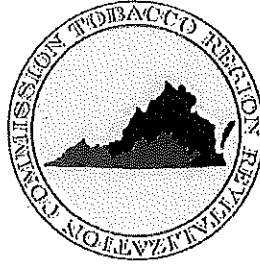


EXECUTIVE COMMITTEE



AGENDA
EXECUTIVE COMMITTEE
Berry Hill Resort & Conference Center
3105 River Road, South Boston, VA 24592
Wednesday, October 5, 2022
10:45 A.M.

In accordance with §2.2-3708.2.D.2 of the Code of Virginia, the public may witness and participate in this meeting remotely (only audio participation will be utilized). The meeting number is: 2630 930 3163 and the password is: 73973989. If participating via phone, dial: 1-408-418-9388 (toll) utilizing the above meeting number and passcode. If joining remotely, utilize the following link:

<https://virginiatobaccocommission.my.webex.com/virginiatobaccocommission.my/j.php?MTID=m7d9f09223b2fcf0ba9b58371b1a8205a>

If you experience problems calling in or transmission, please call: 804-894-9652 or email at JButler@revitalizeva.org. Any person needing accommodations in order to participate in the meeting should contact Ms. Joyce Knight, at 804-894-9651 at least (5) five days prior to the meeting, so that suitable arrangements can be made. In accordance with §30-179 of the Code of Virginia, the public may provide comment on their experience with this electronic meeting format. A copy of the comment form may be found here: http://foiacouncil.dls.virginia.gov/sample%20letters/reporting_reqs.htm.

Welcome and Call to Order	<i>The Honorable Will Morefield, Vice Chair</i>
Call of the Roll	<i>Andy Sorrell, Acting Director</i>
Approval of the <u>5/3/22</u> Minutes	<i>(published on website)</i>
Public Comments	
Chairman Election	<i>The Honorable Will Morefield, Vice Chair</i>
Invest Southern Virginia Discussion	<i>Andy Sorrell, Acting Director</i>
Electronic Meeting Policy Revisions	<i>Andy Sorrell, Acting Director</i>
Other Business	<i>Andy Sorrell, Acting Director</i>
Public Comments	
Adjournment	

MEMO

TO: TRRC Executive Committee
FROM: Andy Sorrell, Acting Director
DATE: September 16, 2022
RE: Anwyl Economic Development Consulting Contract – a.k.a. Invest Southern Virginia

Overview

On July 1, 2020, the Virginia Tobacco Region Revitalization Commission (TRRC) entered into an independent contractor agreement with Anwyl Economic Development, Ltd. (“AED”) to provide consulting and development services to secure manufacturing, supply chain, telecommunications, technology, IT, and related jobs and capital investments in the Southern Virginia region. The project is also known as Invest Southern Virginia. The term is for one year with automatic renewals unless terminated by a Party to the agreement.

AED is charged with the following duties on an annual basis in accordance with the contract:

- Identifying 10 qualified advanced manufacturing or other companies for investment and job creation within the TRRC footprint;
- Engaging in 8 face-to-face meetings with decision makers of qualified large companies;
- Facilitating and arranging 5 qualified target company decision maker visits to the TRRC footprint with meetings with Economic Development Organizations;
- Facilitating 3 qualified target companies in identifying the TRRC footprint as one of the finalists (meaning reaching a short list of no more than two competitor states) for the target company’s investment in the United States;
- Facilitating a minimum of one and a half (3 over any two-year period) executed Performance Agreements between a qualified target company and TRRC.

For these services, AED is compensated at \$21,600 per month. The compensation is inclusive of any travel, supplies, meeting costs or other expenses incurred by AED. This level of compensation amounts to \$259,200 per year.

Previously, AED was funded through two grants to the Commonwealth Center for Advanced Manufacturing (CCAM) from 2012-2017 (#2275 & 3085), and then from 2017-2020 through Grant #3322 to Mid-Atlantic Broadband.

A like business development group led by Mr. Will Payne called Invest Southwest Virginia, was launched in 2019 and is funded through Grant #3748 of \$400,000 to the Lenowisco Planning District Commission, and leveraged by \$700,000 in regional corporate funding. Comparison to both projects can be found in [Attachment 1](#).

Performance to Date:

Commission staff has a project update call with AED every two weeks to discuss latest information on prospect development. AED has provided a current listing ([Attachment 2](#)) of business prospects as of September 2022 noting the potential for over 1,800 new jobs and \$224 million in capital investment should all of the projects occur.

AED is generally meeting the terms of the current contract with the Commission. AED identifies and engages with advanced manufacturing and other qualified companies having meetings with decision makers and arranges for such companies to make site visits and consider TRRC locations for a Company's U.S. investment. AED has also helped facilitate a number of Companies that over the last 10 years have executed performance agreements for jobs and investments in the footprint, however only one has executed a performance agreement under the current contract which does not meet the metric of 3 performance agreements being executed in a 2 year period, though this is likely due to the economic downturn during the global pandemic.

While the terms of the contract are being generally being met, the goal of the Invest Southern Virginia project is ultimately to have prospects in the targeted industries locate to the Commission's Southern Virginia footprint communities bringing new high-paying jobs and making capital investments that benefit the localities they are locating within as evidenced by executed performance agreements with TRRC. Therefore, it is important to compare the total number of AED-supported and announced projects against the jobs and capital investment that were delivered from executed performance agreements. Since the Commission began the contractual relationship with Anwyl Economic Development, Ltd. in 2013, AED has noted they have brought 56 companies to review the region, had 11 announced projects (9 with executed performance agreements) that were to locate in the Commission's footprint. Of those announcements, 545 total new jobs were promised along with over \$83 million in private taxable investment. The number of jobs delivered from these 11 projects is 46 with three newer projects remaining active (though only 1 of the 3 active projects has an executed performance agreement with TRRC). The amount of delivered capital investment has been \$14 million. Details on these projects can be found in **Attachment 3**.

As the data shows, after nearly 10 years, most of the announced projects with executed performance agreements did not ultimately result in on-the-ground jobs or capital investment in spite of the concentrated business development efforts of AED to bring them to Southern Virginia. While past activity does not guarantee the outcomes of current prospects as found in **Attachment 2**, it does indicate that the past and existing deliverables may not be adequate in ensuring targeted industries companies locate to the footprint and hire new employees and make capital investments. Reasons for this could include that companies engaged are not yet ready to fully commit to a US expansion, and/or they have high expectations for incentives without a significant outcome in return.

As noted by AED, in 2013, AED was tasked with facilitating the creation of a new aerospace machining industry in the region. In addition to delivering several new members for CCAM a new aerospace industry cluster was initiated. Jobs and investment from the aerospace industry are very competitive in the global market as they pay high wages and deliver large amounts of capital investment. AED's business attraction efforts in the aerospace industry have and continue to provide opportunities for graduates of Southern Virginia's world class aerospace machining workforce development programs to continue to live and work in the footprint.

The Commission must evaluate the results of Anwyl Economic Development's business attraction efforts, and make a decision regarding the future direction of this business relationship and the strategy for attracting investment to Southern Virginia.

Decision Options:

- 1) Continue current contract with current terms of performance; OR
- 2) Provide the contractually required 120 termination notice to conclude the contract and take no further action; OR

- 3) Provide the contractually required 120 termination notice to conclude the contract and seek a new business development consultant to serve Southern Virginia; OR
- 4) Provide the contractually required 120 termination notice to conclude the contract and encourage AED to apply to the fall 2022 Southern Virginia competitive grant round that among other things will require dollar for dollar match, funding via reimbursable expenses and be competitive among other Southern Virginia funding projects; OR
- 5) Provide a notice period greater than the contractually required 120 day termination notice to conclude the contract to permit greater time for AED to secure matching funds, deliver a spring 2023 planned aerospace "fam tour" and close out more existing prospects than the notice period would period.

As noted above, the current contract terms require 120 days-notice of termination.

Attachment 1: Comparative View of Invest Southern Virginia and Invest Southwest Virginia Programs

	Invest Southern Virginia (Anwyl Economic Development, Ltd)	Invest Southwest Virginia (Coalfield Strategies LLC)
Description	Led by Anwyl Economic Development Ltd, based in Great Britain, Invest Southern Virginia provides consulting and development services to secure manufacturing, supply chain, telecommunications, technology, IT and related jobs and capital investments in the region with emphasis on foreign direct investment from companies based in the United Kingdom and Europe.	InvestSWVA, a public-private business attraction and marketing campaign for Southwest Virginia, launched in 2019. This organization, based in Bristol, pursues investment opportunities from high-tech companies, data centers, energy innovators, advanced manufacturers, and the agriculture industry.
Current Contract Method	Sole-source contract directly with TRRC.	Grant-based through TRRC Grant #3748 with LENOWISCO PDC.
Current Project Period	7/1/2020 – present; Annual auto-renewing contract	7/1/2021-6/30/2023
Average annual funding by TRRC	\$259,200	\$192,000
Matching Funds	\$0	\$700,000 from PDC matches with \$400,000 of TRRC funds, for a total budget of \$1.1MM covering two years.
Funding History with TRRC	Previously funded from 2013-2018 through Grants #2275 and #3085 through Commonwealth Center for Advanced Manufacturing; From 2017-2020 through Grant #3322 through Mid-Atlantic Broadband. Matching funds were provided by grantee for all TRRC funding.	Phase I previously funded through TRRC Grant #3301 of \$400K (total budget of \$800K including matching funds) from May 2017-May 2021.
Goals	Over the course of the contract, Anwyl aspires to: <ul style="list-style-type: none"> Identifying 10 qualified advanced manufacturing or other companies as prospects Direct, one-on-one meetings with 8 prospects Region/site visits by 5 prospects 3 prospects identifying the TRRC footprint as finalist location Facilitating a minimum of 1.5 (3 over any two-year period) executed Performance Agreements with prospects These figures include ongoing, multi-year efforts.	For Grant #3748, InvestSWVA aspires to: <ul style="list-style-type: none"> Direct, one-on-one communication with 45 new prospects Provide data requested by 35 prospects Region/Site visits by 20 prospects Commitments to locate by 8 prospects These numbers did not include existing efforts, but those anticipated for the current 2-year project period.
Results	Since 2013, Anwyl's efforts have resulted in ten announced projects in the Commission's footprint. Of those 10 announcements, 375 total new jobs were promised along with over \$56 Million in private taxable investment. The number of jobs actually delivered from these 10 projects so far is 46, and only three newer projects remain active. The amount of delivered capital investment has been \$14 Million.	Reported as of 6/30/2022 to be working with 6 active new prospects, not including previously committed prospects. Phase I results, from 2019-2021, included 2 location commitments, with 273 jobs and 8.275MM capital investment.

INVEST SOUTHERN VIRGINIA

September 2022 Prospect Briefing Update

September 15th, 2022

STRONG INTEREST FROM LARGER AND BETTER CAPITALIZED FIRMS

Invest Southern Virginia's prospects list has never been better with 20 confirm strong prospects with a total potential pipeline of 1,803 jobs and \$224m of capital investment. Listed below are the seven strongest larger prospects all of whom have or are close to making an investment decision.

Project Wear – 350 jobs, \$70m capex, 150k sq. ft. factory, \$80k mean salary

Wear is a UK based, US VC backed manufacturer of electric vehicle components who have selected Cane Creek as the location for their build-to-suit 150,000 sq. ft. factory. This investment is likely to progress in Q1 2023 when VC funds are received.

Project Silver – 200 jobs, \$50+ capex, 250k sq. ft. factory, \$70k mean salary

Silver is a well-funded electric truck manufacturer. They have 300,000 sq. ft. under roof in the UK and have selected Cane Creek for their first US expansion. It is likely that this deal will be confirmed in Q2 or Q3 2023 with construction to start later in 2023.

Project Main – 40 jobs, \$5m capex, 30k sq. ft. factory, \$70k mean salary

This aerospace firm have confirmed with Invest Southern Virginia (ISV) that they will take a sales office in Richmond for four people in Q4 2022 and open a factory in Martinsville or Danville in 2023. They are visiting again in October.

Project Calder – 200 jobs, \$25m capex, 90k sq. ft. factory, \$60k mean salary

Calder manufactures electronic components. They informed ISV of their intention to build a 90k sq. ft. factory in or near Danville. The owner visited in late 2021 and agreed to a temporary trans-shipment deal with a Danville-based company. Calder is pleased with this company's work but due to visa issues senior leaders have not been able to enter the US delaying the investment decision. A 'go' decision is expected in early 2023.

Project Rutland – 40 jobs, \$10m capex, 40k sq. ft. factory, \$80k mean salary

This aerospace machining company will take a sales office in Danville in Q4 2022 and intend to open a factory there in Q3 2023.

Project Chelmer – 75 jobs, \$5m capex, 40k sq. ft. factory \$80k mean salary

Pre-selected Campbell County for a factory that will construct electric vehicles. There is a 60% likelihood of expansion in Q2 2023.

Project Mill – 200 jobs, \$2m, 10k sq. ft. office, \$100K mean salary

Mill needs to invest in the US as they hold contracts with a Virginia firm to supply hundreds of subcontract service technicians. This is an excellent project but currently has a 50% chance of investing in Southern Virginia. However, it has more than a 75% chance of locating in Virginia and will inevitably bring benefits to the wider area.

Attachment 3:

Anwyl Economic Development Ltd. Announced Projects Performance Data - 2013- Present

#	Date	Executed Performance Agreement with TRRC?	Project Name	Location	New Jobs Promised	Capital Investment Promised (millions)	New Jobs Delivered	Capital Investment Delivered (millions)	Active Until?
1	2014	Yes	Kilgour Industries Ltd. (#2844)	Martinsville / Henry	155	27	0	0	Closed
2	2014	Yes	Nulife Glass (#2997)	Bristol	46	6	2	0	Closed
3	2014	Yes	Hardide (#2990)	Henry	29	7.5	11	3.5	Closed
4	2016	Yes	Overfinch (#3181)	Danville	41	4	4	.084	Closed
5	2016	Yes	SGS Kyocera (#3178)	Danville	35	9.5	16	7.24	Closed
6	2017	Yes	Unison Tube (#3341)	Danville	55	3.81	6	2.2	Closed
7	2018	Yes	Harlow-Fastech (#3482)	Danville	49	8	7	1	Closed
8	2018	No	Advanced Revert	Martinsville / Henry	32	4.5	?	?	No TROF
9	2019	Yes	Gefertec (#3549)	Danville	8	1.9	0	0	Closed
10	2021	Yes	MEP (#3556)	Danville	45	6.445	TBD	TBD	2025
11	2021	No	Radical	Martinsville / Henry	50	5	?	?	No TROF
				Subtotals	545	83.655 M	46	14.024M	

MEMO

TO: TRRC Executive Committee
FROM: Andy Sorrell, Acting Director *AVS*
DATE: September 23, 2022
RE: Updates to Electronic Meeting Policy

Overview

The Commission adopted an Electronic Meeting Policy in May 2018. Since that time, multiple changes in state code (Virginia Code § 2.2-3708.3.) have been adopted regarding when how individual Commission members can utilize remote meetings in certain instances and how the Commission can be permitted to have occasional all-virtual meetings.

Attachment 1 is the draft revised Commission electronic meeting policy. The policy has 3 parts. Part A discusses the Commission's general preferences when members should utilize remote meeting options and when all-virtual meetings should be used. Part B, *Remote Participation of Members*, enumerates the specific policy and process for remote participation of Commission members in official Commission meetings. Part C, *All-Virtual Meetings*, enumerates the specific policy on official Commission meetings that occur virtually.

As described in Part A, *In General*, staff recommends that the Commission's policy be that in-person attendance at Commission meetings be the strongly preferred preference for the three regularly scheduled Commission meetings a year held in winter, spring and fall - including the committee meetings scheduled the day before and the day of the regular full Commission meeting.

However, staff also realizes that Commission membership covers a wide ranging distance from eastern to western Virginia and there are certain times when personal/ family commitments, illness, or inclement weather may not make travel possible. It is in these instances that the Commission's preference is to allow for members to utilize remote participation policy as described in Part B.

Additionally, there are certain times committee or full Commission meetings may be required to convene outside of the regular Commission meeting schedule. It is in these instances that the Commission's preference is to utilize the all-virtual meeting policy as described in Part C.

If Attachment 1 is adopted by the Commission at their fall meeting, it would take effect immediately as the code provisions referenced went into effect September 1, 2022.

Tobacco Region Revitalization Commission Electronic Meeting Policies¹

October 5, 2022

A. IN GENERAL

The Tobacco Region Revitalization Commission (the "Commission") has a two-part policy relating to electronic meetings. Part B, *Remote Participation of Members*, enumerates the policy and process for remote participation of Commission members in official Commission meetings. Part C, *All-Virtual Meetings*, enumerates the policy on official Commission meetings that occur virtually. Both Parts B and C follow § 2.2-3708, *Code of Virginia*.

1. It shall be the Commission's policy that in-person attendance at Commission meetings is strongly preferred for the three regularly scheduled Commission meetings a year held in winter, spring and fall - including the committee meetings scheduled the day before and the day of the regular full Commission meeting.

However, the Commission realizes that its membership covers a wide ranging distance from eastern to western Virginia and there are certain times when personal/ family commitments, illness, or inclement weather may not make travel possible. It is in these instances that the Commission's preference is to allow for members to utilize remote participation policy as described in Part B.

Additionally, there are certain times committee or full Commission meetings may be required to convene outside of the regular Commission meeting schedule. It is in these instances that the Commission's preference is to utilize the all-virtual meeting policy as described in Part C.

2. It shall also be the Commission's policy that the remote participation policy and all-virtual meeting policy listed in Parts B and C, respectively, apply individually to each committee and the full Commission therefore allowing each committee and the full Commission to meet up to two times all-virtually per calendar year.

¹ This policy was originally adopted by the Commission on May 22, 2018. This policy was revised to reflect changes in the law effective September 1, 2022, and was adopted by the TRRC at its meeting on TBD.

B. POLICY FOR THE REMOTE PARTICIPATION OF MEMBERS

1. AUTHORITY AND SCOPE

- a. This policy is adopted pursuant to the authorization of § 2.2-3708.3, *Code of Virginia* and is to be strictly construed in conformance with the Virginia Freedom of Information Act (VFOIA), §§ 2.2-3700—3715, *Code of Virginia*.
- b. This policy shall not govern an electronic meeting conducted to address a state of emergency declared by the Governor. Any meeting conducted by electronic communication means under such circumstances shall be governed by the provisions of § 2.2-3708.2, *Code of Virginia*. This policy also does not apply to an all-virtual public meeting.

2. DEFINITIONS

- a. "**Commission**" means the Tobacco Region Revitalization Commission or a committee of the Commission.
- b. "**Member**" means any member of the Commission.
- c. "**Remote participation**" means participation by an individual member of the Commission by electronic communication means in a public meeting where a quorum of the Commission is physically assembled, as defined by Va. Code § 2.2-3701.
- d. "**Meeting**" means a meeting as defined by § 2.2-3701, *Code of Virginia*.
- e. "**Notify**" or "**notifies**," for purposes of this policy, means written notice, such as email or letter. Notice does not include text messages or communications via social media.

3. MANDATORY REQUIREMENTS

Regardless of the reasons why the member is participating in a meeting from a remote location by electronic communication means, the following conditions must be met for the member to participate remotely:

- a. A quorum of the Commission must be physically assembled at the primary or central meeting location; and
- b. Arrangements have been made for the voice of the remotely participating member to be heard by all persons at the primary or central meeting location. If at any point during the meeting the voice of the remotely participating member is no longer able to be heard by all persons at the meeting location, the remotely participating member shall no longer be permitted to participate remotely.

4. PROCESS TO REQUEST REMOTE PARTICIPATION

- a. On or before the day of the meeting, and at any point before the meeting begins, the requesting member must notify the Commission Chair (or the Vice-Chair if the requesting member is the Chair) that they are unable to physically attend a meeting due to:
 - i. a temporary or permanent disability or other medical condition that prevents the member's physical attendance,
 - ii. a family member's medical condition that requires the member to provide care for such family member, thereby preventing the member's physical attendance,
 - iii. their principal residence location more than 60 miles from the meeting location, or
 - iv. a personal matter and identifies with specificity the nature of the personal matter.
- b. The requesting member shall also notify the Commission's Executive Director of their request, but their failure to do so shall not affect their ability to remotely participate.
- c. If the requesting member is unable to physically attend the meeting due to a personal matter, the requesting member must state with specificity the nature of the personal matter. Remote participation due to a personal matter is limited each calendar year to two meetings or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater. There is no limit to the number of times that a member may participate remotely for the other authorized purposes listed in (i)—(iii) above.
- d. The requesting member is not obligated to provide independent verification regarding the reason for their nonattendance, including the temporary or permanent disability or other medical condition or the family member's medical condition that prevents their physical attendance at the meeting.
- e. The Chair (or the Vice-Chair if the requesting member is the Chair) shall promptly notify the requesting member whether their request is in conformance with this policy, and therefore approved or disapproved.

5. PROCESS TO CONFIRM APPROVAL OR DISAPPROVAL OF PARTICIPATION FROM A REMOTE LOCATION

When a quorum of the Commission has assembled for the meeting, the Commission shall vote to determine whether:

- a. The Chair's decision to approve or disapprove the requesting member's request to participate from a remote location was in conformance with this policy; and
- b. The voice of the remotely participating member can be heard by all persons at the primary or central meeting location.

6. RECORDING IN MINUTES:

- a. If the member is allowed to participate remotely due to a temporary or permanent disability or other medical condition, a family member's medical condition that requires the member to provide care to the family member, or because their principal residence is located more than 60 miles from the meeting location, the Commission shall record in its minutes (1) the Commission's approval of the member's remote participation; and (2) a general description of the remote location from which the member participated.
- b. If the member is allowed to participate remotely due to a personal matter, such matter shall be cited in the minutes with specificity, as well as how many times the member has attended remotely due to a personal matter, and a general description of the remote location from which the member participated.
- c. If a member's request to participate remotely is disapproved, the disapproval, including the grounds upon which the requested participation violates this policy or VFOIA, shall be recorded in the minutes with specificity.

7. CLOSED SESSION

If the Commission goes into closed session, the member participating remotely shall ensure that no third party is able to hear or otherwise observe the closed meeting.

8. STRICT AND UNIFORM APPLICATION OF THIS POLICY

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.

The Chair (or Vice-Chair) shall maintain the member's written request to participate remotely and the written response for a period of one year, or other such time required by records retention laws, regulations, and policies.

C. POLICY FOR ALL-VIRTUAL PUBLIC MEETING

1. AUTHORITY AND SCOPE

- a. This policy is adopted pursuant to the authorization of § 2.2-3708.3, *Code of Virginia* and is to be strictly construed in conformance with the Virginia Freedom of Information Act (VFOIA), §§ 2.2-3700—3715, *Code of Virginia*.
- b. This policy shall not govern an electronic meeting conducted to address a state of emergency declared by the Governor. Any meeting conducted by electronic communication means under such circumstances shall be governed by the provisions of § 2.2-3708.2, *Code of Virginia*.

2. DEFINITIONS

- a. "**Commission**" means the Tobacco Region Revitalization Commission or a committee of the Commission.
- b. "**Member**" means any member of the Commission.
- c. "**All-virtual public meeting**" means a public meeting conducted by the Commission using electronic communication means during which all members of the public body who participate do so remotely rather than being assembled in one physical location, and to which public access is provided through electronic communication means, as defined by § 2.2-3701, *Code of Virginia*.
- d. "**Meeting**" means a meeting as defined by § 2.2-3701, *Code of Virginia*.
- e. "**Notify**" or "**notifies**," for purposes of this policy, means written notice, including, but not limited to, email or letter, but does not include text messages or messages exchanged on social media.

3. WHEN AN ALL-VIRTUAL PUBLIC MEETING MAY BE AUTHORIZED

An all-virtual public meeting may be held under the following circumstances:

- a. It is impracticable or unsafe to assemble a quorum of the Commission in a single location, but a state of emergency has not been declared by the Governor; or
- b. Other circumstances warrant the holding of an all-virtual public meeting, including, but not limited to, the convenience of an all-virtual meeting; and
- c. The Commission has not had more than two all-virtual public meetings, or more than 25 percent of its meetings rounded up to the next whole number, whichever is greater, during the calendar year; and
- d. The Commission's last meeting was not an all-virtual public meeting.

4. PROCESS TO AUTHORIZE AN ALL-VIRTUAL PUBLIC MEETING

- a. The Commission may schedule its all-virtual public meetings at the same time and using the same procedures used by the Commission to set its meetings calendar for the calendar year; or
- b. If the Commission wishes to have an all-virtual public meeting on a date not

scheduled in advance on its meetings calendar, and an all-virtual public meeting is authorized under Section 3 above, the Commission Chair may schedule an all-virtual public meeting provided that any such meeting comports with VFOIA notice requirements.

5. ALL-VIRTUAL PUBLIC MEETING REQUIREMENTS

The following applies to any all-virtual public meeting of the Commission that is scheduled in conformance with this Policy:

- a. The meeting notice indicates that the public meeting will be all-virtual and the Commission will not change the method by which the Commission chooses to meet without providing a new meeting notice that comports with VFOIA;
- b. Public access is provided by electronic communication means that allows the public to hear all participating members of the Commission;
- c. Audio-visual technology, if available, is used to allow the public to see the members of the Commission;
- d. A phone number, email address, or other live contact information is provided to the public to alert the Commission if electronic transmission of the meeting fails for the public, and if such transmission fails, the Commission takes a recess until public access is restored;
- e. A copy of the proposed agenda and all agenda packets (unless exempt) are made available to the public electronically at the same time such materials are provided to the Commission;
- f. The public is afforded the opportunity to comment through electronic means, including written comments, at meetings where public comment is customarily received; and
- g. There are no more than two members of the Commission together in one physical location.

6. RECORDING IN MINUTES:

Minutes are taken as required by VFOIA and must include the fact that the meeting was held by electronic communication means and the type of electronic communication means used.

7. CLOSED SESSION

If the Commission goes into closed session, transmission of the meeting will be suspended until the public body resumes to certify the closed meeting in open session.

8. STRICT AND UNIFORM APPLICATION OF THIS POLICY

This Policy shall be applied strictly and uniformly, without exception, to the entire membership, and without regard to the matters that will be considered or voted on at the meeting.