



ECONOMIC DEVELOPMENT AUTHORITY
OF THE COUNTY OF CUMBERLAND, VIRGINIA

MEETING
Tuesday, March 23, 2021, 9:00 a.m.
Cumberland County Circuit Court Room A
Cumberland County Courthouse

	<u>Action Needed</u>
1. Call to Order	Bring to Order
2. Roll Call and Establish Quorum	Quorum
3. Approval of Agenda	Motion
4. Approval of Minutes from July 28, 2020, September 22, 2020, and November 24, 2020	Motion
5. Approve meeting schedule for 2021.....	Motion
6. Closed Meeting: Va. Code§ 2.23711.A.8.....	Motion
<p>Pursuant to Va. Code § 2.2-3711.A.8: Consultation with Legal Counsel regarding specific legal matters regarding the provision of legal advice by counsel.</p> <p>Subject: Discussion regarding issues with County owned real estate.</p>	
7. Reconvene in Open Meeting and Certification Vote	Motion
8. Public Comment	Discussion
9. Old Business	Discussion
10. New Business	Discussion
11. Additional Information.....	Discussion
12. Adjourn to next regular meeting April 27, 2021.....	Motion

**MINUTES OF THE ECONOMIC DEVELOPMENT AUTHORITY
REGULAR MEETING
CIRCUIT COURTROOM, CUMBERLAND COURTHOUSE
CUMBERLAND COUNTY COURTHOUSE COMPLEX
MONDAY, JULY 28, 2020
9:00 A.M.**

PRESENT: Fred Shumaker, Director
John Godsey, Director
Leroy Pfeiffer, Sr., Director
James Ennis, Director

ABSENT: James Henshaw, Director
Jack Lawhorne, Director
Joe Hazlegrove, Director

ALSO PRESENT: Don Unmussig, County Administrator
Brian Butler, County Attorney
Stephany S. Johnson, Deputy Clerk to the Board

CALL TO ORDER AND ROLL CALL

Director Shumaker called to order the meeting of the Economic Development Authority of Cumberland County, Virginia on Tuesday, July 28, 2020 at 9:28 AM and a quorum was established.

APPROVAL OF AGENDA

On a motion by Director Pfeiffer and seconded by Director Ennis, the agenda was approved as presented. The motion passed 4-0.

APPROVA OF MINUTES

On a motion by Director Pfeiffer and seconded by Director Godsey, the minutes of the Economic Development Authority from the meetings on January 28, 2020, May 4, 2020, June 3, 2020, and June 15, 2020 were approved as presented. The motion passed 4-0.

FOLLOW-UP ON TIMBERING OF EDA BUSINESS PARK PROPERTY

County Administrator, Don Unmussig, informed the Authority that the timbering of the property was complete, and staff had received \$52,436.06 to date.

STATEMENT OF ECONOMIC INTEREST FORM REQUIREMENTS

Deputy Clerk, Stephany Johnson, informed the Authority, that effective July 1, 2020, EDA Directors are required to submit a Statement of Economic Interest form with the Clerk in place of the previously required Financial Disclosure Form. This new requirement mandates that the first submission covers July 1, 2019-June 30, 2020 and is due by August 3, 2020.

PUBLIC COMMENTS

None.

OLD BUSINESS

County Attorney, Brian Butler, informed the Authority that Williams Mullen, the Bond Counsel for the Braven Project, continue to work on the bond documents, and will provide to counsel as they are available for the county to hold a public hearing.

NEW BUSINESS

Director Shumaker refused to sign the Statement of Economic Interest Form and states that it is too invasive for a volunteer organization and resigned from the EDA. He stated that Director Henshaw felt the same way, and also submitted his resignation. Director Pfeiffer asked if he would be in violation if he refused to sign though his term expires August 31st. County Attorney, Brian Butler, responded in the affirmative. Directors Pfeiffer and Godsey were in agreement with Directors Shumaker and Henshaw and considered refusing to sign the forms.

Mr. Unmussig respectfully asked that he either received a written resignation or the required Statement of Economic Interest Forms.

ADDITIONAL INFORMATION

ADJOURN

On a motion by Director Pfeiffer, and seconded by Director Godsey, the Authority adjourned the meeting until the next regular meeting to be held on September 22, 2020 at 9AM in the County Administration Building Board meeting Room, Cumberland County Courthouse Complex in Cumberland, Virginia, unless a meeting is called prior.

**MINUTES OF THE ECONOMIC DEVELOPMENT AUTHORITY
REGULAR MEETING
CIRCUIT COURTROOM, CUMBERLAND COURTHOUSE
CUMBERLAND COUNTY COURTHOUSE COMPLEX
TUESDAY, SEPTEMBER 22, 2020
9:00 A.M.**

PRESENT: James Ennis, Director
Joe Hazlegrove, Director
John Mistichelli, Director
John Seal, Director

ABSENT: Jack Lawhorne, Director
Cheryl Boswell, Director

ALSO PRESENT: Don Unmussig, County Administrator
Brian Stanley, Board Liaison
Stephany S. Johnson, Deputy Clerk to the Board

CALL TO ORDER AND ROLL CALL

County Administrator, Don Unmussig, called to order the meeting of the Economic Development Authority of Cumberland County, Virginia on Tuesday, September 22, 2020 at 9:02 AM and a quorum was established.

ELECT CHAIRMAN, VICE-CHAIRMAN AND SECRETARY

County Administrator, Don Unmussig opened the floor for nominations. On a motion by Director Hazlegrove and seconded by Director Ennis, the Authority elected Jack Lawhorne as Chairman of the Authority. The motion passed 4-0.

On a motion by Director Hazlegrove and seconded by Director Ennis, the Authority elected Director Seal as Vice-Chairman. The motion passed 4-0.

On a motion by Director Seal and seconded by Director Ennis, the Authority tabled action on the election of a Secretary until the next regular meeting of the Authority.

APPROVAL OF AGENDA

On a motion by Director Ennis and seconded by Director Seal, the agenda was approved as presented. The motion passed 4-0.

APPROVA OF MINUTES

On a motion by Director Seal and seconded by Director Ennis, the minutes of the Economic Development Authority from the meeting on July 28, 2020 were approved as presented. The motion passed 4-0.

ADJOURN INTO CLOSED MEETING

On a motion by Director Seal, and seconded by Director Mistichelli, the Authority entered into closed meeting pursuant to the Virginia Code §2.2-3711 A.6 "Discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected." The subject was "Consideration of the investment of grant funds." The motion carried 4-0.

RECONVENE IN OPEN MEETING

A motion was made by Director Mistichelli, seconded by Director Ennis, and adopted by the following vote:

Mr. Lawhorne -	Absent
Mr. Ennis -	Yes
Mr. Hazlegrove -	Yes
Mr. Mistichelli -	Yes
Mr. Seal -	Yes
Ms. Boswell -	Absent

that the following Certification of a Closed Meeting be adopted in accordance with The Virginia Freedom of Information Act.

WHEREAS, the Economic Development Authority of the County of Cumberland, Virginia has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by this Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Economic Development Authority of the County of Cumberland, Virginia hereby certifies that, to the best of each director's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Economic Development Authority of the County of Cumberland, Virginia; and (iii) no action was taken in closed session regarding the items discussed.

PROJECT UPDATES AND DISCUSSION

County Administrator, Don Unmussig, provided the Authority with an overview of current projects in Cumberland.

PUBLIC COMMENTS

None.

OLD BUSINESS

None.

NEW BUSINESS

Director Seal suggested that the EDA hold a workshop to discuss new development ideas, and initiate discussions regarding a 10-year development plan with goals and benchmarks to attain. The Authority discussed holding such workshop on October 1, 2020 at 6:30 p.m. in the Cafeteria of the Cumberland Community Center. This would allow for appropriate social distancing and allow the new EDA members to tour the property.

ADDITIONAL INFORMATION

None.

RECESS

On a motion by Director Seal and seconded by Director Ennis, the Authority recessed the meeting until the workshop to be held at 6:30 p.m. on October 1, 2020, at the Cumberland Community Center Cafeteria.

**MINUTES OF THE ECONOMIC DEVELOPMENT AUTHORITY
REGULAR MEETING
CIRCUIT COURTROOM, CUMBERLAND COURTHOUSE
CUMBERLAND COUNTY COURTHOUSE COMPLEX
TUESDAY, NOVEMBER 24, 2020
9:00 A.M.**

PRESENT: Jack Lawhorne, Chairman
James Ennis, Director
John Mistichelli, Director
John Seal, Vice-Chairman

ABSENT: Joe Hazlegrove, Director
Cheryl Boswell, Director

ALSO PRESENT: Don Unmussig, County Administrator
Brian Stanley, Board Liaison
Stephany S. Johnson, Deputy Clerk to the Board

CALL TO ORDER AND ROLL CALL

County Administrator, Don Unmussig, called to order the meeting of the Economic Development Authority of Cumberland County, Virginia on Tuesday, November 24, 2020 at 9:02 AM and a quorum was established.

APPROVAL OF AGENDA

On a motion by Director Seal and seconded by Director Mistichelli, the agenda was approved as presented. The motion passed 4-0.

APPROVA OF MINUTES

On a motion by Director Mistichelli and seconded by Director Seal, the minutes of the Economic Development Authority from the meeting on October 1, 2020 were approved as presented. The motion passed 4-0.

ADJOURN INTO CLOSED MEETING

On a motion by Director Seal, and seconded by Director Ennis, the Authority entered into closed meeting pursuant to the Virginia Code §2.2-3711 A.8 "Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel." The motion carried 4-0.

RECONVENE IN OPEN MEETING

A motion was made by Director Seal, seconded by Director Mistichelli, and adopted by the following vote:

Mr. Lawhorne -	Yes
Mr. Ennis -	Yes
Mr. Hazlegrove -	Absent
Mr. Mistichelli -	Yes
Mr. Seal -	Yes
Ms. Boswell -	Absent

that the following Certification of a Closed Meeting be adopted in accordance with The Virginia Freedom of Information Act.

WHEREAS, the Economic Development Authority of the County of Cumberland, Virginia has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by this Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Economic Development Authority of the County of Cumberland, Virginia hereby certifies that, to the best of each director's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Economic Development Authority of the County of Cumberland, Virginia; and (iii) no action was taken in closed session regarding the items discussed.

SET PUBLIC HEARING – BRAVEN ENVIRONMENTAL SOLID WASTE DISPOSAL RECYCLING FACILITY BOND FINANCING

On a motion by Director Mistichelli and seconded by Director Seal, the EDDA set a public hearing for Braven Environmental Solid Waste Disposal Recycling Facility Bond Financing for November 24, 2020. The motion carried 4-0.

PUBLIC HEARING – BRAVEN ENVIRONMENTAL SOLID WASTE DISPOSAL RECYCLING FACILITY BOND FINANCING

Mr. Doug Sbertoli, Bond Counsel for the Braven Project presented a summary of the financing, an affidavit of publication for the public hearing, the EDA's Inducement Resolution that was approved and adopted June 3, 2020, and the Company's Fiscal Impact Statement. Ms. Liz Saunders, General Counsel for the Braven Project, participated electronically by telephone.

The Chairman opened the public hearing. There were no comments received prior to the meeting, and there were no citizens signed up to speak. Board liaison, Brian Stanley, stated that this project will bring well-paid job opportunities to the citizens of Cumberland. This type of thinking not only reduces the use of traditional fuels, therefore lowering the state's carbon footprint, but it also reduces the volume of waste in the environment. With no other speakers, the Chairman then closed the public hearing.

On a motion by Director Ennis and seconded by Director Seal, the Authority approved the Braven Environmental Solid Waste Disposal Recycling Facility Bond Financing. The motion carried 4-0

APPROVE MEETING SCHEDULE FOR 2021

On a motion by Director Ennis and seconded by Director Seal, the Authority tabled action on this item until January 26, 2021. The motion carried 4-0.

PUBLIC COMMENTS

Ms. Earlene Canaan asked about any potential impact the project would have on emergency services in the county.

OLD BUSINESS

None.

NEW BUSINESS

None.

ADDITIONAL INFORMATION

None.

ADJOURN

On a motion by Director Seal and seconded by Director Mistichelli, the Authority adjourned the meeting until January 26, 2021 at 9:00 a.m., in the Board meeting room of the Cumberland Courthouse.

MOTION TO RETURN TO OPEN SESSION

Mr./Mrs. Chairman, I move that the Cumberland County Economic Development Authority adopt the resolution provided and that each member certify that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in closed meeting to which this certification applies, (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Cumberland County Economic Development Authority, and (iii) no action was taken in closed meeting regarding the items discussed.

RESOLUTION

The Authority returned to regular session on a motion by the Chairman.

A motion was made by Director _____, and adopted by the following vote:

Mr. Ennis -
Ms. Boswell -
Mr. Mistichelli -
Mr. Seal -
Mr. Lawhorne -
Mr. Hazlegrove -
Ms. Larson -

that the following Certification of a Closed Meeting be adopted in accordance with The Virginia Freedom of Information Act:

WHEREAS, the Economic Development Authority of Cumberland County has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by this Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Economic Development Authority of Cumberland County hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board of Supervisors of Cumberland County; and (iii) no action was taken in closed meeting.