

Directors

Samantha Livesay
Dr. Charmaine Troy
Mike Miller
Mark Husband



*James Taylor, III
Chairman*
*Joseph Ferrell, Jr.
Vice-Chairman*
*Brian T. Hamilton
Secretary/Treasurer*
*Martin M. McMahon
Attorney*

Minutes

Tuesday, May 11, 2021 – 12:00 P.M.

Board of Directors Regular Meeting – Zoom

Economic Development Authority of Montgomery County, Virginia

James Taylor – Chair, Presiding

The Economic Development Authority of Montgomery County, Virginia held a regular meeting via Zoom on Tuesday, May 11, 2021. Those in attendance were: Chair James Taylor; Vice-Chair Joseph Ferrell; and Directors: Samantha Livesay; Dr. Charmaine Troy; Mike Miller; and Mark Husband. Also in attendance were: Reid Broughton, Incoming Director; Craig Meadows, County Administrator; Angie Hill, Assistant County Administrator; Marty McMahon, County Attorney; Brian Hamilton, Economic Development Director; Brenda Rigney, Project Manager; Rachel Cline, Project Manager; Ashley Dugan, Economic Development Assistant and Nancy Turner, Program Assistant.

OPENING REMARKS**Declaration of Quorum**

Chair Taylor declared a quorum was present, and called the meeting to order at 12:01 P.M.

Public Notification

Chair Taylor read aloud the following public notification:

The Economic Development Authority of Montgomery County, Virginia, (EDA) will meet virtually on Tuesday, May 11, 2021, at 12 p.m.

The EDA Board of Directors will hold its regular monthly meeting. The EDA will enter into a Closed Meeting for the purpose of Discussion concerning a prospective business or industry or the expansion of an existing business or industry, where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community. 1. Project 2021007 and 2. Project 2021010.

DEPARTMENT OF ECONOMIC DEVELOPMENT

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Declarations of Emergency have been made at all levels of government including Montgomery County. A disaster exists which requires the County to assure continuity of government for a period not to exceed six (6) months. During a declared disaster, the Code of Virginia requires and allows governing bodies to conduct their meetings in manners which are consistent with providing continuity of government and in a safe and healthy manner, and for the public safety, health and welfare of the Board of Directors of the EDA and all attendees/ interested parties consistent with open government.

The COVID-19 virus makes it impractical and unsafe for the Board of Directors of the EDA to physically assemble in one location. The virus also makes it impractical and unsafe, as well as potentially life threatening, for the public and the EDA staff to gather in the same location to participate in the scheduled meeting for the following items of business:

1. Approval of March 16, 2021 Minutes
2. Review and acceptance of the Treasurer's Report
3. Enter into a Closed Meeting for the purpose of Discussion concerning a prospective business or industry or the expansion of an existing business or industry, where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community. 1. Project 2021007 and 2. Project 2021010.
4. Falling Branch Lot 2D Plat

In an effort to meet the guidelines that have been outlined by both federal and state government public health and elected officials, the virtual meeting of the EDA can be viewed online at:

<http://bit.ly/May11Meeting> for Video
<http://bit.ly/May11Audio> or +1 646 558 8656 for Audio

Meeting ID: 842 0078 8995

Passcode: 498038

The May 11 EDA meeting agenda can be viewed at:

<https://montva.com/economic-development/agendas-and-minutes>

Approval of Agenda

On a motion by Director Miller, seconded by Director Livesay, and carried on a vote of 5-0, with Director Husband not yet arrived, the agenda was accepted as presented.

The vote on the foregoing motion was as follows:

<u>Aye</u>	<u>Nay</u>	<u>Absent During Vote</u>	<u>Absent During Meeting</u>
James Taylor			Mark Husband
Joe Ferrell			
Samantha Livesay			
Charmaine Troy			
Mike Miller			

Introduction of Guests

Chair Taylor introduced Reid Broughton to the group. Mr. Broughton is an incoming member of the EDA Board of Directors, contingent on taking his oath of office. He brings a broad knowledge and expertise to the Board.

Chair Taylor also thanked Director Troy for her service to the Board. Director Troy is leaving her position effective May 13, and has accepted a new job at Georgia Tech.

CONSENT AGENDA

Approval of Minutes of the March 16, 2021 meeting- Exhibit Tab 1

On a motion by Director Livesay, seconded by Director Miller, and carried by a vote of 5-0, the minutes dated March 16, 2021, were approved.

The vote on the foregoing motion was as follows:

<u>Aye</u>	<u>Nay</u>	<u>Absent During Vote</u>	<u>Absent During Meeting</u>
James Taylor			Mark Husband
Joe Ferrell			
Samantha Livesay			
Charmaine Troy			
Mike Miller			

Review and Acceptance of the Treasurer’s Report – Exhibit Tab

Ms. Hill said that not much had changed on the report since her last presentation. Asked about upcoming expenses, Ms. Hill said the only expense the county is expecting is for mowing and other upkeep at Falling Branch Corporate Park. The county has transferred \$11,000 to the EDA to cover that cost, and the transfer will recur annually at the start of each fiscal year.

On a motion by Director Miller, seconded by Vice-Chair Ferrell, and carried by a vote of 4-0-1, the Treasurer’s Report dated April 28, 2021, was accepted as presented. Director Husband arrived in the meeting midway through Ms. Hill’s presentation and thus abstained from the vote.

The vote on the foregoing motion was as follows:

<u>Aye</u>	<u>Nay</u>	<u>Abstaining</u>	<u>Absent During Vote</u>
James Taylor		Mark Husband	Charmaine Troy
Joe Ferrell			
Samantha Livesay			
Mike Miller			

INTO CLOSED MEETING

On a motion by Vice-Chair Ferrell, seconded by Director Livesay, and carried by a vote of 6-0, BE IT RESOLVED, The Economic Development Authority hereby enters into Closed Meeting for the purpose of discussing the following:

§2.2-3711

(5) Discussion concerning a prospective business or industry or the Expansion of an existing business or industry where no previous announcement has been made of the businesses or industries interest in locating or expanding its facilities in the Community

1. Project 2021007
2. Project 2021010

The vote on the foregoing motion was as follows:

<u>Aye</u>	<u>Nay</u>	<u>Absent During Vote</u>	<u>Absent During Meeting</u>
James Taylor			
Joe Ferrell			
Samantha Livesay			
Charmaine Troy			
Mike Miller			
Mark Husband			

OUT OF CLOSED MEETING

On a motion by Vice-Chair Ferrell, seconded by Director Troy, and carried by a vote of 6-0,

BE IT RESOLVED, The Economic Development Authority hereby ends its Closed Meeting and returns to Regular Session.

The vote on the foregoing motion was as follows:

<u>Aye</u>	<u>Nay</u>	<u>Absent During Vote</u>	<u>Absent During Meeting</u>
James Taylor			
Joe Ferrell			
Samantha Livesay			
Charmaine Troy			
Mike Miller			
Mark Husband			

CERTIFICATION OF CLOSED MEETING

On a motion by Director Miller, seconded by Vice-Chair Ferrell, and carried unanimously,

WHEREAS, The Economic Development Authority of Montgomery County, Virginia has convened a closed meeting on this date in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires certification by the Economic Development Authority of Montgomery County, Virginia that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Economic Development Authority of Montgomery County, 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; and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed, or considered by the Economic Development Authority of Montgomery County, Virginia.

The vote on the foregoing motion was as follows:

<u>Aye</u>	<u>Nay</u>	<u>Absent During Vote</u>	<u>Absent During Meeting</u>
James Taylor			
Joe Ferrell			
Samantha Livesay			
Charmaine Troy			
Mike Miller			
Mark Husband			

ACTION FROM CLOSED SESSION

County Attorney Marty McMahon introduced a resolution which laid out the county's performance agreement with Corning, Inc. Asked whether Corning's performance would be monitored via an annual audit, Mr. McMahon explained that due diligence is conducted on every such agreement. Economic Development staff verify taxes paid by the business first, then Finance Department staff confirm when rebates are issued.

Following closed session, on a motion by Vice-Chair Ferrell, seconded by Director Livesay, and carried by a vote of 6-0, the Economic Development Authority approved the following resolution:

RESOLUTION APPROVING PERFORMANCE AGREEMENT WITH CORNING INCORPORATED

WHEREAS, Corning Incorporated ("Corning") intends to expand capacity and increase efficiency by upgrading the existing machinery and tools at its present operations

located at 3050 North Franklin St in Christiansburg, Montgomery County, Virginia (the "Site"); and

WHEREAS, Corning intends to make a new capital investment of \$15 million in "real estate" and "machinery" and "tools", as such terms are defined in the Code of Virginia,

§58.1-1101, at Corning's Site over a three-year period, beginning in the 2021 calendar year (the "Investment") and maintain at a minimum 90% of the current employment level of the 390 at the Site; and,

WHEREAS, in return for Corning's planned Investment at the Site, the Economic Development Authority of Montgomery County, Virginia, (the "Authority") agrees, subject to the terms and conditions of the Performance Agreement, to provide the Corning with an annual Economic Development Grant over a five year period ("Grant Period"), not to exceed \$400,000, equal to fifty percent (50%) of the new real estate and machinery and tools taxes paid by the Corning to Montgomery County, Virginia each year during the Grant Period specifically attributed to the increase in the real estate and the machinery and tools assessment due to the new Investment by Corning.

NOW THEREFORE BE IT RESOLVED, By the Economic Development Authority of Montgomery County, Virginia that the Authority hereby agrees to enter into a Performance Agreement with Corning dated May 11, 2021, whereby the Authority agreed to provide an Economic Development Grant over a five year period not to exceed \$400,000 equal to fifty percent of the new real estate and machinery and tools taxes paid by Corning to Montgomery County due to the new \$15 Million capital investment at the Corning site in Montgomery County, Virginia; and

BE IT FURTHER RESOLVED, By the Economic Development Authority of Montgomery County, Virginia, that the Authority hereby authorizes and directs the Chairman and/or

Vice-Chairman, of the Economic Development Authority of Montgomery County, Virginia, to execute the Performance Amendment on behalf of the Authority.

The vote on the foregoing motion was as follows:

<u>Aye</u>	<u>Nay</u>	<u>Absent During Vote</u>	<u>Absent During Meeting</u>
James Taylor			
Joe Ferrell			
Samantha Livesay			
Charmaine Troy			
Mike Miller			
Mark Husband			

GENERAL BUSINESS

Falling Branch Lot 2D

Brian Hamilton informed the EDA that Project Battery has taken an option on Lot 2D. When county staff consulted its records, they discovered the parcel comprised 7.5 acres. They worked with Hurt & Proffitt to move the property line and make it exactly six acres, and added the remainder onto an adjacent property. This does not need approval by the Christiansburg Town Council, but only by Town staff. The Economic Development Department is currently waiting for comment.

2021 Broadband Update

As a result of COVID-19 and a few other items, Montgomery County decided to re-hire Thompson & Litton to perform an update to its 2019 survey about broadband availability, at a cost of \$25,000. The survey looked at existing systems in Montgomery County—what fiber networks we already have and where. Information about these networks and proposals for how to extend them will be used in future Virginia Telecommunications Initiative (VATI) grant applications.

Thompson & Litton used survey data to consider where the county and private partners could build fiber and reach the greatest number of new residences. Directors should consider this document a “roadmap” for the county, Mr. Hamilton said, but buildouts will happen over many years and be expensive. County Administrator Craig Meadows added that fiber is similar to a highway. Providers can branch off backbone fiber that already exists, so investments will penetrate into the county.

VATI 2021 Grant

Mr. Hamilton informed the Board of Directors that Montgomery County and GigaBeam applied for a 2021 VATI grant and received an award of \$919,000, which will help reach portions of Shawsville, Elliston, Lafayette, and Alleghany with broadband service. The County contributed \$141,000 in matching funds to the project, which will include 1,292 new passings.

Mr. Hamilton explained that Gigabeam is a company based in West Virginia, which also serves nearby Giles County, Va. Montgomery County issued a Request for Proposals for internet service providers to collaborate on the VATI project and Gigabeam was one of four companies that responded. The county selected GigaBeam as a partner for any fixed wireless and fiber projects in the future.

Asked whether the county considered investing in satellite technology instead of fixed wireless because of potential cost savings, Mr. Hamilton said satellite wasn't a feasible option. It's often not considered capable of providing “broadband service” because its up- and download speeds are too slow.

Annual Meeting 2021

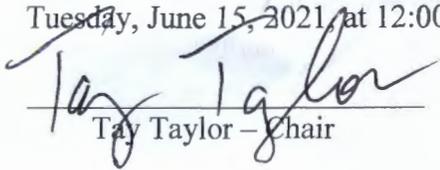
The EDA’s Annual Meeting will be held June 15. At that meeting, the Board will elect officers and approve a new EDA budget. Mr. Hamilton suggested that if the current Board is amenable, sitting officers could continue their tenure for another term, given the interruption of COVID-19 last year. Both Chair Taylor and Vice-Chair Farrell confirmed that they’d be willing to continue serving.

Asked about the possibility of EDA meetings returning to in-person, Mr. Meadows said the county is awaiting guidance from Gov. Northam, which is expected in mid-June. He said it’s possible MP II, a room within the Government Center, would be large enough to accommodate an in-person meeting with distancing and mask-wearing.

Mr. Hamilton said he will reach out to the Board of Directors prior to June 15 with more information about the location of the meeting.

ADJOURNMENT

The meeting was adjourned at 12:41 P.M. The next meeting is tentatively scheduled for Tuesday, June 15, 2021, at 12:00 P.M.



Tay Taylor – Chair



Brian T. Hamilton, Secretary/Treasurer