

**ALBEMARLE COUNTY
ECONOMIC DEVELOPMENT AUTHORITY MINUTES
March 6, 2025
Virtual, 2:00 P.M.**

Directors present: Don Long, Chair; Jeff Morrill, Vice-chair; Andrea Johnson, Secretary-Treasurer; David Storm; Steve Hood.

Directors absent: None.

Staff present: Emily Kilroy, Director of Economic Development; Johnathan Newberry, Deputy Director of Economic Development; Ashley Hernandorena, Business Development Manager; Avery Thompson, Management Analyst III; Jeanette Ark, Project Manager; Richard DeLoria, Senior Assistant County Attorney; Bea LaPisto-Kirtley, Board of Supervisors Liaison to the EDA, Rivanna District; Jeff Richardson, County Executive; Trevor Henry, Deputy County Executive

Staff absent: None.

1. Call to Order and Establish Quorum

Chair Long called the meeting to order at 2:00 p.m.

2. New Business

a. Economic Development Authority Rules and Procedures - Bond Fees

Emily Kilroy, Director of Economic Development, introduced the matter. She explained that at the February meeting, the Authority was informed that a company wished to use the Authority's conduit issuance powers for a project in Albemarle County, and they had requested the Authority to create a second administrative fee structure. She said the current fee structure would be renamed to "tax exempt", and a new fee structure would be formed, called "taxable bonds". She said that the fee structure was part of the rules and procedure, and currently, there was no differentiation between taxable and tax exempt bonds.

Mr. Long said he supported a fee structure based on 2.75 basis points and a one-time closing fee of \$45,000. He noted that by using a Virginia-based bond issuer, the tax savings on the bonds approached 5%.

Ms. Johnson said she supported a fee structure based on 2.75 basis points and a one-time closing fee of \$45,000, but she would prefer a structure based on 3 basis points.

Mr. Morrill said he supported a 2.75 basis points fee structure. He said that they could evaluate the efficacy of the new fees in 3 or 6 months.

Mr. Storm said he supported either 2.75 or 3 basis points. He said that they could revisit the fees at a later time.

Richard DeLoria, Deputy County Attorney, clarified that the proposed amendments to the rules and procedures amended Section 4.3(a) to include "tax exempt" bonds and added subsection (b), reading, "If the Authority issues taxable bonds, including refunding bonds, for the benefit of the applicant, the financing document shall include a requirement that the applicant pay the Authority a closing fee of \$45,000 and an annual administrative fee equal to 2.75 basis points of the declining outstanding balance, upon issuance of bonds and annually thereafter on June 30 each year thereafter until the bonds are paid in full. Taxable bonds issued for the benefit of the County of Albemarle shall not be subject to the annual administrative fee."

Ms. Johnson requested to change the language to state, "no less than 2.75 basis points" to provide the Authority the ability to change the fees in the future.

Mr. DeLoria said they could amend the language, but there was no rule that allowed the Authority to expressly change the fee. He said that the Authority was able to change its rules and procedures at any time.

Ms. Johnson asked if they could consider the fee on a case-by-case basis.

Mr. Long said he preferred setting the fee at 2.75 basis points. He believed they should develop a framework to determine fees on a case-by-case basis.

Ms. Johnson withdrew her amendment.

Motion to adopt the Resolution amending Article IV of the Rules and Procedures as proposed was made by Ms. Johnson and seconded by Mr. Morrill.

MOTION: The motion carried unanimously.

3. Adjourn

Chair Long adjourned the meeting at 2:39 p.m. The next meeting is March 18th, 2025, in Room 241.

Teste: _____
Donald Long, Chairman

Approved: _____
Emily Kilroy, Assistant Secretary