

**ECONOMIC DEVELOPMENT AUTHORITY**  
**of the**  
**CITY OF HAMPTON, VIRGINIA**

Minutes – Regular Meeting

February 18, 2020 – 8:30 a.m.

EDA Conference Room

CALL  
TO ORDER

Chair Ferebee called the meeting to order at 8:30 a.m.

DIRECTORS  
PRESENT

Richard M. Bagley, Jr. (arrived at 8:35 a.m.), Michelle T. Ferebee, James A. “Pete” Peterson, L. Scott Seymour and George E. Wallace. Also present was Secretary/Treasurer Charles E. Rigney, Sr.

STAFF  
PRESENT

Mary Bunting, Brian DeProfio, Terry O’Neill, Cheran Ivery, Patricia Melochick, Steven Lynch, Susan Borland, Ashley Gilmartin, Daniel Girouard, Michael Yaskowsky and Teresa Hudgins

GUESTS  
PRESENT

Mayor Donnie Tuck  
Steve Mallon – Downtown Hampton Development Partnership  
David Holt – Smith Law Group/Brain Injury Law Center  
William L. Nusbaum – Williams Mullen

MINUTES

Chair Ferebee stated the Minutes from the January 24, 2020 Annual Meeting were distributed. A motion was made by Mr. Peterson and seconded by Mr. Wallace to approve the Minutes as presented. A roll call vote was taken which resulted as follows:

Ayes: Bagley, Peterson, Wallace, Seymour and Ferebee  
Nays: None

LOAN & GRANT  
REVIEW  
COMMITTEE

Chair Ferebee reported the Loan & Grant Review Committee met on February 13, 2020. There were no questions or comments on the Active Loan Status Report dated January 24, 2020 or the EDA Loan/Grant Program Fund Balance Sheet as of January 31, 2020.

The Committee considered a Downtown Hampton and Phoebus Retail Incentive Grant Application from Richard Levin for improvements to the property located at 19-21 E. Mellen Street in the amount of \$43,910. The improvements will consist of the expansion of Scratch Bakery on the first floor and two (2) new apartments on the second floor. The Committee is recommending the grant for approval as presented with conditions recommended by staff. Mr. Peterson asked if the numbers presented included improvements to the apartments. Ms. Gilmartin said no only the first floor improvements. Since this is a motion coming from the Committee, no second is required. A roll call vote was taken which resulted as follows:

Ayes: Bagley, Peterson, Wallace, Seymour and Ferebee  
Nays: None

The Committee considered a proposal from Rhonda Scales (Covenant Care which is no longer in business) to settle the outstanding debt with a \$25,000 payment from the sale of residential real estate owned by Elwood Scales. Mr. Lynch added the original loan amount was \$100,000, monthly payments have been made and the outstanding amount owed is approximately \$53,000. The Committee is recommending acceptance of the \$25,000 payment, plus \$2,000 in legal fees for the City Attorney's Office, to release the debt. Mr. Peterson asked if this was a good decision. Mr. Seymour responded yes as the borrower has been making timely payments for two (2) years, has a good paying job but is carrying a heavy debt load and 70% of the value was recovered. Since this is a motion coming from the Committee, no second is required. A roll call vote was taken which resulted as follows:

Ayes: Bagley, Peterson, Wallace, Seymour and Ferebee  
Nays: None

#### ECONOMIC DEVELOPMENT REPORT

Mr. Rigney stated the updated Status Report on EDA Actions was included in the package. Other items of interest:

- The Dan Aston project in Phoebus is progressing; first units available spring/summer
- Activity is increasing in the Phoebus area
- Met with Neil Amin (owner of the downtown hotel); expects a fall completion; awaiting the signage package and hotel name
- Prospect activity is really good; preliminary stages of several projects
- We are participating in various small business seminars and workforce development continues to meet our goals and objectives

#### OLD BUSINESS

Ms. Melochick updated the Board on the non-renewal of the Option Agreement with Lingerfelt Commercial Properties, which sold the property to a new entity, Hampton Roads III Owners, LLC, at Hampton Roads Center South. Staff was unable to determine who the EDA would be doing business with and the new entity was unresponsive. Mr. Rigney said Craig Cope, who previously represented the property, is no longer with Lingerfelt. Mr. Rigney said he spoke to Brian Devlin and there are no prospects for the site.

Ms. Melochick said the EDA Board now has insurance coverage through the Virginia Group Policy and she has the agreement for the Chair to sign. She is also working with Dan to move appropriate parcels from the EDA to the City.

CLOSED  
MEETING

Chair Ferebee stated a Closed Meeting will now be held pursuant to (1) Virginia Code §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, in Hampton Roads Center North, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Authority and (2) Virginia Code §2.2-3711.A.4 for the protection of the privacy of individuals in personal matters not related to public business. A motion was made by Mr. Bagley and seconded by Mr. Campbell to go into the Closed Meeting. Mr. Seymour stated he had a conflict with a Closed Session item because his firm represents The Brain Injury Law Center. He recused himself of any matters coming before the board and left the meeting at 8:55 a.m. A roll call vote was taken which resulted as follows:

Ayes: Bagley, Peterson, Wallace and Ferebee

Nays: None

Note: Mr. Seymour was not present for the vote

CERTIFICATION  
OF CLOSED  
MEETING

Chair Ferebee stated it was now appropriate to take a roll call vote and that to the best of our knowledge (i) only public business matters lawfully exempted from open meeting requirements under this chapter, and (ii) only such public business matters as were identified in the motion by which the Closed Meeting was convened were heard, discussed, or considered in the Closed Meeting. Any member who believes there was a departure from the requirements of subdivisions (i) and (ii) shall so state prior to the roll call vote, indicating the substance of the departure that, in his/her judgment has taken place. Such statements shall be recorded in the Minutes. Chair Ferebee asked for any statements. There were none. A motion was made by Mr. Campbell and seconded by Mr. Peterson to conclude the Closed Meeting and return to the Meeting. A roll call vote was taken which resulted as follows:

Ayes: Bagley, Peterson, Wallace and Ferebee

Nays: None

NEW  
BUSINESS

A motion was made by Mr. Bagley and seconded by Mr. Peterson to authorize the Chair or the Vice Chair to execute any documents deemed necessary to prepare a parcel of land in Hampton Roads Center North for possible future development at minimum cost to the Authority. A roll call vote was taken which resulted as follows:

Ayes: Bagley, Peterson, Wallace and Ferebee

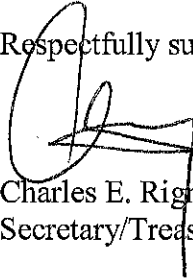
Nays: None

A motion was made by Mr. Peterson and seconded by Mr. Bagley to approve an Economic Development Grant to 27 W. Queens Way, LLC in the amount of \$13,200 and a Façade Improvement Grant in the amount of \$10,000 subject to occupant remaining in business for three years and a personal guarantee. A roll call vote was taken which resulted as follows:

Ayes: Bagley, Peterson, Wallace and Ferebee  
Nays: None

ADJOURNMENT      There being no further business, the meeting was adjourned at 10:05 a.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'C. Rigney, Sr.', written over a horizontal line.

Charles E. Rigney, Sr.  
Secretary/Treasurer

CER/tbh