



## *New River Valley Commerce Park Participation Committee*

**6580 Valley Center Drive, Suite 124  
Radford, VA 24141**

### **Bland County**

Lacy (Nick) Asbury

### **Craig County**

Jay Polen

### **Giles County**

Chris McKlarney

### **Montgomery County**

Craig Meadows

### **Pulaski County**

Andy McCready

### **Roanoke County**

Jill Loope

### **City of Radford**

Tim Cox

### **City of Roanoke**

Brian Townsend

### **Town of Dublin**

Doug Irvin

### **Town of Pearisburg**

Kenneth F. Vittum

### **Town of Pulaski**

Joseph K. Goodman

### Executive Committee:

Basil Edwards, Chair

City of Radford

Chris McKlarney, Vice-Chair

Giles County

Shawn Utt,

Secretary-Treasurer

Pulaski County

Jay Polen

Craig County

Brian Hamilton

Montgomery County

**TO: NRV Commerce Park Participation Committee**

**FROM: Joe Morgan**

**SUBJECT: Wednesday, August 14, 2013 Noon, Meeting Draft Agenda**

A meeting of the New River Valley Commerce Park Participation Committee will be held on **Wednesday, August 14**, at following the Virginia's First Authority Annual Meeting at the same location beginning at **Noon**. The meeting will be held at the New River Valley Business Center, 6580 Valley Center Drive, Radford, VA 24141, in the New River Room at the opposite end of the building from the NRV Planning District offices. Lunch will be provided.

*Please mark your calendar and contact us on your plans for attendance.*

- 1. Roll Call and Approval of Agenda**
- 2. Public Comment**
- 3. Approval of the April 16, 2013 Participation Committee Minutes**
- 4. Administrative Staff Report**
  - a) FY14 Budget Update**
  - b) Update on Approved Surplus Property Disposition**
- 5. Old Business**
  - a) Red Sun Farms Location Status – Shawn Utt, Pulaski County Community Development Director (grading, utility connection and VDOT access road)**
  - b) Agricultural Lease 5 Year Rolling Contract Delay**
  - c) Other**
- 6. New Business**
  - a) Outparcel Sale for Residential Use Inquiries**
  - b) Topsoil Transfer to Buffer**
  - c) NRV Economic Development Alliance Marketing Report**
  - d) Other**
- 7. Closed Session pursuant to 1950 Code of Virginia, Section 2.2-3712, (3) Property Disposition & (5) Prospective Business**
- 8. Other Business**
- 9. Adjournment – Immediately Followed by VA1st Authority Special Meeting for any Required Action Related to the Commerce Park**

Next scheduled regular Commerce Park & VA1st special called meetings: Wed., November 13, 2013 at Noon – Tentative dates for called special meetings: Wednesday, September 11 or Wednesday, October 9, 2013 at Noon



*New River Valley Commerce Park Participation Committee*  
**6580 Valley Center Drive, Suite 124**  
**Radford, VA 24141**

**TO: NRV Commerce Park Participation Committee**  
**FROM: Joe Morgan**  
**SUBJECT: Wednesday, August 14, 2013 Noon, Meeting Staff Report**

1. **Roll Call and Approval of Agenda** – A quorum of six of the eleven Commerce Park member governments will be determined by a minimum of one representative from six member governments, whose representatives may vary from meeting to meeting. A designated individual may represent more than one member government. Agenda items marked with \* are suggested for adoption by consent, unless a member representative desires discussion.
2. **Public Comment** – No requests for comment have been received to date.
3. **\*Approval of the April 16, 2013 Participation Committee Minutes** – Minutes will be sent by separate e-mail or on-line posting.
4. **Administrative Staff Report**
  - a) **FY14 Budget Update** – *Budget adoption is requested, with use of reserve depending on the extent to which VFRIFA contributes to the water and sewer capacity expense.*
  - b) **\*Update on Approved Surplus Property Disposition** – With removal of the lender deed of trust restrictions, the Mebane House, fields, single-wide home and double-wide home should be more marketable. The latest recommendation from Woltz and Associates was to auction this surplus property, with enhancements of additional acreage buffering the Mebane House. Those enhancements might include exchange of buffer acreage with adjacent property owners or co-listing / auction of adjacent acreage. *Authorization for the Executive Director to seek a new auction or listing proposal from Woltz, for consideration by the November Commerce Park meeting is recommended, with engagement in advance of that meeting if deemed prudent by the members of the Executive Committee.*
5. **Old Business**
  - a) **Red Sun Farms Location Status – Shawn Utt, Pulaski County Community Development Director (grading, utility connection and VDOT access road)** – Mr. Utt has given outstanding coordination to the location process and can advise of any further assistance sought from the Commerce Park owners.
  - b) **\*Agricultural Lease 5 Year Rolling Contract Delay** – *It is recommended that the previously approved 5 year rolling farm lease terms be delayed until 2015.* There are numerous changes that may occur that would impact the available farm rental acreage and the configuration of that acreage. Potential changes include: location of up to 100 acres for the no-cost 15-year lease to Red Sun Farms for biomass farming; buffer acreage change to enhance Mebane House sale; wetlands mitigation and possible wetlands bank siting; rail & electric right of way corridors; wildlife habitat enhancement with low maintenance warm season natural grasses; and access / view improvement. ***Attached (on pages 4 - 7)*** is an e-mail response to Red Sun Farms and Guthrie Farms representatives regarding farm rental that explains the potential changes in detail, as well as a request from Guthrie Farms for more acreage. *For 2014 and subsequent years, it is recommended the rental rate be set at the most recent cash rate from the USDA NASS survey published by the Virginia Cooperative Extension Service, currently \$25 per acre for cropland and \$20.50 per acre for pastureland, with priority given to current renters and adjacent property owners, then to other interested farmers.*

c) **Other****6. New Business**

- a) **\*Outparcel Sale for Residential Use Inquires** – Ms. Brenda Blackburn and an acquaintance of tenant Wally Melton asked if small lots for residential use are available for purchase, particularly along Rhuebush Road, where there is a wide buffer adjacent to an existing residential subdivision. Such outparcels might be feasible, but also could impact overall site planning issues, such as wetlands mitigation and rail or electric extension corridors. *It is recommended that any decisions on such outparcels be deferred, pending further planning.*
- b) **\*Topsoil Transfer to Buffer** – *Ratification is requested of transfer of topsoil from the Red Sun Farms site to the buffer in areas that additional topsoil will benefit for farming and long term maintenance. Attached (on page 8) is a related agreement with W. C. English, Inc. Farm tenants on areas receiving topsoil will be responsible for establishing vegetation and controlling erosion as an agricultural practice.*
- c) **NRV Economic Development Alliance Marketing Report**
- d) **Other**

**7. Closed Session Pursuant to 1950 Code of Virginia, Section 2.2-3712, (3) Property Disposition & (5) Prospective Business, If Needed****8. Other Business****9. Adjournment – Immediately Followed by VA1st Authority Special Meeting for any Required Action Related to the Commerce Park**

Next scheduled regular Commerce Park & VA1st special called meetings: Wed., November 13, 2013 at Noon – Tentative dates for called special meetings: second Wednesday of each month at Noon

**Text E-mail re NRVCP Farm Acreage Rental July 2013**

On 7/9/2013 at 5:41 PM, Joseph Morgan <jnmorgan@pulaskicounty.org> wrote:

Jim and Joe,

Please be assured the desires and requirements of all parties will be considered as planning for the open acreage at the Commerce Park proceeds.

A Request for Proposals has been issued for general engineering services for the Commerce Park and other properties the VA1st Authority may consider. A key purpose of the RFP is to have available professional services to supplement the NRV Planning District staff, Authority staff and member government resources in future planning for both sites for additional businesses at the Commerce Park and for the required green space and other undeveloped acreage. The services and issues that may be considered include:

1. One-foot interval contour mapping
2. Boundary, topographic, stakeout, and any other field surveying services needed for economic development prospective projects
3. Wetlands / impoundment identification and wetlands mitigation planning
4. Stormwater management planning
5. Temporary site access road extension layout
6. View-shed clearing
7. Rental farm acreage reallocation between pasture and crops to complement likely future development, view-shed improvement and temporary road access
8. Entrance appearance enhancement by optimum landscaping, Laboratory Street Spur Road abandonment and neighboring commercial / industrial uses outdoor storage improvement
9. Site security
10. Graded Commerce Park main access road extension erosion control
11. Comprehensive site database compilation and posting on appropriate websites
12. Update of Commerce Park maps and graphics to reflect current status
13. Rail Right of Way planning
14. Electric Transmission Right of Way planning
15. Use of warm season natural grasses in areas where open space and minimal mowing are desirable, with the benefit of enhanced wildlife habitat

In addition to Guthrie Farms, our two other current farm tenants have also expressed a desire to maintain or increase their rental acreage. A hearing on the property development was conducted in 2009 that gives the flexibility of renting acreage without additional bidding. So I am not aware of any privileged status of renters. There are some adjacent or nearby land owners that would also like to rent Commerce Park acreage. Also, Red Sun Farms is due up to 100 acres at no cash rent for its bio mass production.

According to information published by Gordon Groover, Virginia Tech Cooperative Extension Farm Management Economist, our cash rent for pasture and hay fields may be under market. See [http://www.pubs.ext.vt.edu/AAEC/AAEC-44/AAEC-44\\_PDF.pdf](http://www.pubs.ext.vt.edu/AAEC/AAEC-44/AAEC-44_PDF.pdf) . So, I plan to request a minimum cash rent equal to that published by VA Tech for 2014.

With the removal of the deed of trust restrictions accomplished by the recent refinancing, it is now possible to sell, exchange or otherwise transfer acreage without a financial penalty. So it is now appropriate to focus on reworking boundaries, selling surplus acreage, acquiring electric transmission and rail right of way, etc. It is also likely additional acreage should be allocated to the Mebane House property for an optimum auction of the historic house by 2015.

All of these factors support undertaking planning on the best configuration of rental farm acreage. I expect that planning to occur in 2013 & 2014. The desired move to 5 year rolling farm leases is probably not practical before 2015.

Joe,

My current primary concern with the acreage leased by Guthrie Farms is whether brush management is adequate. For example, I cycled over the area south of the water main installation last spring. In the south east most pasture, joining the Dalton leased acreage, there is considerable brush and sapling growth. The aerial photo of the property attached shows that pasture was pretty open in the past when you started leasing it. As we have discussed in the past the fence row along the ridge road east of the water tank would benefit from brush removal also.

I hope this information is useful.

Thanks, Joe Morgan

n 7/9/2013 at 11:47 AM, Jim Cowan <jcowan@cowanperry.com> wrote:

Joe,

Red Sun is happy to work with you and Mr. Guthrie on this, and to accommodate the changes, so long as consistent with Red Sun's needs from the property,

Regards,

Jim  
James K. Cowan, Jr.  
COWANPERRYPC

202 South Main Street, Suite 202  
Blacksburg, Virginia 24060  
540.443.2860 Blacksburg Direct  
540.777.3460 Roanoke Direct  
540.239.3810 Mobile  
540.443.2850 Blacksburg Main  
540.777.3450 Roanoke Main  
888.755.1450 Facsimile  
jcowan@cowanperry.com  
www.cowanperry.com

\*This e-mail may contain confidential or privileged information. If you are not the intended recipient, please notify the sender, please immediately return by e-mail with a copy to msullivan@cowanperry.com and delete this e-mail and all copies and attachments.

IRS Circular 230 Notice: Unless specifically stated otherwise, any tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of: (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

On 7/8/13 1:49 PM, "Guthrie, Joseph" <joegu3@vt.edu> wrote:

>Hi Joe,  
>I know you are excited as I am to have Red Sun coming to the Commerce  
>Park and see the jobs that they will bring to our area. Since the acreage  
>that Red Sun will be using is some of what I have been leasing, I'd like  
>to follow up on our earlier discussion about realigning some of the  
>acreages that the Commerce Park has with my farm and others because a  
>realignment of the leased properties would be beneficial for both my farm  
>and the Commerce Park owners for several reasons.  
> First, as we discussed, since my farm is already a tenant of the  
>Commerce Park, a lease that merely realigns acreage would not need to be  
>put out to bid. Since the leases are annual, it could be changed as soon  
>as the end of this year. Realigning some of the acreages would help my  
>farm offset the reductions we have experienced from the area being used  
>by Red Sun, but I wouldn't expect the Commerce Park to make an adjustment

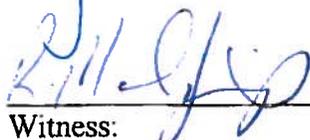
>if it was only going to be revenue neutral, so I'd of course be willing  
>to discuss an increase in the rent payment, which would enhance the  
>Commerce Park's revenue.  
> Furthermore, we discussed briefly how having the other Commerce Park  
>fields in row crops (like corn and soybeans) makes it more difficult to  
>show the property to potential clients and that the fields would be  
>better suited as hay fields for that reason. Since I only need hay (such  
>as we had in the graded field) and not row crops, I could convert all the  
>fields that are currently in row crops to hay and suit our production  
>needs while also making the property easier for you to market.  
>I'm happy to discuss any realignment that helps us make up for our loss  
>of acreage, and one possibility would be to have my farm lease the entire  
>area, and then work out subleasing arrangements with the other current  
>tenants. Having a lease with just one tenant who then works with  
>subleases would streamline and simplify the management of the farm  
>property for both the Commerce Park and Red Sun by having one "go to"  
>person. I've had a good working relationship with you and the other  
>Commerce Park administrators for many years, I've received feedback that  
>you all have been pleased with my management of the property and my  
>sublease, and I know we can continue that working relationship well in  
>the future.  
>Please feel free to discuss this with your Board members. I am also  
>available to speak with them about this at your next Board meeting if  
>that would be helpful. I'll look forward to hearing back from you and  
>continuing the discussion.  
>Best Regards,  
>  
>Joe Guthrie  
>Owner, Guthrie Farm, LLC

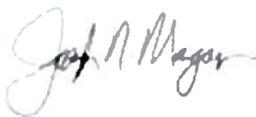
AGREEMENT FOR TOPSOIL MATERIAL PLACEMENT

THIS AGREEMENT is made this 25th day of July, 2013, between Virginia's First Regional Industrial Facility Authority and W. C. English, Inc. the parties agree as follows:

1. Owners owns land in the County of Pulaski, State of Virginia, and more particularly described in Exhibit A (attached hereto) such parcels bordering the South side of International Boulevard and adjacent to the west side of current greenhouse construction site. W.C. English has surplus topsoil that it is willing to dispose of on the authority's property.
2. W.C. English will relocate the current stockpile of concrete structures and manholes from area to onsite location at end of pavement of International Boulevard to restrict access to rough graded roadway. W.C.English will provide silt fence at the lower side of the fill placement area. W.C. English will grade fill placement area for positive flow, with a smooth finish,( no holes, or ponding). Fill to be placed on existing ground over brush, vines, grass etc. No trees are in the fill area and clearing and grubbing is not included in this agreement.
3. W.C. English is not responsible for seeding or additional Erosion and Sediment Control measures in the fill area other than what is described above
4. The quantity of topsoil fill placement is dependent upon the amount of excess topsoil material from the Greenhouse construction site. Owners will specify the maximum elevation that W. C. English will be allowed to place topsoil fill material. Fill should not exceed what would create slopes that can reasonably be used for row crop cultivation. Should fill quantities be excessive, Owners will attempt to locate another suitable farming site on the property for additional topsoil placement.

  
 Witness:

  
 Witness:



Joseph N. Morgan, Executive Director, Virginia's First  
 Regional Industrial Facility Authority

Virginia's First Regional Industrial Facility Authority  
 Joseph N. Morgan



W.C. English, Inc.  
 Paul M Johnson