



Regular Meeting Agenda

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

Call to Order:

Mr. Walter called the meeting to order at 8:00 AM with the following roll call:

Walter, here; Ashworth, present; Wolfe, here; Martin, here; Townshend, here; MacDougall, here

Mr. Townshend participated virtually from Kentucky where he was attending a work conference. Mr. MacDougall participated virtually from Scotland where he was visiting family.

Adoption of Agenda:

Mr. Walter added an item of Consultation with Legal Counsel regarding First Bank & Trust to the Closed Session. Ms. Pandak added that the matter was advice from Counsel on the use of Public Funds. On a motion by Mr. Wolfe, seconded by Ms. Martin, and the following vote, the Board approved the agenda as amended.

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

Approval of Minutes – February 21, 2024 & March 8, 2024 (March 8th Struck):

On a motion by Ms. Martin, seconded by Mr. Wolfe, and the following vote, the Board approved the February 21st minutes as presented.

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

Reports:

- A. **Executive Committee:** Mr. Walter asked those members who intend to resign to have their official letters submitted by the end of the Month to allow the Board of Supervisors to back-fill with a 30-Day notice.
- B. **Asset Committee:** Ms. Martin stated that the EDA will continue with the 1325 Progress Drive month-to-month lease, and Mr. MacDougall is working on a new lease for them. Mr. Petty stated that the payment for Stephens Industrial is squared away. Documents were signed and sent via courier the day before. Ms. Pandak stated that payment will go directly from Baugh Drive LLC to First Bank & Trust due to committed proceeds.
- C. **Finance Committee/Budget Update:** Mr. Petty stated that the Board of Supervisors is still having work sessions twice a week to discuss the budget on a broad scale. In terms of the Small Business Loan Program updates, he met with an applicant last week, but some documents were missing. The applicant was sent to SBDC for assistance in completing the documents. Furthermore, Mr. Petty discussed a possible process of writing off some of the smaller loans that have become delinquent. Mr. Walter suggested giving the EDA a single roster to review and vote to decide which loans to write off. Mr. Wolfe asked for notation whether the loan is for an entity or an individual. He mentioned that this information would provide a good learning experience for the community.
- D. **Board Members Updates - Warren County Director of Economic Development Update:** Mr. Petty stated that the EDA received a few vehicles recently and is moving forward with getting rid of them but one is in disrepair. Furthermore, Mr. Petty attended the VEDA Conference in Charlottesville.

New Business

- A. **P.O. Box Designation:** Mr. Petty stated that the P.O. Box has been renewed with a small box to save on costs. However, the old name registered must be changed. A resolution, confirmation in the minutes, or something in writing would add a new name to it. Mr. Petty recommended that that it be the current Chair.

On a motion by Mr. Wolfe, seconded by Ms. Martin, and the following vote, the Board voted to put the current Chair's name on the post office account.

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

Closed Session:

At 8:22 AM Ms. Pandak read the meeting into a closed session with the following matters:

- 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, Avtex Redevelopment Site, 1325 Progress Drive, Happy Creek Technology Park, 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*, *EDA vs Jennifer McDonald & Samuel North (158 Faith Way)*, pursuant to Va. Code §§ 2.2-3711.A.7 and 8.
- C. 1 matter - Consultation with legal counsel regarding specific legal matter First Bank & Trust, regarding use of Public Funds, pursuant to Va. Code §§ 2.2-3711. A.6 and A.8

On a motion by Mr. Wolfe, seconded by Ms. Martin, and the following vote, the Board entered in a closed session.

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

Mr. Townshend certified and exited the meeting at 9:15 AM

On a motion made by Ms. Martin, seconded by Mr. Wolfe, and the following the vote, the Board exited the closed session and certified at 9:40 AM.

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

Additional New Business

On a motion by Ms. Martin, seconded by Mr. Wolfe, and the following vote, the Board approved a confidential settlement agreement.

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

On a motion by Mr. Ashworth, seconded by Ms. Martin, and the following vote, the Board approved a resolution to take a voluntary nonsuit as to each of the lawsuits filed by the EDA against the Town of Front Royal.

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

On a motion by Ms. Martin, seconded by Mr. Ashworth, and the following vote, the Board approved to accept \$350,000.00 by certified check from Jennifer McDonald and Samuel North to convey title to 158 Faith Way in settlement of litigation regarding the property, no later than April 5, 2024.

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

On a motion by Mr. Ashworth, seconded by Mr. Wolfe, and the following vote, the Board approved a motion to engage with TimberlakeSmith for the EDA General Counsel beginning May 1, 2024.

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

Adjournment

On a motion by Mr, Ashworth, seconded by Ms. Martin, the meeting was adjourned at 9:48 AM.