

*Minutes of the Town of Bedford*

## Economic Development Authority

The Economic Development Authority held a regular meeting on Friday, April 14, 2023, at 1:00 p.m. in the Council Hall, Town Municipal Building, 215 East Main Street, Bedford, VA 24523.

**Board members present:**

Mr. Jonathan Buttram, Chairman; Mr. David Sensenig, Vice-Chairman; Ms. Lynn Scott; Mr. Kevin Turner; and Mrs. Michelle Crumpacker

**Board members absent:**

Mr. Ryan Kirkpatrick and Mrs. Liz Brown

**Staff present:**

Ms. Mary Zirkle, Director of Planning and Community Development; Mrs. Anne Cantrell, Director of Finance; and Ms. Cathy Johnson, Administrative Assistant

**Staff absent:**

None

**Other present:**

Mr. Theodore Craddock of Caskie & Frost, Attorney of Record for Economic Development Authority

**Other absent:**

None

**Meeting Called to Order:**

The Chair called the meeting to order. There was a quorum present for conducting business.

The Clerk gave the roll-call:

Mr. Turner	Present
Ms. Scott	Present
Mr. Kirkpatrick	Absent
Mrs. Brown	Absent
Mrs. Crumpacker	Present
Mr. Sensenig	Present
Mr. Buttram	Present

**Approval of Minutes:**

Ms. Scott made a motion to approve the February 15, 2023 and March 21, 2023, minutes and Mr. Turner seconded. The motion carried 5-0 to approve the minutes as presented.

**Remarks by Chairman and Members:**

None.

**Reports from Town Staff:**

Mrs. Cantrell gave the financial report for January and February 2023. Mr. Buttram stated that unexpected costs accrued with the Winoa project. Mr. Buttram wanted to shut-off the primary electric service to the building following closing on the property. He stated although this would cause a problem for the BRWA pump station, the Town should not be responsible for paying the utility bills.

**Reports from Attorney:**

Mr. Craddock gave an update on the Winoa closing date. He stated that the attorney had not called back.

**Incentives:**

200 E. Depot Street: The Proprietors Group of Bedford, LLC performed real property improvements for an upper-level residential unit development above the 124 North Bridge Street storefront. The cost of work totaled \$107,202.06 per documented expenditures submitted to staff.

The property is located within the Downtown area; therefore, a real property incentive of 10% of the amount of improvement between \$15,000 and \$100,000. The 10% reimbursement incentive on \$107,202.06 would be the maximum allowed at \$10,000 since the expenses reached the \$100,000 cap. Mr. Sensenig made a motion to grant the \$10,000.00. Ms. Scott seconded.

The Chair asked for a roll call vote:

Mr. Turner	Aye
Ms. Scott	Aye
Mr. Kirkpatrick	Absent
Mrs. Brown	Absent
Mrs. Crumpacker	Aye
Mr. Sensenig	Aye
Mr. Buttram	Aye

The vote carried 5-0, to grant \$10,000.00 incentive to The Proprietors Group of Bedford, LLC.

401 East Main Street: Bella Italia Restaurant performed real property improvements work over time between 2021 to 2023. After reviewing the work receipts, staff removed ineligible expenditures related to repairs/maintenance.

Staff stated that in 2020 a façade incentive for Magic Ice Cream was approved, so the owner has \$1,200.00 left for façade improvements.

The property is located within the Downtown area; therefore, the Downtown Area incentive would apply for 10% of the amount of improvement between \$15,000 and \$100,000. The 10% reimbursement incentive on \$55,418.15 would be the maximum allowed at \$5,541.81 since the expenses reached the \$100,000 cap. Ms. Scott made a motion to grant the \$5,541.81. Mrs. Crumpacker seconded.

The Chair asked for a roll call vote:

Mr. Turner	Aye
Ms. Scott	Aye
Mr. Kirkpatrick	Absent
Mrs. Brown	Absent
Mrs. Crumpacker	Aye
Mr. Sensenig	Aye
Mr. Buttram	Aye

The vote carried 5-0, to grant \$5,541.81 incentive to Bella Italia Restaurant.

119 North Bridge Street: Seth and Nirva Ready, the owners, performed work on the upper-level apartment above LeeAnne Ashley Dance Studio in 2022 and 2023 for real property improvements.

Staff explained that the expense request is what the owner paid his father, a contractor that does not live in the area, in food and lodging expenses instead of labor. Staff stated that 10% of \$2,556.51 in the contractor category would be \$255.65 of the total reimbursement. Staff stated what were eligible expenditures and what were properly categorized. The property is located within the Downtown area footprint; therefore, the incentive would apply for 10% of \$73,491.14 would be \$7,349.11, which includes the \$458 of his father's expenses. The Authority stated that it was not comfortable with including the food and lodging expenses, so \$256.00 of his father's expenses was deducted from the \$7,349.11. Mr. Sensenig made a motion to grant \$7,093.00. Ms. Scott seconded.

The Chair asked for a roll call vote:

Mr. Turner	Aye
Ms. Scott	Aye
Mr. Kirkpatrick	Absent
Mrs. Brown	Absent
Mrs. Crumpacker	Aye
Mr. Sensenig	Aye
Mr. Buttram	Aye

The vote carried 5-0, to grant \$7,093.00 incentive to Seth and Nirva Ready.

#### **Unfinished Business:**

Mr. Buttram gave an update on Winoa property since it is out of closed session. He stated that the Authority had not decided on a leasing agreement with Mr. Hunter Allen. Mr. Buttram discussed the property improvements and that the Town owns the rail spur at Winoa and is

responsible for it. He stated that the Town has to contact Norfolk Southern Railway to reactivate the spur. He discussed applying for a possible industrial property improvement grant and he discussed the GoVirginia grant. Mr. Buttram stated that the closing date for the Winoa property is scheduled in June or July 2023. Mr. Buttram stated that he and staff received emails from the Virginia Tech Engineering Director and that he is excited about the proposal. He stated that the proposal will accrue to about \$40 million dollars and a 50% cost share.

**Closed Session:**

Mr. Craddock read into record to enter closed session pursuant to Section 2.2-3711 (a) (3) and Section 2.2-3711 (a) (5) in the Code of Virginia of 1950, as amended: Section 2.2-3711 (a) (3) for discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; and, Section 2.2-3711 (a)(5) for discussion concerning a prospective business or industry where no previous announcement has been made. The Chair asked for a motion. Mr. Sensenig moved to make the motion to enter into closed session as read and Mr. Turner seconded. The motion carried by a roll call vote 5-0, to enter closed session.

Mr. Turner	Aye
Ms. Scott	Aye
Mr. Kirkpatrick	Absent
Mrs. Brown	Absent
Mrs. Crumpacker	Aye
Mr. Sensenig	Aye
Mr. Buttram	Aye

In addition to EDA members, the following were present during the closed session: Mr. Craddock, Attorney; Ms. Zirkle, Director of Planning and Community Development; Mrs. Cantrell, Finance Director; and Ms. Johnson, Administrative Assistant.

Mr. Craddock advised the Authority to make a motion to exit the closed session. Mr. Sensenig made a motion to exit the closed session, and Mrs. Crumpacker seconded. The motion was carried by a roll call vote of 5-0, to exit closed session. The roll call vote as followed:

Mr. Turner	Aye
Ms. Scott	Aye
Mr. Kirkpatrick	Absent
Mrs. Brown	Absent
Mrs. Crumpacker	Aye
Mr. Sensenig	Aye
Mr. Buttram	Aye

Mr. Craddock advised the Authority to make a motion to Section 2.2-3712 of the Code of Virginia, to certify at the conclusion of the closed meeting only public business matters lawfully exempted from open meeting requirements under this chapter and only such public business matters as were identified in the motion by which the closed meeting was convened were heard. Mr. Turner made a motion to certify the closed session as read by Mr. Craddock and Ms. Scott seconded. The motion was carried by roll call vote as follows:

Mr. Turner	Aye
Ms. Scott	Aye
Mr. Kirkpatrick	Absent
Mrs. Brown	Absent
Mrs. Crumpacker	Aye
Mr. Sensenig	Aye
Mr. Buttram	Aye

The Authority reconvened into regular session, and the Chair asked for a motion as discussed in closed session and advised by Mr. Craddock. Mr. Sensenig made a motion to grant the Chair authorization to execute action as discussed in closed session which includes the extension of the MOU (Memorandum of Understanding), and the execution of the Performance Agreement, and the two 100-foot lots and the signing of the contracts to go ahead and close as agreed upon between the property owners and the Town Attorney. Ms. Scott seconded. The motion was carried by roll call vote as follows:

Mr. Turner	Aye
Ms. Scott	Aye
Mr. Kirkpatrick	Absent
Mrs. Brown	Absent
Mrs. Crumpacker	Aye
Mr. Sensenig	Aye
Mr. Buttram	Aye

Mr. Craddock asked staff about the Middle School project update. Ms. Zirkle stated that Mr. Dave McCormack latest update was that his crew is busy roughing in the inside. When Mr. Craddock asked if the developer will meet the performance agreement deadline, Ms. Zirkle stated that the developer should be able to meet the performance agreement deadline.

Before adjourning, Mr. Buttram asked if there is a meeting in May, would the Authority want to tour the Winoa site. There was a consensus to tour the site at the next regular meeting either in May or June. Ms. Zirkle recommended that the members wear proper attire while touring.

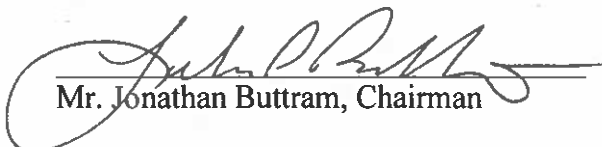
**Adjournment:**

The meeting adjourned at 1:40 pm. The next regular meeting will be on Friday, May 12, 2023, at 1:00 pm.

Respectfully submitted,

Cathy Johnson, Secretary

Approved on May 12, 2023

  
Mr. Jonathan Buttram, Chairman