

Film Credit Development Committee Meeting Minutes

A meeting of the Film Credit Development Committee was held at 1 p.m. on Monday, July 10, 2017, in the conference room at the West Virginia Tourism Office, 90 MacCorkle Avenue SW, South Charleston, West Virginia.

Committee Members Present:

- **Josh Jarrell**, Committee Chair, General Counsel & Deputy Secretary of Commerce *[as designee for Commerce Cabinet Secretary]*
- **Kate Speece**, Department of Education and the Arts *[as designee for Education and the Arts Cabinet Secretary]*
- **Mark Morton**, Tax Department *[as designee for Tax Commissioner]*
- **Chelsea Ruby**, Commissioner, WV Tourism Office
- **Anthony Woods**, Director of Administration for Tourism Office *[as representative of WV Film Office appointed by the Commissioner of Tourism]*

Guests:

- **Kara Moore**, Deputy Commissioner, WV Tourism Office
- **Alex Burdette**, Adventure Advisor, WV Tourism Office

Pursuant to the provisions of W.Va. Code §29B-1-4(a)(1) relating to trade secrets, commercial value, and business advantage over competitors; the WV Tax Procedure and Administration Act, W.Va. Code §§11-10-1, et seq.; as well as the confidentiality provisions of CSR §110-13X-8 which governs W.Va. Code §§11-13X-1, et. seq., the FCDC is permitted to enter into Executive Session while discussing proprietary and confidential data relating to applications and participants in the WV Film Industry Investment Act.

CALL TO ORDER/APPROVAL OF MINUTES

Chair Jarrell called the meeting to order at 1:01 p.m. Noted this is the first meeting without the benefit of the WV Film Office, thought the West Virginia Film Development Tax Credit still exists.

Mr. Morton moved to approve the minutes of the May 19, 2017, meeting, Ms. Ruby seconded the motion, all members voted in favor, none opposed, and the motion passed.

EXECUTIVE SESSION

Mr. Morton moved that the committee go into Executive Session to review applications, pursuant to CSR §110-13X-8. Ms. Ruby seconded the motion, all members voted in favor, none opposed, and the motion passed. The committee thereupon met in Executive Session.

After discussing applications in Executive Session, the committee returned to Open Session to conduct voting on applications.

APPLICATIONS FOR CONSIDERATION

Image Associates, LLC, Application for Tax Credit Voucher

Mr. Morton moved to approve the application but that a letter be directed to the taxpayer stating the limitations on allocations available. Ms. Ruby seconded. A discussion ensued.

After a discussion, Mr. Jarrell recommended tabling the vote on both this application until the committee can be certain its communication would be correct.

Ms. Ruby moved to table the issue until its next meeting at 10:30 a.m. on July 24, 2017, and Mr. Woods seconded. All members voted in favor, none opposed, and the motion passed.

The Evening Hour Extension request

Ms. Ruby moved to approve a 120-day extension to begin production. Mr. Morton seconded. All members voted in favor, none opposed, and the motion passed.

NEW BUSINESS

No new business for action.

OLD BUSINESS

Mr. Jarrell inquired about the timing of the legislative audit. Ms. Ruby reported that it will be released in September, and a draft will be available in the next month or so.

Mr. Jarrell and Mr. Morton recommended reaching out to former Film Office employees to seek clarification on procedures related to Film Development Tax Credits. Mr. Jarrell also inquired as to whether the Tourism Office has adequate help to attend to the business of the Film Office. Ms. Ruby reported that the office intends to hire a person in the administrative unit to attend to tax credit applications in addition to other duties. She also described ways in which film efforts are being folded into tourism efforts.

With no further business, Mr. Ruby moved to adjourn the meeting at 2:30 p.m., Mr. Morton seconded, all members voted in favor, and the meeting was adjourned.

Prepared by Kara Moore

Date