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VIRGINIA TOBACCO REGION REVITALIZATION COMMISSION  
FALL FULL COMMISSION TWO-DAY MEETING  
BERRY HILL RESORT AND CONFERENCE CENTER  
3105 RIVER ROAD  
SOUTH BOSTON, VIRGINIA

INCENTIVES AND LOANS COMMITTEE

OCTOBER 4, 2022

4:30 P.M.

EVANS & COMPANY  
COURT REPORTERS  
POST OFFICE BOX 11822  
LYNCHBURG, VIRGINIA  
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CAROLINE LANE, COURT REPORTER

APPEARANCES

Delegate Daniel Marshall, Chair  
Delegate Terry G. Kilgore, Vice Chair  
Delegate Leslie Adams  
Mr. Edward Blevins  
Deputy Secretary Charles Kennington  
Mr. William A. Pace  
Delegate Frank M. Ruff, Jr.  
Senator Joseph Morrissey (By Phone)  
Ms. Coley J. Drinkwater  
Mr. T. Jordan Miles  
Ms. Gretchen B. Clark

COMMISSION STAFF

Joyce Knight  
Sara Williams  
Sarah Capps  
David Bringman  
Andy Sorrell  
Vicki Humphreys  
Stephanie S. Kim  
Emily Van Pelt  
Jordan Butler  
Suzette Patterson

COUNSEL FOR THE COMMISSION

Elizabeth, "Liz" Myers, Esquire

1 P R O C E E D I N G S

2

3

4 DELEGATE MARSHALL: I would like to  
5 welcome all of you.

6 So we would like to start all the way  
7 down to the Mayor of Chatham -- tell us who he  
8 is.

9 WILLIAM PACE: I am William Pace.  
10 I am Mayor of Chatham.

11 (Indiscernible).

12 SENATOR RUFF: Frank Ruff.

13 DELEGATE KILGORE: Terry Kilgore, House  
14 of Delegates.

15 MR. MILES: Jordan Miles. I am a citizen  
16 member, Buckingham County.

17 MS. CLARK: I'm Gretchen Clark. I am a  
18 citizen member, from Gretna.

19 MS. RATLIFF: I am Sandy Ratliff. I am a  
20 citizen member from Abingdon, Virginia.

21 MS. DRINKWATER: I am Coley Drinkwater.  
22 I am a citizen member from Dinwiddie.

23 MS. COX: I am Amanda Cox. I am a  
24 citizen member from Boones Mill, Virginia.

25 MS. WILSON: Sarah Wilson, from

1 Washington County.

2 MR. SORRELL: Let's go to staff.

3 MS. HUMPHREYS: I am Vicki Humphreys. I  
4 am the grants program director.

5 MS. WILLIAMS: I am Sara Williams. I am  
6 the Southwest Regional Director.

7 MS. CAPPS: Sarah Capps, Southern  
8 Virginia Regional Director.

9 (Indiscernible).

10 MR. BUTLER: I am Jordon Butler.

11 (Indiscernible)

12 MR. BRINGMAN: David Bringman.

13 MR. SORRELL: And we have got Liz Myers,  
14 who is our counsel.

15 I am Andy Sorrell, acting director.

16 And I think that pretty much accomplishes  
17 our roll call, but if you wouldn't mind, I  
18 think Senator Morrissey might be on the  
19 telephone if that's correct.

20 Can we hear him?

21 (Negative response)

22 I'll run through the roll call real  
23 quick, if that is okay.

24 Delegate Marshall.

25 DELEGATE MARSHALL: Here.

1 MR. SORRELL: Delegate Kilgore.  
2 DELEGATE KILGORE: Here.  
3 MR. SORRELL: Delegate Adams.  
4 DELEGATE ADAMS: Here.  
5 MR. SORRELL: Mrs. Ratliff.  
6 MS. RATLIFF: Here.  
7 MR. SORRELL: Mrs. Clark.  
8 MS. CLARK: Here.  
9 MR. SORRELL: Mr. Cunningham.  
10 MR. CUNNINGHAM: Here.  
11 MR. SORRELL: Mrs. Drinkwater.  
12 MS. DRINKWATER: Here.  
13 MR. SORRELL: Mr. Miles.  
14 MR. MILES: Here.  
15 MR. SORRELL: Senator Morrissey.  
16 SENATOR MORRISSEY: Here. by phone.  
17 MR. SORRELL: He can here okay.  
18 And then we have Mr. Pace.  
19 MR. PACE: Here.  
20 MR. SORRELL: And then we have Senator  
21 Ruff.  
22 SENATOR RUFF: Here.  
23 MR. SORRELL: All right. You have a  
24 quorum, Mr. Chair.  
25 DELEGATE MARSHALL: All right. Thank

1 you.

2 The next order of business is approval of  
3 the minutes from 5/12.

4 Do I have a motion?

5 UNIDENTIFIED SPEAKER: So move, Mr.  
6 Chairman.

7 DELEGATE MARSHALL: Thank you. I felt  
8 like I was talking to myself.

9 Do I have a second?

10 MS. CLARK: Second.

11 Any discussion?

12 All those in favor say "aye."

13 (All affirm)

14 DELEGATE MARSHALL: Okay. Next on the  
15 agenda is public comment. I don't see a lot of  
16 public here.

17 Any public comment?

18 Seeing none, we will move on to closed  
19 session.

20 So let's talk about closed session.

21 So what we will do is ask Liz, the  
22 lawyer, to keep us straight.

23 So tell us what closed session is and  
24 what it isn't, what you can do and what you  
25 can't do -- tell us what you are not supposed

1 to do.

2 MS. MYERS: Sure. Thank you, Mr.  
3 Chairman.

4 The purpose of a closed session is to  
5 discuss matters that really should not be  
6 discussed in a public open meeting, which, of  
7 course, all government is supposed to conduct  
8 their business in -- in open and public  
9 meetings like we have been doing all day, like  
10 we will be doing.

11 But the code allows for lots of different  
12 exceptions to that, allowing a public body to  
13 be able to discuss some things in a closed  
14 session.

15 In this public -- (indiscernible)  
16 economic development matters, that if Joe  
17 Public knew about, it would hinder the  
18 commission's ability to actively engage with  
19 that potential economic development project.

20 So it is very very important that, number  
21 one, we only discuss the dedicated matter that  
22 we go into a closed session for. We can't go  
23 off on tangents to discuss other projects, or  
24 just general matters, but it is also very very  
25 important -- I know this is what the Chairman

1 wanted me to address -- is that we do not  
2 discuss anything that was discussed in the  
3 closed session. It has to remain confidential.

4 Anybody have any specific questions, I am  
5 here, but it really would hinder --

6 DELEGATE MARSHALL: Mr. Sorrell, do you  
7 have something to say?

8 MR. SORRELL: Yeah. I just wanted to add  
9 in here that even if the information -- after  
10 the discussion, we will back up just as soon as  
11 we have that information. And so that is why  
12 we need to be -- there are certain things that  
13 need to be read in order to do that.

14 So be very mindful of how to do that and  
15 how to insure that confidentiality remains part  
16 of this, so I appreciate that additional  
17 information from Liz.

18 And, again we would be happy to answer  
19 questions if you have anything on that.

20 DELEGATE MARSHALL: So let me add  
21 something to that.

22 So I noticed in Greensboro, maybe a year  
23 or so ago, that their County counsel or  
24 whatever they call themselves -- one of the  
25 members of that counsel went into an executive



1 session like this -- they went outside and a  
2 press person asked him a question that the  
3 person on the counsel just said "no comment."

4 Well, they couldn't -- and he had to say  
5 -- and it was in the Greensboro paper, in the  
6 front headline that a certain company was  
7 looking at moving to Greensboro.

8 And guess what -- they didn't move to  
9 Greensboro; they went somewhere else. So these  
10 companies -- they want to stay under the radar,  
11 and you will see a lot of these things come  
12 forward, not a company thing, but almost a code  
13 thing, but we work hard to try to get these  
14 economic prospects. So be careful what you  
15 say.

16 The other thing is the press. The press  
17 is pretty sneaky at times.

18 MR. SORRELL: They have to hear.

19 DELEGATE MARSHALL: But they will ask you  
20 a question that is just completely fake.

21 And so if they ask you a question -- I  
22 saw you was at a meeting the other day at Berry  
23 Hill and you-all went into closed session.

24 Were you talking about Company XYZ?

25 You know that is bad. Don't take it.

1 You know, say "Thank you, but I can't say  
2 anything."

3 So please, please, please, you know,  
4 watch what you say and who you say it to. The  
5 best thing is not to say anything.

6 MR. SORRELL: Thank you, Mr. Chairman.  
7 And I will just, in conclusion, add that, if  
8 you are ever asked any questions, refer them to  
9 myself or the chairman and we would be more  
10 than willing to say what is publicly available  
11 and what is not. So refer it to us, if there  
12 are any questions.

13 DELEGATE MARSHALL: All right. So any  
14 questions?

15 All right. Seeing none.

16 So this is -- move us into closed  
17 session.

18 UNIDENTIFIED SPEAKER: Mr. Chair, I move  
19 we go in closed session in accordance with the  
20 Virginia Freedom of Information Act.

21 The purpose of the closed session is to  
22 discuss the prospective business or industry or  
23 the expansion of existing business or industry  
24 where (indiscernible).

25 The subject of this closed session is for

1 discussion of a community business lending  
2 program for projects that are applicable and  
3 meet the requirements under the Virginia  
4 Freedom of Information Act, Virginia Code  
5 Section 2.2-3700.

6 And that is the motion, Mr. Chairman.

7 DELEGATE MARSHALL: So we need to have a  
8 second.

9 UNIDENTIFIED SPEAKER: I'll second that.

10 DELEGATE MARSHALL: All those in favor  
11 say "aye."

12 (All affirm)

13 DELEGATE MARSHALL: Opposed?

14 (Negative response)

15 (A closed session was held, whereupon at  
16 the conclusion of the closed session the  
17 Commission meeting resumed in open session.)

18 SENATOR RUFF: Mr. Chairman, I move that  
19 we go on and report of certification that  
20 (indiscernible) and only such business matters  
21 as were identified (indiscernible) were heard  
22 and discussed and considered in the closed  
23 meeting.

24 DELEGATE MARSHALL: All right. So this  
25 is the closed session.

1 MR. SORRELL: That's correct. And I'll  
2 need to do a roll call.  
3 DELEGATE MARSHALL: All those in favor  
4 say "aye."  
5 (All affirm)  
6 DELEGATE MARSHALL: And now we are going  
7 to do a roll call vote.  
8 MR. SORRELL: Okay. Delegate Marshall.  
9 DELEGATE MARSHALL: Yes.  
10 MR. SORRELL: Delegate Kilgore.  
11 DELEGATE KILGORE: Yes.  
12 MR. SORRELL: Delegate Adams.  
13 DELEGATE ADAMS: Yes.  
14 MR. SORRELL: Mr. Blevins.  
15 MR. BLEVINS: Yes.  
16 MR. SORRELL: Mrs. Clark.  
17 MS. CLARK: Yes.  
18 MR. SORRELL: Mr. Cunningham.  
19 MR. CUNNINGHAM: Yes.  
20 MR. SORRELL: Ms. Drinkwater.  
21 MS. DRINKWATER: Yes.  
22 MR. SORRELL: Mr. Miles.  
23 MR. MILES: Yes.  
24 MR. SORRELL: Senator Morrissey is not --  
25 Senator Ruff.

1           SENATOR RUFF:   Yes.

2           UNIDENTIFIED SPEAKER:   (Indiscernible)

3   as provided by VRA.

4           DELEGATE MARSHALL:   Second?

5           UNIDENTIFIED SPEAKER:   I'll second.

6           DELEGATE MARSHALL:   Discussion.

7           All right.   Hearing none -- roll call?

8           MR. SORRELL:   Delegate Marshall.

9           DELEGATE MARSHALL:   Aye.

10          MR. SORRELL:   Delegate Kilgore.

11          DELEGATE KILGORE:   Aye.

12          MR. SORRELL:   Delegate Adams.

13          DELEGATE ADAMS:   Aye.

14          MR. SORRELL:   Mr. Blevins.

15          MR. BLEVINS:   Aye.

16          MR. SORRELL:   Mrs. Clark.

17          MS. CLARK:   Aye.

18          MR. SORRELL:   Mr. Cunningham.

19          MR. CUNNINGHAM:   Aye.

20          MR. SORRELL:   Mrs. Drinkwater?

21          MS. DRINKWATER:   Aye.

22          MR. SORRELL:   Mr. Miles.

23          MR. MILES:   Aye.

24          MR. SORRELL:   Senator Morrisey.

25          (No response.)

1 MR. SORRELL: Mr. Pace.

2 MR. PACE: Aye.

3 MR. SORRELL: Senator Ruff.

4 MR. SORRELL: Aye.

5 DELEGATE MARSHALL: So the next thing is  
6 the is -- (indiscernible).

7 MR. SORRELL: And Joyce will pass out  
8 information regarding the project  
9 (indiscernible)

10 Yes. We are going to have Mr. Bringman  
11 speak. We have got -- let's see here, one,  
12 two, three project extension requests, and then  
13 we have got two requests from the City of  
14 Danville on modifications.

15 We will start with the extension request  
16 first -- page 53 -- and then we will conclude  
17 with two projects coming from the City of  
18 Danville.

19 MR. DAVID BRINGMAN: My name is David  
20 Bringman. Our first project will address Henry  
21 County IDA, Press Glass.

22 It was a TROF grant for \$835,000 that was  
23 awarded. They are asking for an administrative  
24 extension. The performance period was June  
25 2018 to June 2021.

1 Right now, the company has fully met  
2 their tax obligation and they are at 94 percent  
3 jobs.

4 (Indiscernible).

5 MR. SORRELL: I'll just add that would  
6 (indiscernible).

7 SENATOR RUFF: I will make a motion that  
8 we recommend that we accept.

9 THE REPORTER: Can you start over?

10 SENATOR RUFF: I will recommend that the full  
11 Commission grant an extension through June 30th  
12 2023 for Henry County, number 3456.

13 UNIDENTIFIED SPEAKER: Second.

14 DELEGATE MARSHALL: All in favor say  
15 "aye."

16 (All affirm)

17 Opposed?

18 (Negative response)

19 DELEGATE MARSHALL: There has been  
20 another fifth-year extension request from the  
21 Smyth County Economic Development, Smyth County  
22 Machine and Fabrication, Number 3485.

23 They are requesting an extension through  
24 September 30, 2023, originally was granted for  
25 \$200,000.

1           The performance agreement required the  
2 Company to employ 53 persons.

3           (Indiscernible)

4           The company has already met 63 percent of  
5 the private taxable capital investment, and  
6 they are at 32 jobs.

7           As noted in the attached letter,  
8 Attachment C, and as supported by the EDA has  
9 requested an additional extension through  
10 September 30, 2023.

11           MR. SORRELL: And as supported by the  
12 EDA, Attachment D.

13           SENATOR RUFF: Mr. Chairman, I move that  
14 we accept the staff recommendation for an  
15 extension for a fifth year through September  
16 30, 2023 on projects 3501.

17           DELEGATE MARSHALL: Do we have a second?

18           UNIDENTIFIED SPEAKER: Second.

19           DELEGATE MARSHALL: Any discussion?

20           (Negative response)

21           DELEGATE MARSHALL: All those in favor  
22 say "aye."

23           (All affirm)

24           DELEGATE MARSHALL: Opposed?

25           (Negative response)



1           MR. BRINGMAN: There was a third request  
2 for a performance extension from Franklin  
3 County, McAirloads.

4           This was a grant for \$60,000. The  
5 performance period was September 30, 2018 to  
6 September 30, 2021. There is a request for a  
7 fifth year.

8           The company's letter is included as  
9 Attachment E and the County has supported this  
10 as well.

11           (Indiscernible)

12           MR. SORRELL: Any discussion?

13           DELEGATE MARSHALL: Do we have a motion?

14           UNIDENTIFIED SPEAKER: Mr. Chairman, I  
15 would move that we adopt staff recommendation  
16 for application 3502. (Indiscernible).

17           DELEGATE MARSHALL: Do we have a second?

18           UNIDENTIFIED SPEAKER: Second.

19           DELEGATE MARSHALL: Discussion?

20           DELEGATE MARSHALL: Hearing none, all  
21 those in favor say "aye."

22           (All affirm)

23           DELEGATE MARSHALL: All right. All  
24 opposed?

25           (Negative response)

1           Number four.

2           MR. SORRELL: Mr. Chairman, if you  
3 wouldn't mind, in the interests of time  
4 (Indiscernible)

5           So these two (indiscernible).

6           We have a representative from the City of  
7 Danville who is here to address any questions  
8 that we might have, but if you recall there was  
9 a discussion in Pittsylvaniai County for  
10 accepting reported costs of -- reported costs  
11 of actual investment versus the assessed  
12 values. The Commission require that we only  
13 utilize the assessed value of capital  
14 investment.

15           That can sometimes cause an issue when a  
16 locality assesses (indiscernible).

17           So that is sort of where we are -- the  
18 company spent X dollars, and the Commission can  
19 only use the assessed value of the capital  
20 investment. Therefore, we have a rate in which  
21 we can give them credit for, which is less than  
22 what the company actually spent.

23           So those were projects 3501 for Pro  
24 Glass and for project 3550, Litehouse.

25           Both are for the City of Danville, and

1 both have letters from the company, and I  
2 believe from the City that explains the  
3 situation, but you will notice that for both  
4 those the staff recommendation is "no action."

5 The reason for that is that the  
6 agreements are what they are. And the  
7 agreements are something that, honestly,  
8 probably when the type of detail should have  
9 been worked out between the City and the  
10 Commission prior to (indiscernible).

11 However the Commission might desire to do  
12 something different, based upon what the  
13 company actually invested in.

14 Mr. Perry.

15 MR. PERRY: I would like first to thank  
16 the Commission for its continuous support for  
17 the economic development efforts in Danville  
18 and throughout the Southern Virginia region.  
19 The growth of this region today is a testament  
20 to the strategic investment this committee has  
21 made throughout this footprint, along with  
22 (Indiscernible) established since its  
23 inception.

24 Also, we sincerely appreciate having this  
25 opportunity to come before you today to speak,

1 as a local partner about this issue.

2 Today's request is for the Committee to  
3 consider of how the (Indiscernible) is  
4 interpreted, specifically related to how to--  
5 and business personal property value was  
6 calculating the amount of positive incentives  
7 disbursed.

8 As Propek and Litehouse states that the  
9 grants be based on the asset values that are  
10 assessed by the Commissioner of the Revenue.  
11 Like many communities there has been a Tobacco  
12 Commission footprint, machinery, tools and  
13 business property are self-reported to the  
14 Commissioner of Revenue.

15 This was classified by the Commisioner of  
16 Revenue as the assets original calculated  
17 costs.

18 The Commissioner of Revenue then  
19 depreciates that, based on the year purchased  
20 (indiscernible) taxes owed on that piece of  
21 equipment.

22 And the City of Danville, the scale  
23 declines from 20 percent down to two percent.  
24 This value varies between localities. For  
25 example, a neighboring locality, Pittsylvania

1 County, depreciates between (indiscernible).

2 We understand that the full value of the  
3 equipment is used in the condition category.

4 However, when the final calculation is  
5 made to determine the amount a grant  
6 (Indiscernible) are modified by the  
7 Commissioner of Revenue, the depreciation  
8 schedule again (indiscernible) used by our  
9 Commissioner of Revenue to determine the taxes  
10 owed, and is not indicative of the value of the  
11 asset.

12 So in each reporting year, our  
13 Commissioner of Revenue has provided letters  
14 stating the self-reported value of this  
15 equipment.

16 So I request to you today is to  
17 reconsider how the value of each company's  
18 investment is determined by allowing each to  
19 supply invoices, receipts, or other  
20 documentation that shows or gives them credit  
21 for their full investment within our community.

22 We have letters provided by the  
23 Commissioner of Revenue to the Commission for  
24 the reporting purposes (indiscernible).

25 If I may add, both these companies have

1 made significant investments within our  
2 community, both for capital investment and  
3 jobs.

4 You know, Litehouse bought out another  
5 food vendor. They made an additional 43,000  
6 investment and we know Propak has had at least  
7 four to five extensions within the community.

8 So we just ask that (indiscernible).

9 And I'll be happy to answer any  
10 questions.

11 DELEGATE MARSHALL: Do we have any  
12 questions of Mr. Perry?

13 SENATOR RUFF: I have a question -- so we  
14 had a location change by almost the same in  
15 Pittsylvania County, and we approved that  
16 request.

17 MR. SORRELL: However, the Commission  
18 felt that situation warranted (indiscernible).

19 And so if the Commission desires to do  
20 such a thing, there is some other staff  
21 recommendations.

22 DELEGATE MARSHALL: The important word is  
23 recommendation.

24 It is up to us to decide (indiscernible)  
25 so any questions of members?

1           SENATOR RUFF: Clarification: In the  
2           Pittsylvania situation, were they able to  
3           provide receipts to show that they had actually  
4           spent the money?

5           MR. SORRELL: They were able to provide  
6           that. (Indiscernible).

7           SENATOR RUFF: Mr. Chairman, I would move  
8           that we accept the receipts that were used for  
9           the capital purchases as evidence that they had  
10          fulfilled their obligation to the Commission.

11          UNIDENTIFIED SPEAKER: Second.

12          MR. SORRELL: This is for project 3501,  
13          again.

14          Okay. It is for 3501 and 3550.

15          SENATOR RUFF: Right.

16          DELEGATE MARSHALL: Any discussion?

17          All right. We have a motion and do we  
18          have a second?

19          UNIDENTIFIED SPEAKER: Second.

20          DELEGATE MARSHALL: So any discussion?

21          Hearing none, all those in favor say  
22          "aye."

23          (All affirm)

24          DELEGATE MARSHALL: Opposed?

25          (Negative response)

1 DELEGATE MARSHALL: All right. So now we  
2 are going to postpone our decision until we get  
3 to our January meeting.

4 So any other business?

5 MR. SORRELL: (Indiscernible)

6 DELEGATE MARSHALL: So that was a joke.

7 So again, public comment?

8 Seeing no public comment, so it is done.

9 So before we adjourn, tell us what we are  
10 doing tonight and what are we doing tomorrow  
11 morning.

12 But the important thing is where are we  
13 eating breakfast tomorrow?

14 MR. SORRELL: I appreciate that.

15 The bottom line is that there will be  
16 transportation that will take you to the  
17 reception.

18 I believe what we are going to try to do  
19 is push that back.

20 I think it is supposed be from 6:00 to  
21 6:30. We are going to push that back from 6:30  
22 to 7:00. We will make sure that we don't have  
23 any of the honorable discussions until 7:30.

24 And that will be -- so there will be a  
25 shuttle to take you back to the brewery.



1           You are welcome to drive yourself, if you  
2 would like in downtown South Boston.

3           And then there will also be  
4 transportation to take you back home -- or take  
5 you back to Berry Hill.

6           Tomorrow morning we will have a breakfast  
7 buffet in this room, probably back here. That  
8 starts at 7:30.

9           Our first committee meeting begins at  
10 9:00.

11           DELEGATE MARSHALL: Any questions?

12           All right. We are adjourned.

13           (End of the Incentives and Loans  
14 Committee Meeting.)

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1 COMMONWEALTH OF VIRGINIA AT LARGE, to wit:

2 I, Caroline Lane, Court Reporter, Notary  
3 Public in and for the Commonwealth of Virginia at  
4 Large, and whose commission expires February 28,  
5 2023, do certify that the foregoing is a true,  
6 correct, and full transcript of the testimony  
7 adduced.

8 I further certify that I am neither  
9 related to nor associated with any counsel or party  
10 to this proceeding, nor otherwise interested in the  
11 event thereof.

12 Given under my hand at Roanoke, Virginia,  
13 this 22nd day of November, 2022.

14

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18

Caroline Lane, Notary Public

19

Notary Registration No. 238126

20

Commonwealth of Virginia at Large

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<hr/> <b>\$</b> <hr/>	<hr/> <b>7</b> <hr/>	<b>Andy</b> 4:15
<b>\$200,000</b> 15:25	<b>7:00</b> 24:22	<b>applicable</b> 11:2
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