

KINGS CREEK COMMERCE CENTER COMMITTEE

of the

Eastern Virginia Regional Industrial Facility Authority

MEETING MINUTES

March 29, 2024

Committee Members:

Adams, Yuri (Williamsburg)
 Callis, Dave (Poquoson)
 Carter, Mark (York County)
 Hoege, Howard (Newport News)
 Hux, David (Poquoson)

A	X
	X
P	X
	X
P	X

Kingston, Florence (Newport News)
 Lynch, Steven (Hampton)
 Olsen, Kristi (York County)
 Philipsen, Harold (Williamsburg)
 Olsen, Kristi (York County)

A	X
A	X
A	
P	X
A	

Rountree, Renee (Isle of Wight Co)
 Sutphin, Kristi (Isle of Wight Co)
 Tuck, Donnie (Hampton)

	X
	X
P	X

X-denotes Present; P-Denotes Primary Member; A- Denotes Alternate Member

Guests: Steve Harrison, Jim Noel, Steve Meade, Esq.

Location: Brooks Crossing Innovation and Opportunity Center, Boykin Room, 550 30th Street, Newport News, VA 23607

1. Call to Order

The regular meeting of the Kings Creek Commerce Center (KCCC) Committee (Committee) of the Eastern Virginia Regional Industrial Facility Authority (EVRIFA) was called to order at 9:00 a.m. by Chair Mark Carter.

2. Public Comment

Chair Carter provided an opportunity for public comment. There were no comments.

3. Approval of Jan. 18, 2024 KCCC Committee Meeting Minutes

One correction on Paragraph Number 3, for Jim Noel's explanation to be completed.

Motion: Harold Philipsen made a Motion to approve with the correction as noted.

Second: Renee Rountree seconded the Motion.

Vote: The Motion was unanimously approved.

4. Financial Report

Jim Noel provided an update on the financials for the KCCC and noted his appreciation as all Localities have paid. Mr. Noel noted there are no new expenses and only minor variations from budget.

5. Proposed TRC Engineers Support Contract

Jim Noel explained the need for KCCC Project engineering support to answer questions, serve as consulting experts on design issues, and to provide engineering drawings as needed (for example, when a prospective purchaser may need an exhibit). The maximum contract amount would be \$10,000.00 and there are adequate funds available.

Renee Rountree asked about the term for the agreement. Mr. Noel replied that it would be an open-ended support agreement, with an annual renewal provision.

Steven Lynch asked if the public procurement requirements have been followed. Mr. Noel replied that this contract is linked to the existing contract through the original agreement, obtained via York County Procurement on behalf of EVRIFA.

Mr. Meade confirmed that this complies with the Virginia Public Procurement Act.

Motion: Florence Kingston made a Motion to approve the TRC Engineers Support Contract.

Second: Renee Rountree seconded the Motion.

Vote: The Motion was unanimously approved.

6. **New Business** – None

7. **Closed Session**

Mr. Carter advised the Committee that it was in his judgment appropriate for the Committee to enter into a closed meeting as authorized by Sections 2.2-3711(A)(3) and 2.2-3711(A)(5) of the Virginia Freedom of Information Act for the purposes of:

Discussions or consideration of the disposition of publicly held real property, specifically a proposal from a prospective buyer of a portion of the Kings Creek Commerce Center, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Committee.

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, specifically an unannounced potential project in the Kings Creek Commerce Center.

Mr. Carter requested a motion for the Committee to enter into a closed meeting to discuss matters for the aforesaid purposes, and that the Authority deems it necessary, as specified by the Virginia Freedom of Information Act, that non-members Jim Noel, Steve Harrison, and Steve Meade, Esq., be present during the closed meeting.

MOTION: to enter into the closed meeting by Mr. Lynch.

SECONDED: by Mr. Tuck.

VOTE: on roll call the vote was:

Yea (8) Carter; Hux; Kingston; Lynch; Philipsen; Rountree; Tuck; Williams

Nay (0)

The Committee entered into closed meeting at 9:14 a.m.

RETURN from Closed Meeting: The Committee returned to open meeting at 9:46 a.m.

ROLL CALL VOTE CERTIFYING COMPLIANCE WITH SECTIONS 2.2-3711(A)(3) AND 2.2-3711(A)(5) OF THE CODE OF VIRGINIA

After returning from the closed meeting, Mr. Carter opened the floor for a motion indicating that, to the best of each member's knowledge, only public business matters lawfully exempted from the open meeting requirements specified under the Virginia Freedom of Information Act were discussed in the closed meeting.

MOTION: Ms. Rountree

SECONDED: Mr. Tuck

Mr. Carter stated that if a member of the Committee believed that there was a departure from the requirements of the Virginia Freedom of Information Act, they are required by law to state their objection prior to the vote indicating the substance of the departure that, in their judgment, had taken place. No objections being raised, roll call followed.

VOTE: on roll call the vote was:

Yea (8) Carter; Hux; Kingston; Lynch; Philipsen; Rountree; Tuck; Williams

Nay (0)

ACTIONS COMING OUT OF CLOSED MEETING: None

8. Adjournment

There being no further business requiring the action of the Board, the meeting was adjourned at 9:49 a.m.


Mark Carter, Chair