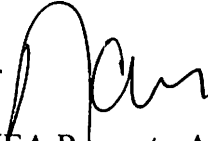


# COUNTY OF YORK

## MEMORANDUM

**DATE:** December 17, 2021

**TO:** York County Board of Supervisors

**FROM:** Neil A. Morgan, County Administrator 

**SUBJECT:** Economic Development Update, EVRIFA Property Acquisition

The Eastern Virginia Regional Industrial Facility Authority (EVRIFA) has acquired the 432 acre tract of land commonly referred to as the “Fuel Farm” property in York County. The real estate transaction involved the EVRIFA taking fee simple ownership of the property, and simultaneously leasing approximately 244 acres to CI Renewables for a 20MW solar facility. Immediately following the closing, CI Renewables sold the solar facility to Dominion Virginia Power. This transaction was anticipated, but was originally planned to occur in a year or two.

This property transfer is significant for multiple reasons, and is the culmination of many years of work. On one level it represents the first renewable energy project in York County, and the positive reuse of a former brownfield site. Perhaps more importantly it is the first project completed by the EVRIFA, and therefore the first regional economic development effort in our region. The EVRIFA now controls approximately 90 acres of developable light industrial property that they acquired for \$73,000. The low cost land basis, available infrastructure, and proximity to I-64 should position this property well for quality economic development prospects.

jwn

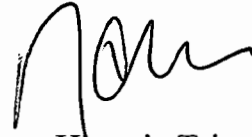
# COUNTY OF YORK

## MEMORANDUM

**DATE:** December 16, 2021

**TO:** York County Board of Supervisors

**FROM:** Neil A. Morgan, County Administrator



**SUBJECT:** Restated Memorandum of Understanding – Historic Triangle

I have attached a fully executed restated Memorandum of Understanding (MOU) for the use of Historic Triangle Tourism Maintenance of Effort Funds. The document has been jointly signed with the City of Williamsburg, James City County, Greater Williamsburg Business Council, and Greater Williamsburg Tourism Council. The MOU was amended due to a change with the calculation of the portion of “maintenance of effort funds” that went to the Chamber.

NAM:hls



**A RESTATED MEMORANDUM OF UNDERSTANDING  
GOVERNING THE TRANSFER AND USE OF HISTORIC TRIANGLE TOURISM  
MAINTENANCE OF EFFORT FUNDS**

WHEREAS, SB942 of the 2018 Session of the Virginia General Assembly enacted §58.1-603.2 of the Code of Virginia, which provides for an additional one percent sales tax in the City of Williamsburg, James City County, and York County (hereinafter "localities"); and

WHEREAS, fifty percent of this new sales tax is directed to establish the Historic Triangle Marketing Fund, and the remaining fifty percent of the additional sales tax is retained by the localities where it was collected (hereinafter "local tourism funds"); and

WHEREAS, the Greater Williamsburg Tourism Council (hereinafter "Tourism Council") of the Greater Williamsburg Chamber and Tourism Alliance was established and charged with the expenditure of the Historic Triangle Marketing Fund solely for the purposes of marketing, advertising, and promoting the Historic Triangle area as an overnight tourism destination, with the intent to attract visitors from a sufficient distance so as to require an overnight stay of at least one night, as set forth in this subsection; and

WHEREAS, The Tourism Council has established the Historic Triangle Office of Marketing and Promotion responsible for:

- a. developing and implementing, in consultation with the Tourism Council, long-term and short-term strategic plans for advertising and promoting the numerous facilities, venues, and attractions devoted to education, historic preservation, amusement, entertainment, and dining in the Historic Triangle as a cohesive and unified travel destination for local, national, and international travelers;
- b. assisting, upon request, with the coordination of cross-advertising and cross-marketing efforts between various tourism venues and destinations in the Historic Triangle region;
- c. identifying strategies for both increasing the number of overnight visitors to the region and increasing the average length of stay of tourists in the region; and
- d. performing any other function related to the promotion of the Historic Triangle region as may be identified by the Tourism Council; and

WHEREAS, the local tourism funds as provided in §58.1-603.2 are not restricted to particular expenses and are available for use at the sole discretion of the governing bodies of each of the Historic Triangle jurisdictions; and

WHEREAS, §58.1-603.2 (D)(2) stipulates the local tourism funds shall not be used to reduce the amount of other revenues appropriated by such locality to or for use by the Greater Williamsburg Chamber and Tourism Alliance (hereinafter "Alliance") below the amount provided in fiscal year 2018; and

WHEREAS, the mandated locality contributions, totaling \$1,978,600, paid to the Alliance are referred to as Maintenance of Effort (MOE) funds and include annual contributions of \$800,000 from the City of Williamsburg, \$740,000 from James City County, and \$438,600 from York County; and

WHEREAS, historically local funds have been appropriated and granted by the localities to the Alliance for use primarily for tourism promotion; and

WHEREAS, the parties agree that such use should continue to the extent practicable, taking into account the operational needs of the Business Council; and

WHEREAS, in order to formally express the intent and desire of all of the parties involved with respect to the expenditure of the MOE funds and the priorities thereof, the parties agree to enter into this Memorandum of Agreement.

NOW, THEREFORE, the Greater Williamsburg Business Council, the Greater Williamsburg Tourism Council, the City of Williamsburg, and the Counties of York and James City AGREE as follows:

1. Code of Virginia §58.1-603.2(D)(2) as adopted by the General Assembly requires the localities to provide MOE money to the Alliance for the operation of both the Business Council and the Tourism Council. Annually the localities will include these MOE funds in their respective annual budgets.
2. The governance relationship of the Alliance has been restructured to reflect:
  - a. The Greater Williamsburg Chamber Foundation owns the building and is responsible for maintenance as the owner.
  - b. The Greater Williamsburg Chamber and Tourism Alliance (Alliance) governing body has been disbanded, and the Alliance shall continue to exist as a corporate entity only.
  - c. The Greater Williamsburg Business Council shall continue as an independent governing body responsible for the mission of the Business Council and its staff.
  - d. The Greater Williamsburg Tourism Council shall continue as an independent governing body responsible for the mission of the Tourism Council and its staff.
3. The MOE funding shall be released from the localities quarterly to the Tourism Council and the Alliance for use by the Business Council respectively, following the localities receipt of a current invoice from each Council for payment. The invoice shall demonstrate the intended division of funds pursuant to five (5) and six (6) below.
4. Annually the Business and Tourism Councils shall adopt independent budgets reflecting the correct distribution of MOE as herein described.
5. Invoices received by the localities shall detail the adopted Business and Tourism Council budget regarding MOE expenses using the following categories of expense:
  - a. Business Council Invoices -
    - i. Business Council Operating Expenses (quarterly request, year to date, and current available balance) totaling \$402,000.00 annually.
  - b. Tourism Council Invoices -
    - i. Tourism Council Operating Expenses (quarterly, year to date, and current available balance) totaling \$126,600.00 annually.
    - ii. Tourism Council Contribution to the Regional Tourism Development Fund (quarterly, year to date, and current available balance) totaling \$1,450,000.00 annually.
6. Notwithstanding the above, the Tourism Council shall annually allocate at least ONE MILLION FOUR HUNDRED AND FIFTY THOUSAND DOLLARS (\$1,450,000) of MOE funds to the Regional Tourism Development Fund. The Business and Tourism Council shall not be eligible for locality payment of MOE funds until and unless all previous disbursements to the Business and Tourism Council have been completed as approved by the locality Chief Administrative Officer.

This Memorandum shall remain in effect until otherwise amended by written agreement of the parties or a change in the Code of Virginia necessitates further amendment(s).

City of Williamsburg

Executed: 12/16/2021

Attest: Sandi G. Flicke  
Clerk

[Signature]  
City Manager

**James City County**

Executed: 9/29/2021

Attest: [Signature]  
Clerk

[Signature]  
County Administrator

**York County**

Executed: 10/4/21

Attest: Thomas L. Schott  
Deputy Clerk

[Signature]  
County Administrator

**Greater Williamsburg Business Council**

Executed: 10/21/2021

Attest: Vicki Neal  
Secretary

[Signature]  
Chief Executive Officer

**Greater Williamsburg Tourism Council**

Executed: 10/21/21

Attest: [Signature]  
Secretary

[Signature]  
Chief Executive Officer