



***New River Valley Commerce Park Participation Committee***

**6580 Valley Center Drive, Suite 124**

**Radford, VA 24141**

**Phone (540) 639-1524 FAX (540) 831-6093**

**Bland County**

John C. Thompson  
Henry M. Blessing

**Craig County**

\*Jay Polen

**Giles County**

\*Chris McKlarney, Chair  
Richard McCoy

**Montgomery County**

Bob Isner  
\*Clay Goodman

**Pulaski County**

\*Peter M. Huber  
Shawn Utt

**Roanoke County**

Richard C. Flora  
\*Doug Chittum

**City of Radford**

Bruce Brown  
\*Basil Edwards

**City of Roanoke**

\*Brian Townsend

**Town of Dublin**

Samuel F. Gregory, Jr.  
\*Doug Irvin

**Town of Pulaski**

\*Morgan Welker  
John Hawley

\* denotes primary member  
of the Participation  
Committee

**MEMORANDUM**

**DATE: July 3, 2008**  
**TO: NRV Commerce Park Participation Committee**  
**FROM: Dave Rundgren**  
**SUBJECT: July 9, 2008 Meeting**

A meeting of the New River Valley Commerce Park Participation Committee will be held on July 9, 2008, at 4:30 p.m. at the New River Valley Competitiveness Center in Fairlawn.

Please mark your calendar and contact me as to your plans for attendance.

***Virginia's First Regional Industrial Facility Authority***  
**New River Valley Commerce Park Participation Committee**  
**Agenda**

**July 9, 2008, at 4:30 P.M.**  
**New River Valley Competitiveness Center**

- 1. Roll Call**
- 2. Approval of the June 11, 2008 meeting minutes**
- 3. Engineering Report**
- 4. Administrative Staff Report**
- 5. Old Business**
  - a. Report from Attorney**
  - b. Update on AEP transmission study**
- 6. New Business**
  - a. Marketing Staff Report**
  - b. Closed Session**
- 7. Other Business**
- 8. Adjournment**

**Virginia's FIRST REGIONAL INDUSTRIAL FACILITY AUTHORITY**  
**New River Valley Commerce Park Participation Committee**  
**Meeting Minutes**  
**June 11, 2008**

**1. Roll Call and Welcome**

Chairman McKlarney opened the meeting by welcoming all those present. Roll call was taken and a quorum determined (see attached).

**2. Approval of April 9, 2008 meeting minutes.**

Motion: Mr. Vittum moved approval of the April 9, 2008 Committee Minutes. Mr. Edwards seconded the motion.

Action: The motion carried, one abstention.

**3. Engineering Report**

There were no new engineering items to report.

**4. Administrative Staff Report**

Mr. Rundgren reported that staff had worked administrative tasks, including financial, lease preparation, financing alternatives. Additional items to be reported later on the agenda.

**5. Old Business**

**a. Update on Commerce Park Sign**

Mr. Edwards reported that the signs have been finished. One remaining item is to put electricity to the larger sign at some point. Mr. Rundgren reported that the cost of the bases was less than the authorization requested.

**b. Update on AEP Study**

Mr. Rundgren reported that the FAA has reviewed the proposals prepared by AEP for the location of the major power line to serve the Commerce Park. A meeting of the Committee is being scheduled to discuss the findings with AEP on June 16, 2008.

**6. New Business**

**a. Report from Attorney**

An e-mail from Jim Guynn was made available to all of those present. It addressed 3 outstanding issues: Use of Dues, Procurement of Auction services, and the size of vote required to invest dues. The answers follow:

First, I have been unable to have a full discussion of the participation committee issue with Marty. I think Marty holds his opinion in good faith and he has some basis for it. He and I just disagree. I think the "general activities" of the authority under the code and our agreement include investing in economic development projects. The real question is how to resolve the issue. I would be open to suggestions on that. I could see us agreeing to let a third party review the documents and give us an opinion on the matter. We would have to decide who to ask to look at it. The firm of Hefty and Wiley in Richmond might be in a position to help us.

It was agreed that if the attorneys could not get together, that Mr. Guynn should make a request of the Attorney General.

Second, procurement applies to hiring an auctioneer because it is professional services. If we have adopted a procedure not requiring competitive negotiation for contracts for professional services not expected to exceed \$30,000 and establishing purchase procedures in that regard we can do it without competitive negotiation. Otherwise, we are required to engage in competitive negotiation.

Third, the answer here is tied to the decision in the question concerning participation committees. If Marty is correct, then the general activities of the authority do not include particular projects. If he agrees that particular projects are the general activities of the authority then the authority can invest in the individual projects.

Chairman McKlamey opened a discussion of investment of Virginia First dues in the context of financing infrastructure at the Commerce Park. Each member present was asked to provide their opinion. The sticking points include: that there needs to be maintained a balance in the VA 1<sup>st</sup> account for development of additional projects and to support the other operations of the Authority financed by all members, that dues contributed to the Authority by non-participants in the Commerce Park should not have their share of the dues utilized for the Commerce Park infrastructure, and that the dues utilized for any project should be on some type of loan basis.

The consensus following the discussion is the attorneys need to reach an agreement on this issue to keep developing infrastructure at the Park. If they can not reach an agreement, an Attorney General opinion needs to be sought as to the powers of the Authority.

#### **b. Consideration of re-bidding land leases for FY 2010**

Mr. Rundgren noted that a couple of Committee members had asked about re-bidding land leases. During the budget process last year there was a policy established that lease rates would increase for the FY 09 leases. Initially, during this year's budget process, the property leased and the conditions were reviewed with the conclusion of continuing the leases. If there is an anticipation of re-bidding the leases, it should be decided in January to take effect July 1, 2010.

Motion: Mr. Sheffey moved the leases be extended and that copies of the leases be provided the Committee members to review. Mr. Goodman seconded the motion.

Action: The motion carried unanimously.

08-25

**b. Closed Session**

Closed session under Code of Virginia 2.2-3711 paragraphs 3, 5, and 6 was continued until after the Authority meeting.

**Certification of Closed Session**

Motion: Mr. Vittum moved the Certification of the Closed Session. Mr. Worrell seconded the motion.

Action: Mr. Polen, yes; Mr. McKlarny, yes; Mr. Huber, Mr. Sheffey, yes; Mrs. Biggs, yes; Mr. Goodman, yes; Mr. Isner, yes; Mr. Sharitz, yes; Ms. Umbarger, yes; Mr. Edwards, yes; Mr. Irvin, yes; Mr. Wingfield, yes; Mr. Helms, yes; Mr. Jones, yes; Mr. Vittum, yes; Mr. Worrell, yes; Mr. Welker, yes.

**7. Other Business**

None discussed

**8. Adjournment**

With no further business to discuss the meeting was adjourned. The next meeting to be held on July 9, 2008.

Respectfully Submitted,

  
David W. Rundgren

Approved by,

  
Barry Helms

**New River Valley Commerce Park  
Participation Committee  
Attendance**

June 11, 2008  
New River Valley Competitiveness Center  
Radford, VA

| <b>Jurisdiction</b> | <b>Name</b>                                     |                                     |
|---------------------|---|-------------------------------------|
| Bland County        | ( ) John C. Thompson<br>( ) Henry M. Blessing   |                                     |
| Craig County        | ( )<br>* (x) Jay Polen                          |                                     |
| Giles County        | * (x) Chris McKlarney<br>( ) Richard McCoy      |                                     |
| Montgomery          | (x) Bob Isner<br>* (x) Clay Goodman             | (x) Mary Biggs<br>( )               |
| Pulaski County      | ( ) Shawn Utt<br>* (x) Peter Huber              | (x) Joe Sheffey<br>( ) Ronnie Coake |
| Roanoke County      | ( ) Charlotte Moore<br>* ( ) Douglas Chittum    |                                     |
| City of Radford     | * ( ) Bruce Brown<br>(x) Basil Edwards          |                                     |
| City of Roanoke     | ( ) Beverly Fitzpatrick<br>* ( ) Brian Townsend |                                     |
| Dublin              | ( ) Samuel Gregory Jr.<br>* (x) Doug Irvin      |                                     |
| Pearisburg          | (x) Brad Jones<br>* (x) Ken Vittum              |                                     |
| Town of Pulaski     | * (x) Jeffrey S. Worrell<br>( ) John Hawley     | (x) Morgan Welker                   |

\* denotes primary member of the Participation Committee

**Others Present:** Janet Flory, Rick DeSalvo, Trevor Kimzey

**Staff Present:** Dave Rundgren