Code § 2.2-3711.A.3 and 8.
- B. 3 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, small business loan program, and one matter of legal advice regarding debt payment pursuant to Va. Code § 2.2-3711.A.7 and 8.

On a motion made by Mr. Wolfe, seconded by Mr. Walter, and the following the vote, the Board exited the closed session and certified at 10:37AM.

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

**Additional New Business (if needed):**

None at this time

**Adjournment:**

On a motion made by Mr. Wolfe, seconded by Mr. Townshend, and the following vote, the meeting was adjourned at 10:40AM.

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