

# **Currituck County Economic Development Board**

**February 28, 2008 7:00 pm**

## **Historic Currituck Courthouse**

Attendance: Kevin Burwell, Bob Collins, Tameron Kugler, Fannie Newbern, HD Newbern, Brian Innes, Barry Nelms, Peter Bishop, Ike McRee

Absent: Matt Converse, David Palmer

### **Item I. Call to Order**

Peter Bishop, Director

### **Item II. Approval of Agenda**

Director stated an item would be added to the closed session agenda as Item XII (a), Airport Attraction Project, for consideration and recommendation for support.

Ms. Kugler moved to approve the agenda with the added item. Mr. Collins seconded the motion. Motion approved unanimously.

### **Item III. Public Comment**

No public comment received from the audience.

### **Item IV. Approval of January 24, 2008 Minutes**

Mr. Nelms moved to approve the minutes with no additions. Mr. Collins seconded the motion. Motion approved unanimously.

### **Item V. Discussion and Action on Board Leadership (Chairman & Vice Chairman)**

Director instructed the members of their duty to elect a chairman and vice chairman to operate meetings, head committees, and lead the advisory body. Mr. Newbern asked if the board could have co-chairmen rather than a chairman and vice chairman. Mr. Collins stated that this structure would be beneficial considering the time commitment needed for an effective chairman and would allow for sharing of duties.

County Attorney McRee stated that only the ED Board Ordinance could restrict such a structure, but the board would need to be very clear on the responsibilities of a shared chairmanship. Mr. McRee suggested that the relationship described by Mr. Collins and Mr. Newbern basically mirrors the responsibilities of the chairman and vice chairman in

most board operations. Mr. McRee reiterated that unless the ordinance prevents the action, the board had the right to organize and govern itself as it deemed appropriate.

Mr. Newbern made a motion that the board adopts a co-chairmen structure rather than vice chairman and chairman. Mr. Collins seconded the motion. In the following discussion, Mr. Burwell felt that instituting co-chairmen may be unnecessary and could prove confusing. Director and Mr. McRee described possible scenarios on issues about presiding officers. Mr. McRee read from the ordinance and concluded that the position was not precluded by the language. Mr. Collins again stated the workload concerns that a chairman may bear; Mr. Burwell felt that the entire board should share the workload on board operations, not just the chairman and vice chairman. He also stated his discomfort with co-chairman as a deviation from general practice that is unnecessary and unprecedented in other advisory board operations. Mrs. Kugler voiced her support for a chairman / vice chairman as a single point of contact and leadership. Mr. Newbern stated the nominee must be available to put the time and effort in to the board.

Mr. Newbern and Mr. Collins withdrew their motion and second for co-chairman consideration. Director opened the floor for nominations for a chairman and vice chairman. Ms. Newbern nominated Mr. Collins for chairman. Mr. Collins stated he was not able to commit the time to the position and declined the nomination. Mr. Innes then nominated Mr. Burwell for chairman. Mr. Burwell accepted the nomination. Mr. Collins seconded the nomination. The board voted unanimously to select Mr. Burwell as chairman. Mrs. Kugler then nominated Mr. Collins as vice chairman. Mr. Collins accepted the nomination. Mr. Burwell seconded the nomination. The board voted unanimously to select Mr. Collins as vice chairman.

#### **Item VI. Discussion and Action on Board rules of operation**

Director discussed the options the board has for rules of operation. Director provided board members with the previous board's rules of operations as a guide, noting that changes to the rules in line with the new ordinance language would be made. Director also noted, as previously discussed, that ex-officio board members are not granted voting power in any other Currituck County advisory board. However, Roberts Rules of Order does permit this activity, and the board is free to organize and govern itself as appropriate.

Mr. Burwell and Mr. Collins asked if the board was obligated to address this issue, or if it was handled in the previous board's operation rules. Director stated that it was not clarified. Mr. Nelms felt it was important to directly state in the record whether or not ex-officio members would be allowed voting power and leadership positions. Mr. Burwell and Mrs. Kugler stated that ex-officio members were non-voting or office holding members on other boards they had served on. Mr. Burwell stressed the importance of the board following similar organizational practices of other county boards. Mr. Innes stated that he felt the members should have the right to vote as they take the time and effort to attend meetings and review projects. Mr. Collins felt it was important that the counsel, advice and contributions of ex-officio members be considered

in deliberations, but that ultimate voting responsibility should be left to the appointed members of the board.

Mr. Burwell made a motion to adopt the operational framework of the previous board, with updates to reflect the current ordinance and an inclusion that ex-officio members will be non-voting, non-office holding positions on the board. Mr. Collins seconded the motion. The board voted unanimously to approve the amended operational rules.

**Item VII. Presentation by County Attorney Ike McRee on open meetings law, confidentiality and closed session proceedings**

Mr. McRee presented information to the board on their open and public meeting requirements, closed session proceedings, and confidentiality requirements. Mr. McRee outlined specific cases of closed session and confidential situations that the board would likely encounter. He stressed following the rules strictly, especially with regard to motions and specific topics of discussion. A general account of closed session minutes must be provided unless they would frustrate the process for which the closed session was intended to protect, or the purpose for protection has been alleviated due to a public announcement.

With regard to confidentiality, Mr. McRee cautioned the board and county staff to respect confidentiality and closed session proceedings in public discussions, especially with regard to trade secrets and personnel issues. Mr. Nelms stressed the importance of confidentiality in maintaining Currituck's competitive advantage and professional image.

**Item VIII. Discussion and Action on Economic Development Incentive program**

Director reported that the County's incentive policy was written and adopted by the board of commissioners in May of 2000. The existing policy, like many other NC communities, provides a grant for up to five years based on the increased property value from associated improvements of the project. In the past eight years, the program has not been applied to any business expansion or location. Director stated that he informs companies of the local incentive and has encouraged them to apply if they are looking at a Currituck location.

Director provided examples from three other communities and the existing incentive policy in place for Currituck County. These policies have similar core grants available, but also offer small business assistance, utility assistance, and education subsidy for entrepreneurs.

Mr. Collins would like to see the Currituck program become more flexible on its potential applicant base and develop a set of guidelines for general consideration. Mr. Burwell felt that the incentive policy needed to be updated to reflect the current market and suggested that some incentives could be custom-tailored to industries identified by the UNC consultant team as cluster strengths.

County Attorney McRee discussed some of the options and typical negotiations that occur with regard to incentives, such as utility extensions, paving, grading, leasing or granting county owned property, etc. Mr. McRee also mentioned clawbacks, or stipulations that allow governments to rescind incentives and recover granted funds in the case that a firm does not fulfill their terms of the contract with the government offering the incentive.

Director requested direction from the board on whether to incorporate incentive policy work with strategic planning work, or to tackle incentive policy separate from the overall effort. Mr. Burwell felt it was important to view incentive policy as part of the strategic planning effort, but time is of the essence in reformulating a modern, competitive incentive policy. Ms. Newbern asked if the existing policy could be modified rather than a new policy formed. Mr. Collins proposed that staff and the economic development board review the existing policy and provide new policy alternatives for the Board of Commissioners to consider; Mr. Nelms and Mr. Burwell agreed this was a good approach.

A motion was made by Mr. Burwell to direct staff to gather feedback from board members on incentive policy development, write the policy, and present the incentive policy incorporating board ideas to the ED Board for discussion and action, and possible recommendation, to the Board of Commissioners. Mr. Collins seconded the motion. The board voted unanimously to approve Mr. Burwell's motion.

#### **Item IX. Appointment to Focus Committee on Parking & Landscaping Regulations**

Director reported on Planning staff's effort to bring business and citizens together on how to best update the UDO's parking and landscaping regulations. No member of the board as of yet has volunteered, however the committee has plenty of members already. Mr. Innes stated he would be willing to attend several meetings; Mr. Burwell did not want the board to lose sight of its own tasks, but did encourage attendance by a member when convenient. Mr. Collins would like minutes from the meeting to be distributed to the board.

#### **Item X. Director's Report**

##### UNC Vision Study – Next Steps

- Director reported that the UNC consultant team will produce a third update draft report for the board and present it at the March 27 meeting.
- Director reported that scheduling for comparable community visits is underway.
- Mr. Collins and Mr. Burwell stated that they wanted to get tangible information on specific companies to begin recruiting. They were wondering what the schedule was for a deliverable final report. UNC consultant Brent Lane will be at the next meeting to discuss. Director

will provide the board with a copy of the UNC contract prior to the next meeting.

#### Strategic & Marketing Updates

- Director made a presentation on billboard advertising as the first piece of the overall branding strategy for the department. Budget allocations have been made to cover the costs of updated art and one-year contracts on two billboards along NC 168 / US 158. Director will provide the board with several options of art and text to recommend to the Board of Commissioners at the March meeting.
- Director requested additional direction from the board on strategic planning. Director provided research materials and sample planning documents for the board to review. Director suggested holding a special meeting, retreat, or forming a committee to coordinate this effort rather than taking up formal meeting time.

#### 2008-2009 Budget

- Director updated the board on the formation of the 08-09 budget. This is the second year of a two year budget. Director requested a Marketing Coordinator position to assist with the development of marketing materials and implementation of the marketing plan. Director also requested supporting funds for software and computer equipment (desktop computer, printer, Adobe suite, digital camera) to aid the in-house production of documents. All other budget items remained as projected in 2006-07.

#### Project Updates

1. Moyock sewer service update – still in negotiations with land owners for plant expansions and agreement on commitments
2. Mid-Currituck Bridge update – please see presentation in package
3. Maple Park update – survey work to be awarded
4. Business & Community Expo – excellent event and exposure
5. NC Commerce Luncheon – Tim Ivey of commerce would like to have a luncheon here for small business. We are working on an April date.
6. Chuck White & Assisted Living facility – the County has written letters in support of this facility, which are in your package.

## **Item XI. Other Business and Announcements**

Mr. Burwell asked Mr. Nelms for an update on the Welcome Center, wondering if there was a tie-in to the center. Mr. Nelms updated the board on the project progress and stated that there will be space to promote local business and provide marketing materials for them.

## **Item XII – XII (a). Closed Session**

Mr. Burwell made a motion to adjourn to closed session to discuss Project Big Tomato in Moyock and the Airport Attraction project, citing GS 143-318.11(A)(4), the board will discuss “Matters relating to the location or expansion of industries or other businesses in Currituck County, including agreement on a tentative list of economic development incentives that may be offered by Currituck County in negotiations.”

Mr. Collins seconded the motion. The motion passed unanimously. The board shall adjourn into closed session.