

5.23.17 due by 6.3.17



LO-17-0274

MAY 18 2017

REQUEST FOR LEGAL OPINION FORM  
COUNTY ATTORNEY'S OFFICE

SPOTSYLVANIA COUNTY ATTORNEY

Name of Requestor: Debbie Aylor

Department: Economic Development & Tourism

What is the issue for which you seek an opinion or legal assistance? (you may attach a separate memorandum):

Approval of a resolution for the BOS to approve letting Tourism be a partner in the Virginia Tourism Corporation's Marketing Leverage Program with A. Smith Bowman Distillery. Also partnering with Grapes and Grains Trail. G&G and Spotsylvania would contribute a minimum of \$250 each

What do you want to accomplish with this legal opinion? (Desired outcome/goal): Help market the County as a unique tourist attraction

Are the appropriate backup documents attached? Yes x No         

Who are the parties involved? (Staff, BOS, Citizens, Developers, etc.): Staff, A. Smith Bowman, VTC

Is this issue scheduled to go to the Board of Supervisors? If so, when? June 15, Finance Committee May 18

Has a legal opinion addressing this issue, or a related issue, already been rendered by the County Attorney's Office?

Yes          No x If yes, please attach previous opinion or explain.         

We have had grants before but I don't think we have done this as a partner

Date: May 17, 2017

Phone No: 540-507-7205

Thomas M. Rumora

Signature and Title of Department Director/County Administrator

✓ The County Attorney's office finds this is a legal issue and will respond, in writing, within 15 days. Please advise us if this will not meet your schedule so that we can adjust as necessary.

Assigned to S. Vein

         The opinion of the County Attorney's Office is attached.

         In the opinion of the County Attorney's office this is not a legal issue and should be directed to your Supervisor or to the County Administrator.

         This document is being returned due to incomplete information and/or documentation.

Karl Holsten, County Attorney

Completed and Opinion Rendered: Shelia Welmes 5-31-17

Approved as to Form - no legal issues identified

(Revised 04/05/17)

## Abbyrae Wisniewski

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**From:** Deborah Aylor  
**Sent:** Thursday, May 18, 2017 8:37 AM  
**To:** Abbyrae Wisniewski  
**Cc:** Annette D'Alessandro  
**Subject:** LO for VTC Marketing Grant  
**Attachments:** Signed LO VTC Mkt ASB 2017.pdf; FY18 VTC Marketing Leverage Executive Summary for Tourism.doc; FY18 VTC Marketing Leverage Grant Program- Resolution Draft.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Attached is the Request for Legal Opinion for the resolution to be a partner in the VTC Marketing Grant with A. Smith Bowman and Grapes and Grains.

It will be before the Finance Committee Meeting today, May 18, and the BOS meeting for June 15.

Sorry it is such short notice.

Debbie Aylor, CTA, VDP  
Tourism Manager  
Spotsylvania Dept of Economic  
Development & Tourism  
9019 Old Battlefield Blvd, Suite 310  
Spotsylvania, VA 22553  
O – 540-507-7205  
C—540-760-7828



**Spotsylvania County**  
**Board of Supervisors Agenda**  
**Executive Summary**

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**Meeting Date:** June 15, 2017

**Title:** Authorize A. Smith Bowman to Act as the Authorized Agent for a Partnership Grant under the FY18 Virginia Tourism Commission Marketing Leverage Grant Program

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(Check Mark)

<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Closed Meeting
<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Public Hearing
<input type="checkbox"/> No Action (Information Only)	<input type="checkbox"/> Ordinance
<input checked="" type="checkbox"/> Resolution (Appropriation)	<input type="checkbox"/> Power Point Presentation

**Recommendation:** Staff recommends approval from the Board of Supervisors to authorize A. Smith Bowman to act as the authorized agent and submit a grant application under the Virginia Tourism Commission's Marketing Leverage Grant Program. If the grant is approved, A. Smith Bowman will act as the fiscal agent. Estimated expenditures will be as follows:

Project Component	Amount	Source
Grant	\$25,000	Virginia Tourism Commission Marketing Leverage Grant
Local Match	\$49,500	A. Smith Bowman
Local Match	\$250	Spotsylvania County – Economic Development
Local Match	\$250	Grapes and Grains
TOTAL PROJECT	\$75,000	

**Summary:** The Virginia Tourism Corporation (VTC) Marketing Leverage Program is a matching grant program designed to stimulate new tourism marketing programs through the creation of tourism partnerships that extend the "VIRGINIA IS FOR LOVERS" campaign. The objective is to leverage limited marketing dollars resulting in increased visitor spending, overnight stays, revenue, and jobs.

Tourism, along with Grapes and Grains, would like to partner with A. Smith Bowman in submitting a grant application under VTC's Marketing Leverage Program. A. Smith Bowman would act as the lead applicant for the grant application and fiscal agent if the grant is approved. The grant application would request \$25,000 in VTC marketing leverage funds. If awarded, A. Smith Bowman would provide \$49,500, and both Grapes and Grains and Tourism would each provide a local match of \$250. If awarded these funds would be used for a digital marketing program, and target marketing for overnight visitors from Pennsylvania, Georgia and South Carolina to come visit the region and distillery. A. Smith Bowman would also highlight their recent award achievements for their bourbon ("World's Best Bourbon" by *Whisky Magazine*) and vodka (Double Gold Medal at the 2017 San Francisco World's Spirit Competition). The County would derive a benefit from the tourism dollars spent within the County. If the grant is

*Board of Supervisors Agenda, June 15, 2017, Authorize A. Smith Bowman to Act as the Authorized Agent for a Partnership Grant under the FY18 Virginia Tourism Commission Marketing Leverage Grant Program*

awarded, there would be no ongoing costs associated with the project once it has been completed. The application deadline is June 27, 2017.

**Board Committee/Other Committees:** Finance Committee

**Review Date:** May 18, 2017      **Status:** To Be Updated

**Financial Impact:** There is no financial impact at this time. If the grant is awarded, Tourism will provide \$250 as their partner local match contribution.

**Attachments:** Resolution

**Staff Contacts:** Debbie Aylor, Tourism/Special Events Manager  
Annette D'Alessandro, Finance

**Legal Counsel:** To Be Updated

**Additional Background/Other Considerations:** N/A

**Consequence of Denial/Inaction:** Denial of this grant will mean that the Department of Economic Development and Tourism will lose the ability to partner with A. Smith Bowman and Grapes and Grains in submitting an application under VTC's Marketing Leverage Grant Program to promote the distillery and County through tourism marketing efforts.

At a meeting of the Spotsylvania County Board of Supervisors held on June 15, 2017, on a motion by \_\_\_\_\_ and passed \_\_\_\_\_, the Board adopted the following resolution:

**RESOLUTION NO. 2017-**

**Authorize A. Smith Bowman to Act as the Authorized Agent for a Partnership Grant under the FY18 Virginia Tourism Commission Marketing Leverage Grant Program**

**WHEREAS**, the Virginia Tourism Corporation (VTC) Marketing Leverage Program is a matching grant program designed to stimulate new tourism marketing programs through the creation of tourism partnerships that extend the "VIRGINIA IS FOR LOVERS" campaign; and

**WHEREAS**, the objective is to leverage limited marketing dollars resulting in increased visitor spending, overnight stays, revenue, and jobs; and

**WHEREAS**, A. Smith Bowman would like to partner with Grapes and Grains and the Spotsylvania County Department of Economic Development and Tourism to submit a grant application under VTC's Marketing Leverage Program; and

**WHEREAS**, the purpose of the grant application would be for the creation of a digital marketing program, and target marketing for overnight visitors from Pennsylvania, Georgia and South Carolina to come visit the Spotsylvania County region and distillery; and

**WHEREAS**, A. Smith Bowman would also highlight their recent award achievements for their bourbon ("World's Best Bourbon" by *Whisky* Magazine) and vodka (Double Gold Medal at the 2017 San Francisco World's Spirit Competition); and

**WHEREAS**, the grant application would request \$25,000 in Marketing Leverage funds with a required local match of \$49,500 from A. Smith Bowman, \$250 from Grapes and Grains, and \$250 from the Spotsylvania County Department of Economic Development and Tourism; and

**WHEREAS**, the Spotsylvania County Department of Economic Development and Tourism will provide the local match of \$250 through the use of their FY17 Budget; and

**WHEREAS**, A. Smith Bowman will act as the lead applicant in the submission of the grant application under VTC's Marketing Leverage Program and A. Smith Bowman will administer any subsequent grant award in accordance with the terms and conditions as set forth in the grant agreement.

**NOW, THEREFORE, BE IT RESOLVED** by the Spotsylvania County Board of Supervisors, that A. Smith Bowman is hereby designated as an authorized agent on behalf of Spotsylvania County for the purpose of the FY18 VTC Marketing Leverage Grant Program as stated herein.

(SEAL)

A COPY TESTE: \_\_\_\_\_

Aimee R. Mann

Deputy Clerk to the Board of Supervisors