

WESTERN VIRGINIA REGIONAL INDUSTRIAL FACILITY AUTHORITY

PARTICIPATION COMMITTEE
Wood Haven Road Project

MINUTES

The September meeting of the WVRIFA Participation Committee for the Wood Haven Road Project was held on Friday, September 16, 2022 at 10:00 a.m. at the Roanoke Valley-Alleghany Regional Commission office (Top Floor Conference Room), 313 Luck Avenue, SW, Roanoke VA.

NOTE: The September 16, 2022 Meetings of the WVRIFA Participation Committee and the WVRIFA Board of Directors were held simultaneously (jointly) since several items on both agendas were the same.

1. CALL MEETING TO ORDER

Chair Cowell called the meeting to order at 10:00 a.m.

2. ROLL CALL

Chair Cowell welcomed those in attendance and asked Virginia Mullen to call the roll. Ms. Mullen noted that a quorum was established.

Participation Committee Members Present: James Taliaferro, City of Salem; Bob Cowell, City of Roanoke; and Richard Caywood, Roanoke County.

Staff Present: John Hull, WVRIFA Director; Matt Miller, Roanoke Regional Partnership; Sam Darby, WVRIFA Counsel; Sherry Dean and Virginia Mullen, WVRIFA Finance/Administrative Staff.

Others Present: Gary Larrowe, Botetourt County; Ken McFadyen, Botetourt County; Luke Campbell, Botetourt County; Christopher Whitlow, Franklin County; Jill Loope, Roanoke County; Cody Sexton, Town of Vinton and Corbin Stone, Robinson, Farmer, Cox Associates.

3. ACTION NEEDED: APPROVAL OF CONSENT AGENDA ITEMS

The following consent agenda items were distributed earlier: (A) June 17, 2022 WVRIFA PC Minutes and (B) Financial Reports as of June 30, 2022.

Chair Cowell noted the following change under item #5 of the minutes (page 3 of the agenda packet):

Chair Larrowe commented that Botetourt County has an interest in applying for Greenfield ~~Recreation~~ Park as well.

Motion: by James Taliaferro to approve the consent agenda items (A), as presented, and (B), as amended. The motion was seconded by Richard Caywood.

ADMINISTERED BY:

Roanoke Valley-Alleghany Regional Commission
313 Luck Avenue, SW, Roanoke, VA 24016
info@wvrifa.org www.wvrifa.org

WVRIFA Participation Committee Action: Motion carried.

4. **PUBLIC COMMENT PERIOD**

There were no comments.

5. **BUFFERING PROJECT UPDATE**

Mr. Matt Miller presented a landscaping plan for planting 291 trees on the Woodhaven property with the \$75,000 grant, received from the Business Ready Site Program (the PowerPoint presentation is included with the Minutes). Mr. Miller added that the buffering requirements are listed in the master plan. It is expected the project to be completed by the end of November. Mr. Hull added that the landscaping contract is for \$75,500. The contract was procured under the small purchase policy and will be signed today.

6. **BUSINESS READY SITE PROGRAM GRANT UPDATE**

John Hull reported that the application was submitted this past Tuesday. Mr. Hull noted that often Virginia Economic Development Partnership will make partial awards. Staff designed a project that is divisible to three different parts and each part provides unique benefits:

- Stormwater facility and drainage - \$1.5 million to make the impacts on the southern side of the site and build the necessary stormwater facility.
- Additional grading - \$2.0 million to almost double the size of the pad.
- Acquisition - \$2.2 million for acquisition of adjacent properties

Mr. Hull reported that letters of support were provided to all WVRIFA members, making applications.

Ms. Loope asked how many localities have applied for the business ready site grant. Mr. Hull replied four.

7. **OTHER BUSINESS**

Sam Darby reported that the Freedom of Information Act (FOIA) has been amended effective September 1st to allow local government entities, such as this authority, to have a little bit more flexibility on member remote participation. The possible reasons to participate remotely have been expanded to include medical needs, travelling distance, personal needs. Also, all virtual public meetings are permitted under special limitations. Mr. Darby noted that most of the WVRIFA members were at the Broadband Authority meeting earlier today, where a remote policy was adopted. Mr. Darby suggested the Broadband Authority's policy to serve as the model to adopt with the understanding that the policy would be modified to meet the needs of this authority.

Motion: by James Taliaferro to approve a resolution, adopting the WVRIFA PC's policy on board member participation in meetings when absent and all virtual meetings. The motion was seconded by Richard Caywood.

ADMINISTERED BY:

Roanoke Valley-Alleghany Regional Commission
313 Luck Avenue, SW, Roanoke, VA 24016
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WVRIFA Board Action: Roll Call Vote: Ayes: 3 (Caywood, Cowell, Taliaferro); Nays – 0; Abstentions – 0. Motion carried unanimously.

The Resolution and Policy are included with the minutes.

8. **ADJOURNMENT OF THE WVRIFA PARTICIPATION COMMITTEE**

The WVRIFA Participation Committee Meeting adjourned at 10:28 a.m.

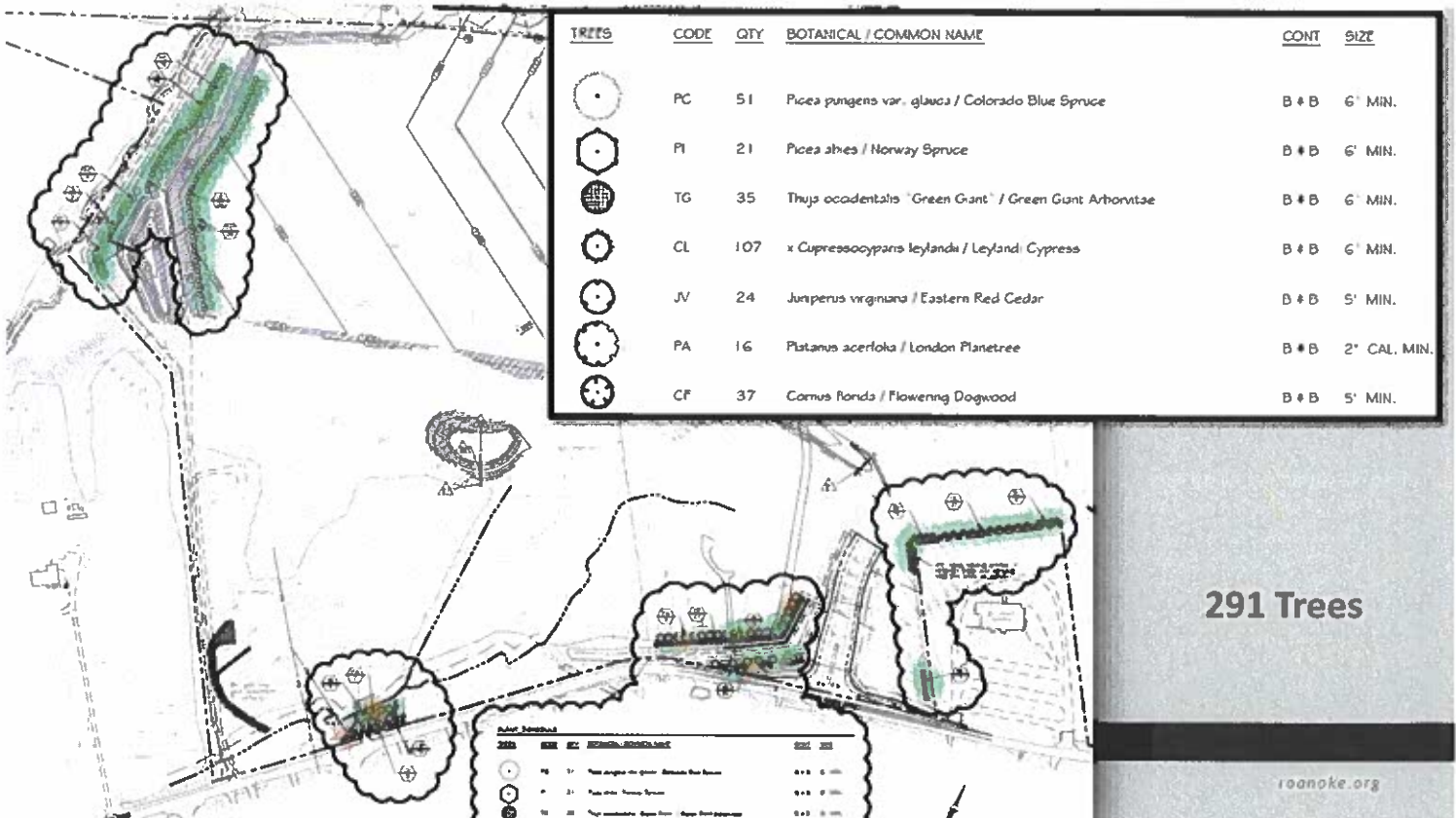


Virginia Mullen, Recording Secretary
WVRIFA Participation Committee

ADMINISTERED BY:

Roanoke Valley-Alleghany Regional Commission
313 Luck Avenue, SW, Roanoke, VA 24016
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BUFFERING PROJECT UPDATE



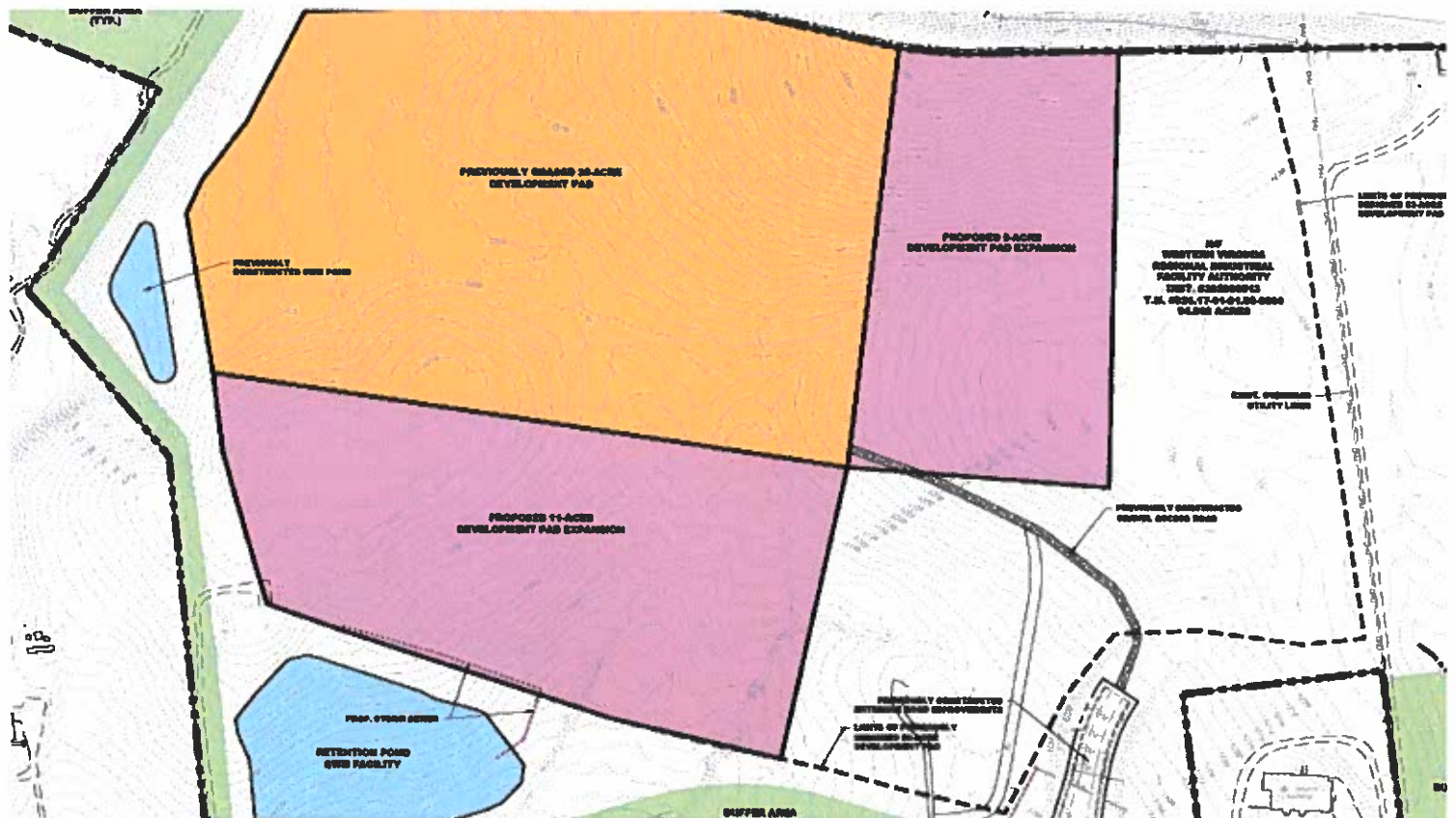
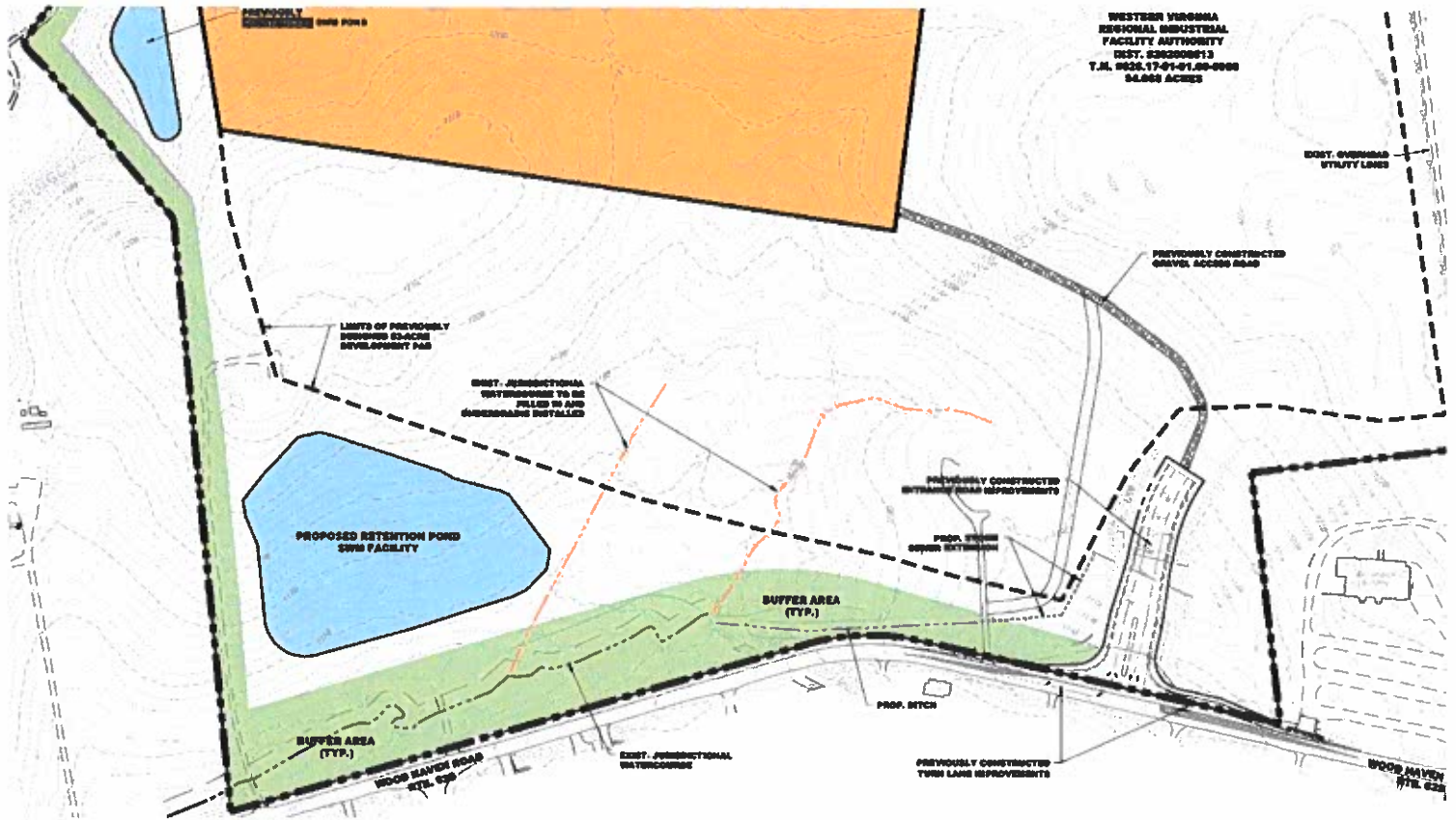
291 Trees



BRSP GRANT UPDATE

Business Ready Sites Program Application

- Wood Haven Technology Park
 - Stormwater facility and drainage - \$1.5 million
 - Additional grading - \$2.0 million
 - Acquisition - \$2.2 million for acquisition of adjacent parcels
- Letters of support provided for all WVRIFA members making application





2022 ANNUAL REPORT

Annual Report – FY 2022

Grading Project Completed

Additional BRSP Funds Secured for Buffering

Landscaping/Buffering Plan Developed

FY 22 Tours of Site

- Prospects
- Rep. Ben Cline
- Rep. Morgan Griffith
- Delegate Terry Austin
- Secretary of Commerce/Trade Carren Merrick
- VEDP CEO Jason El Koubi

RESOLUTION
OF THE
PARTICIPATION COMMITTEE
WESTERN VIRGINIA REGIONAL INDUSTRIAL FACILITY AUTHORITY

Adoption of Committee's Policy on Board Member Participation in Meetings When Absent
and All-Virtual Meetings

WHEREAS, the Participation Committee (the "Committee") of the Western Virginia Regional Industrial Facility Authority (the "Authority"), which Authority was formed pursuant to Chapter 64 of Title 15.2 of the Code of Virginia, 1950, as amended (the "Code"), has determined to adopt a written policy allowing for and governing participation by electronic communication means; and,

WHEREAS, there has been presented to the Committee a Policy on Board Member Participation in Meetings When Absent and All-Virtual Meetings (the "Policy"), a copy of which is attached to this Resolution and made a part hereof; and,

WHEREAS, the Committee does hereby find that the adoption of the Policy will be in the best interests of the Committee.

NOW, THEREFORE, be it resolved by the Participation Committee of the Western Virginia Regional Industrial Facility Authority that after deliberation and due consideration, the Policy as recommended is hereby adopted.

AND BE IT FURTHER RESOLVED, that the Committee is hereby authorized and directed to take what steps as may be necessary or convenient to implement and follow the Policy.

This resolution shall take effect immediately.

Members absent _____
Votes For _____
Votes Against _____
Abstentions _____

CERTIFICATION

The undersigned secretary of the Participation Committee of the Western Virginia Regional Industrial Facility Authority does hereby certify that the foregoing is a true, complete and correct Resolution adopted by a vote of a majority of the members of the Participation Committee of the Western Virginia Regional Industrial Facility Authority, present at a regular meeting of the Participation Committee of the Western Virginia Regional Industrial Facility Authority duly called and held September 16, 2022, at which a quorum was present and acting throughout, and that the same has not been amended or rescinded and is in full force and effect as of the date of this certification, September ___, 2022.

Virginia Mullen, Recording Secretary,
Participation Committee of the Western Virginia
Regional Industrial Facility Authority

(SEAL)

Board Member Participation in Meetings When Absent; All-Virtual Public Meetings

This Policy is adopted by the Participation Committee of the Western Virginia Regional Industrial Facility Authority (the "Committee") to comport with amendments to Virginia Code § 2.2-3708.3. (Effective September 1, 2022, and styled "Meetings held through electronic communication means; situations other than declared states of emergency").

A. The Committee confirms its goal to (i) provide public access, both in person and through electronic communication means, to public meetings and (ii) provide avenues for public comment at public meetings when public comment is customarily received, which may include public comments made in person or by electronic communication means or other methods.

B. Individual members of the Participation Committee may use remote participation instead of attending a public meeting in person if, in advance of the public meeting, the member notifies the Committee chair that:

1. The member has a temporary or permanent disability or other medical condition that prevents the member's physical attendance;
2. A medical condition of a member of the member's family requires the member to provide care that prevents the member's physical attendance;
3. The member's principal residence is more than 60 miles from the meeting location identified in the required notice for such meeting; or
4. The member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter. However, the member may not use remote participation due to personal matters more than two meetings per calendar year or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater.

The Committee shall record in its minutes the remote location from which the member participated; however, the remote location need not be open to the public and may be identified in the minutes by a general description. If participation is approved pursuant to subdivision 1 or 2, the Committee shall also include in its minutes the fact that the member participated through electronic communication means due to a (i) temporary or permanent disability or other medical condition that prevented the member's physical attendance or (ii) family member's medical condition that required the member to provide care for such family member, thereby preventing the member's physical attendance. If participation is approved pursuant to subdivision 3, the Committee shall also include in its minutes the fact that the member participated through electronic communication means due to the distance between the member's principal residence and the meeting location. If participation is approved pursuant to subdivision 4, the Committee shall also include in its minutes the specific nature of the personal matter cited by the member.

C. The Committee may hold all-virtual public meetings, provided that the Committee follows the other requirements in this Policy for such meetings, and:

1. An indication of whether the meeting will be an in-person or all-virtual public meeting is included in the required meeting notice along with a statement notifying the public that the method by which the Committee chooses to meet shall not be changed unless the Committee provides a new meeting notice in accordance with the provisions of Virginia Code § 2.2-3707;
2. Public access to the all-virtual public meeting is provided via electronic communication means;
3. The electronic communication means used allows the public to hear all members of the Committee participating in the all-virtual public meeting and, when audio-visual technology is available, to see the members of the Committee as well;
4. A phone number or other live contact information is provided to alert the Committee if the audio or video transmission of the meeting provided by the Committee fails, the Committee monitors such designated means of communication during the meeting, and the Committee takes a recess until public access is restored if the transmission fails for the public;
5. A copy of the proposed agenda and all agenda packets and, unless exempt, all materials furnished to members of the Committee for a meeting is made available to the public in electronic format at the same time that such materials are provided to members of the Committee;
6. The public is afforded the opportunity to comment through electronic means, including by way of written comments, at those public meetings when public comment is customarily received;
7. No more than two members of the Committee are together in any one remote location unless that remote location is open to the public to physically access it;
8. If a closed session is held during an all-virtual public meeting, transmission of the meeting to the public resumes before the Committee votes to certify the closed meeting as required by subsection D of Virginia Code § 2.2-3712;
9. The Committee will not convene an all-virtual public meeting (i) more than two times per calendar year or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater, or (ii) consecutively with another all-virtual public meeting; and
10. Minutes of all-virtual public meetings held by electronic communication means are taken as required by Virginia Code § 2.2-3707 and include the fact that the meeting was held by electronic communication means and the type of electronic communication means by which the meeting was held. If a member's participation from a remote location is disapproved because such participation would violate this Policy, such disapproval shall be recorded in the minutes with specificity.

D. The Committee hereby adopts this Policy, by recorded vote at a public meeting. This Policy shall be applied strictly and uniformly, without exception, to the entire membership and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting. This Policy:

1. Describes the circumstances under which an all-virtual public meeting and remote participation will be allowed and the process the Committee will use for making requests to use remote participation, approving or denying such requests, and creating a record of such requests; and
2. Fix the number of times remote participation for personal matters or all-virtual public meetings can be used per calendar year which does not exceed the limitations set forth in subdivisions B 4 and C 9.

This Policy also applies to any committee, subcommittee, or other entity however designated of the Committee to perform delegated functions of the Committee or to advise the Committee.