

1 **VIRGINIA TOBACCO INDEMNIFICATION**
2 **AND COMMUNITY REVITALIZATION COMMISSION**

3 701 East Franklin Street, Suite 501
4 Richmond, Virginia 23219

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8 **Joint Meeting**
9 **Special Projects Committee**
10 **Executive Committee**

11 Thursday, May 23, 2013
12 10:00 A.M.

13
14 R. T. Arnold Library
15 South Hill, Virginia

1 **APPEARANCES:**

2 The Honorable Terry G. Kilgore, Chairman Executive
3 Committee

4 The Honorable Daniel W. Marshall, III, Chairman Special
5 Projects Committee

6 Ms. Connie Green Nyholm, Vice Chairman Special Projects
7 Committee

8 Mr. Kenny S. Barnard

9 The Honorable Kathy J. Byron

10 Mr. John R. Cannon

11 The Honorable Charles W. Carrico, Sr.

12 Ms. Mary Rae Carter, Deputy Secretary Department of
13 Commerce and Trade for Rural Development

14 The Honorable Joseph P. Johnson, Jr.

15 The Honorable Donald W. Merricks

16 Ms. Sandra F. Moss

17 The Honorable Edward Owens

18 Dr. David S. Redwine, DVM

19 Ms. Beth D. Rhinehart

20 The Honorable Ralph K. Smith

21 Mr. Robert Spiers

22 Ms. Cindy M. Thomas

23 The Honorable Gary D. Walker

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1 **APPEARANCES (Continued):**

2 **COMMISSION STAFF:**

3 Mr. Neal Noyes, Executive Director

4 Mr. Ned Stephenson, Deputy Executive Director

5 Mr. Timothy S. Pfohl, Grants Program Administration Manager

6 Ms. Stephanie S. Kim, Director of Finance

7 Ms. Sara G. Williams, Grants Program Administrator

8 - Southwest Virginia

9 Ms. Sarah K. Capps, Grants Program Administrator

10 - Southside Virginia

11 Mr. Eric E. Ballou, Esquire, Commission Attorney

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1 DELEGATE KILGORE: Good morning
2 everyone, the first meeting we have is a joint meeting of the
3 Special Projects and Executive Committees. Delegate
4 Marshall is Chair of Special Projects Committee and I'm the
5 Chair of the Executive Committee.

6 DELEGATE MARSHALL: Good morning.
7 We have a special Special Projects Committee this morning.
8 We have an application from the Center of Rural Virginia so I'll
9 turn it over to Neal and he can walk through the application.

10 MR. NOYES: I'll be happy to do that after
11 I call roll. Mr. Bernard?

12 MR. BERNARD: Present.

13 MR. NOYES: Delegate Byron?

14 DELEGATE BYRON: Here.

15 MR. NOYES: Mr. Cannon?

16 MR. CANNON: Here.

17 MR. NOYES: Senator Carrico?

18 SENATOR CARRICO: Here.

19 MR. NOYES: Deputy Secretary Carter?

20 DEPUTY SECRETARY CARTER: Here.

21 MR. NOYES: Delegate Johnson?

22 DELEGATE JOHNSON: Here.

23 MR. NOYES: Delegate Kilgore?

24 DELEGATE KILGORE: Here.

25 MR. NOYES: Delegate Marshall?

1 DELEGATE MARSHALL: Here.
2 MR. NOYES: Delegate Merricks?
3 DELEGATE MERRICKS: Here.
4 MR. NOYES: Ms. Moss?
5 MS. MOSS: Here.
6 MR. NOYES: Ms. Nyholm?
7 MS. NYHOLM: Here.
8 MR. NOYES: Mr. Owens?
9 MR. OWENS: Here.
10 MR. NOYES: Dr. Redwine?
11 DR. REDWINE: Here.
12 MR. NOYES: Ms. Rhinehart?
13 MS. RHINEHART: Here.
14 MR. NOYES: Senator Ruff isn't here this
15 morning. Senator Smith?
16 SENATOR SMITH: Here.
17 MR. NOYES: Mr. Spiers?
18 MR. SPIERS: Here.
19 MR. NOYES: Ms. Thomas?
20 MS. THOMAS: Here.
21 MR. NOYES: Mr. Walker?
22 MR. WALKER: Here.
23 MR. NOYES: Delegate Wright is not here.
24 Mr. Chairman, we have a quorum of this meeting and I'll be
25 happy to talk about the late filing, which we've been asked to

1 consider. The reason we're having a joint meeting is that the
2 Special Projects Committee deemed this to be worthy of
3 funding and would require a budget amendment transferring
4 the funds rather than explain the project in two consecutive
5 meetings, so we decided to have a meeting with both
6 Committees.

7 If you look in your board book on page
8 120, the applicant is the Center for Rural Virginia requesting
9 \$100,000. On page 122, you can see the work elements in the
10 center of the page.

11 The background on this is that the Rural
12 Center is right now going through a transition in terms of staff
13 and program development. The expectation is that the
14 Commission can aid this organization as it goes forward.
15 Some of the elements in the scope of work and in the
16 deliverables section I believe needs some further attention and
17 we're prepared to work with the Rural Center to define those.
18 We don't have a situation where there are meetings that are
19 scheduled that members of this board whether there are
20 members here today are not aware of and where there is not
21 clear overlap with work that's being done with other
22 organizations. This came to us very rapidly at the last minute.
23 It's out of cycle. Working with the Rural Center does have
24 merit as they go through this transition phase I would urge
25 that this group agree that staff continue to work and redefine

1 the scope and schedule of deliverables. I would invite Glenn
2 Sink to come forward and answer any questions.

3 The reason for us doing it for this
4 meeting right now rather than the September meeting and
5 working with staff and some of the members here but we're
6 also going to have a meeting on September 27th.

7 MR. SINK: Thank you, Mr. Noyes, for
8 this opportunity to visit and appreciate you all considering
9 this. The reason for the urgency in wanting to address this
10 today versus September is that as Neal has pointed out, the
11 Rural Center is going through a transition and my retirement
12 and agreement to work with particular projects and issues
13 going forward and a new Executive Director of the Center.
14 The Board of Directors led by Senator Ruff is approaching the
15 opportunity of selecting that new person and bringing them on
16 board. Working the Tobacco Commission footprint through
17 this development is the work that the Center does both in
18 Southwest Virginia and Southside Virginia. It was desired so
19 that the transition could move forward with activities of what
20 the Rural Center would do in bringing together the respective
21 groups to support the work you all are engaged in with the
22 Boston Consulting Group study and recognizing that there's
23 workforce needs beyond that needs to take place this summer
24 and going into the fall. As a result for \$50,000 a year or a
25 \$100,000 for two years this request has been made. Senator

1 Ruff was really asked by the Board to bring this to a special
2 meeting before you all today rather than wait until September.

3 I realize and apologize to bringing it on
4 this short timeframe but the staff's been tremendous on
5 helping us put it together. We think there's a benefit to
6 working with you all and the other groups to present this
7 message for this summer and prepare for fall and winter.
8 There will be a new administration and new leadership of the
9 legislative rural caucus level come January.

10 MR. NOYES: You're prepared to work
11 with staff?

12 MR. SINK: We certainly are, yes, sir.

13 MR. NOYES: So we won't have
14 duplication in terms of effort.

15 MR. SINK: We look to and expect that
16 working relationship and partnership.

17 DELEGATE MARSHALL: Questions?
18 Deputy Secretary Carter?

19 DEPUTY SECRETARY CARTER: Glenn, I
20 am a little bit confused about the application. What's this
21 money going to be used for or where is it going?

22 MR. SINK: This money is structured to
23 go to three places: contractual services for myself and to part
24 time work in leading the effort with the assembling of the data
25 and information not only of the Boston Consulting Group and

1 the Southern Growth Policy Board and a number of other
2 studies on workforce education development and the needs in
3 Southside and Southwest Virginia. Specifically take that
4 information to community meetings and working with the
5 planning district commissions, the economic development
6 groups, the educational leadership in those communities and
7 getting that message down to a community-based level. The
8 money will be used to go towards conducting and hosting
9 meetings. We've identified nine respective meeting areas and
10 a large number of groups in Southside and Southwest Virginia
11 to work with.

12 DEPUTY SECRETARY CARTER: I would
13 expect you've gotten a step forward already with the boards?

14 MR. SINK: A large part of them we do.

15 DEPUTY SECRETARY CARTER: I didn't
16 see any letters of support in this application.

17 MR. SINK: That was because of the
18 timing in putting this thing together. And even though I've got
19 a host of letters of support from these respective groups, we've
20 already gotten meetings lined up for this summer and fall to
21 be conducted.

22 DEPUTY SECRETARY CARTER: Can you
23 share with us some of your stakeholders?

24 MR. SINK: The planning district
25 commission here in South Hill, the Piedmont, the New River

1 Valley, Mount Rogers, the two in Southwest Virginia, the
2 economic development group out there and the
3 Superintendents Association, the Principals Association, the
4 RC&D Council, strong support from them in hosting and
5 helping to present this information back to the local level.
6 Also, the Chambers of Commerce, we're working with the
7 chambers and the Blueprint Virginia program. Then their
8 efforts to engage in the work with the local rural chambers
9 and with the Virginia Manufacturer's Association. Those are
10 groups that are currently on board with us.

11 DEPUTY SECRETARY CARTER: Glenn, if
12 I heard you correctly, you said to help gather data?

13 MR. SINK: To continue the work that I've
14 been doing and to engage and involve the new Executive
15 Director in that effort to bring us together and ensure their
16 smooth continuity in this transition in the work that you all
17 are doing there with the Boston Consulting Group study and
18 that's the reason for the close working relationship with staff
19 to help to assure that smooth transition and the message.

20 DEPUTY SECRETARY CARTER: There's
21 references to workforce in here, what do you do as far as
22 workforce efforts?

23 MR. SINK: Workforce as you all know in
24 the Boston study pointed out that it's broader than just
25 education and to attract companies is broader other than

1 talks and skills and it involves community and local support,
2 it involves dealing with and addressing and bringing in all
3 sectors and education sectors and other entities and
4 communities in support of efforts such that you're going to
5 attract a new company and the leadership of that company
6 coming into a community seeking a broader engagement of the
7 community in servicing them and their needs. To us
8 workforce is more than education and training but it also
9 involves those other sectors and elements as well and that's
10 the message the Rural Center has had since day one.

11 SENATOR SMITH: Reference has been
12 made to transition. Can you explain what your transition is?

13 MR. SINK: The transition involves my
14 retirement as Executive Director of the Rural Center. The
15 Board, under the leadership of Senator Ruff and Delegate
16 Landis had a search committee and they are procuring a new
17 Executive Director and their request to me at that time is that
18 I would work with the new Executive Director and the Board
19 to facilitate this transition and make it smooth to serve the
20 Rural Caucus as well as the sectors and institutions that the
21 Rural Center has as partners.

22 MR. NOYES: It's the transition.

23 SENATOR SMITH: That's why I'm asking
24 about additional funding. Where did the funding come from
25 last year?

1 MR. SINK: The Rural Center funding
2 comes from state appropriations through our partnership with
3 the Department of Housing and Community Development,
4 through private investments and through grant requests. This
5 is our first request to the Tobacco Commission and a
6 partnership with them and an investment in a major program.

7 SENATOR SMITH: Is this an expansion
8 of the organization?

9 MR. SINK: It is not.

10 SENATOR SMITH: Is it a replacement?

11 MR. SINK: It is the transition and
12 funding and it's expansion of our, but not an expansion of the
13 program because we have been conducting these regional
14 workshops and study programs for a couple of years now but
15 we're taking on this particular one with the Boston Consulting
16 Group activity and the work you all are doing in that program.

17 SENATOR SMITH: You have a
18 Blacksburg address, which is not in the footprint.

19 MR. SINK: We operate as a partnership
20 organization in partnership with the Department of Housing
21 and Community Development in Richmond and that's one of
22 the addresses. We're also partnering or a primary support of
23 ours is the Virginia College of Osteopathic Medicine in
24 Blacksburg and we use that office address as well and we
25 have a relationship and a partnership with a number of

1 community colleges in Wytheville and we have an office at the
2 Wytheville Community College. We've got relationships and
3 addresses and I think this application has the Richmond
4 address on it, did it not?

5 DELEGATE MARSHALL: The application
6 is first of all for two years, a two year program?

7 MR. SINK: That's correct.

8 DELEGATE MARSHALL: The application
9 is for the Tobacco footprint?

10 MR. SINK: That's correct also.

11 SENATOR SMITH: Can you explain how
12 was the funding last year?

13 MR. SINK: The budget last year for these
14 meetings came from our raising funds from the private sector
15 and respective agencies and organizations that we partnered
16 with to conduct these meetings and we want to expand that
17 and show that we have investment support from the Tobacco
18 Commission this year because we're specifically talking about
19 and focusing on work and the programs of the Tobacco
20 Commission and that's why the staff relationship is so
21 valuable here.

22 SENATOR SMITH: Can you tell me what
23 the dollar figure was last year?

24 MR. SINK: Not specifically and it varied
25 with where he has meetings and the size and we had twenty to

1 seventy-five individuals. We were down in Wytheville and
2 Senator Carrico was involved so each of them were different.
3 This one we're attempting to grow and make it more
4 comprehensive.

5 SENATOR SMITH: Did the previous
6 funding dry up or is that gone or is it an expansion of the
7 organization?

8 MR. SINK: It changes from year to year
9 and this would be a needed expansion.

10 SENATOR SMITH: That's all my
11 questions for now.

12 MR. OWENS: Is work done not in the
13 footprint?

14 MR. SINK: Is work not done in the
15 footprint? But almost all of the work is done in the footprint
16 but because of the status of situation in Southside and
17 Southwest Virginia it relates to economic development,
18 education workforce development and the majority of our work
19 has been focused there. We work within the Region 2000 area
20 in the valley of Virginia, Northern Neck, Middle Peninsula and
21 they have different situations for economic development but
22 our focus is in the Tobacco Commission footprint.

23 MR. OWENS: You said you needed funds
24 for two years.

25 MR. SINK: It's broken down to \$50,000

1 per year but yes, with the effort you all have going and our
2 working relationship with you, we felt that was an appropriate
3 request.

4 MR. OWENS: You would be working
5 close with the Tobacco Commission staff for two years to
6 transition the Rural Development in your organization?

7 MR. SINK: Yes, sir.

8 MR. NOYES: Referring to page 124 to
9 page 137, the \$30,000 is matching funds from AT&T for this
10 purpose consistent with the project budget on page 124.

11 DELEGATE JOHNSON: It says legal,
12 printing, media, travel, 78,100. That's a lot of meetings isn't
13 it?

14 DELEGATE KILGORE: 124.

15 MR. SINK: Those are for contractual
16 services and that includes support services and that's for two
17 years. That includes the total activities and going out and
18 working in areas and providing those services. It's not for an
19 organization to provide services statewide and those are
20 contractual services needed to achieve that.

21 DELEGATE JOHNSON: What legal
22 services are involved to work with the Tobacco Commission?

23 MR. SINK: Legal is just one of the
24 elements in this. We're not procuring legal services to deal
25 with the work with you all. That was a classification.

1 SENATOR SMITH: I've been made aware
2 that this budget and this allocated \$95,000 in the last two
3 years?

4 MR. SINK: Correct.

5 SENATOR SMITH: You referred to a lot
6 of other investors, substantially more than that currently?

7 MR. SINK: It's more than that, correct.

8 SENATOR SMITH: Substantially more
9 than that?

10 MR. SINK: No, sir.

11 SENATOR SMITH: I've worked with the
12 chamber and I've worked with other chambers and workforce
13 development organizations here, there and everywhere.
14 Sometimes we've got to quit organizing and just go to work
15 and I see a real challenge here in continuing to expand these
16 organizations, which are splintered.

17 MR. SINK: The Rural Center fully agrees
18 with two things. It's time to quit studying and it's time to go
19 to work. We're with that as we work with the staff and getting
20 out into the communities and getting to work on this issue.

21 DELEGATE MARSHALL: Any other
22 questions? We either approve or we disapprove or we could
23 set a two year total or cut it in half and give funding for one
24 year.

25 DEPUTY SECRETARY CARTER: Mr.

1 Chairman, this is no reflection on him but I feel very
2 uncomfortable looking at this raw application and I've been on
3 the Board four years and I've never had one come to us that's
4 raw, not looked at by the staff or with a recommendation from
5 the staff in writing. We're also making this precedent setting
6 and it's unfair to all the other people that do have to put in
7 their applications. Until I know more about this and
8 understand it better, I can't support it.

9 DELEGATE MARSHALL: I guess we
10 could table it until September.

11 DELEGATE MERRICKS: In the General
12 Assembly we call it getting a fever. I make a motion that we
13 table it until the September meeting and let the staff go over it
14 and I don't feel comfortable myself. We're trying to get our
15 arms around something that's hard to do. I move that we
16 table it until September.

17 SENATOR SMITH: Second.

18 DELEGATE MARSHALL: Motion to table
19 and we have a second.

20 DELEGATE KILGORE: Before we get
21 started with this with the opportunity for the staff to work on
22 this program and hear from Neal and Tim and others, I think
23 we ought to move the project forward. You had an idea about
24 partial funding that might be a better thing to do. Frank isn't
25 here to defend this.

1 DELEGATE MARSHALL: You want to
2 offer a substitute?

3 DELEGATE KILGORE: I'd offer a
4 substitute motion that we fund the first half of this and then
5 address the other half in September once the guidelines are
6 set and once staff's had a chance to go over it. Between now
7 and September is a long time.

8 DELEGATE MARSHALL: There's a
9 substitute motion to fund and the application would be for
10 \$50,000. Do we have a second?

11 DELEGATE CARRICO: I'll second it.

12 DELEGATE MARSHALL: Any more
13 discussion? Let's have a roll call vote. What we're voting on is
14 to fund \$50,000 and then we'll review the rest in September.

15 DELEGATE KILGORE: And set the
16 guidelines for that \$50,000.

17 DELEGATE JOHNSON: Funding half of
18 it is just like a building, you can't buy half a building. You
19 have to buy a whole building.

20 MR. SINK: For community development,
21 funding half of it would allow the Rural Center Board and
22 Senator Ruff to proceed with their plans and programs to pull
23 this together this year. That certainly does and that's good
24 and we appreciate it.

25 DELEGATE MARSHALL: Any other

1 discussion?

2 UNIDENTIFIED: Does the staff have time
3 to do any analysis or is this so new there's no chance to do it?

4 MR. NOYES: It's really very new, we
5 want more time to look at it and then come back to the
6 Committee with an assessment. It really just arrived. I think
7 working to support a transition in an allied organization is a
8 worthwhile thing to do but there are some specific factors that
9 we should require, hosting of meetings and this sort of thing.
10 Those are things we need to work out.

11 DEPUTY SECRETARY CARTER: I think
12 it's important for this Commission looking at maintaining the
13 integrity of our process and I hope when we vote we'll have
14 that information.

15 DELEGATE MARSHALL: Let's make
16 sure what we're voting on. There's a motion by Delegate
17 Kilgore to fund one-half of the allocation or of the application
18 and then we'll have further review with staff
19 recommendations. Neal, if you'll call the roll. Well, wait.

20 MR. OWENS: In the past, have we held
21 off until staff makes a recommendation?

22 DELEGATE MARSHALL: Delegate
23 Kilgore's motion or if it fails then the main motion is to table
24 it. We have to take the substitute motion first.

25 MR. SPIERS: Neal, you said early on that

1 you had agreed or you would eliminate overlap and you would
2 coordinate the effort?

3 MR. NOYES: One of the concerns I have
4 in the application that's submitted in working with the staff
5 and the Rural Center and see if we can't make some progress
6 to assure ourselves that we're not funding the same things
7 over and over again. That's not there now.

8 MR. CANNON: Are you saying that you
9 want the staff to look over this?

10 MR. NOYES: Yes.

11 SENATOR SMITH: If this motion passes,
12 would somebody tell me when the funding would start?

13 MR. NOYES: Right away. If there's a
14 budget amendment, it moves from undesignated to Special
15 Projects and we'd make the funds available.

16 SENATOR SMITH: We're funding the end
17 without any –

18 MR. NOYES: We act on invoices.

19 MS. THOMAS: Would your organization
20 cease if you don't get this money today?

21 MR. SINK: No, ma'am, the organization
22 is going to go forward whether we get this or not. The
23 programs we conduct will change.

24 MS. THOMAS: If there's a delay until
25 September and we have a chance to get more information and

1 recommendations, would that impact anything or carrying out
2 what you all do? We're at a point where we're still
3 understanding and we don't know what we're going to do with
4 the Boston Consulting Group, so would this proposal delay,
5 impact this, whatever your organization is doing?

6 MR. SINK: My belief is that it will
7 probably cause the Rural Center Board to look at those
8 programs and the financing of them and delay some of the
9 meetings, yes.

10 DELEGATE BYRON: My question is for
11 the director. If this application is tabled until September, that
12 would give them an opportunity to come back with an
13 application that might be more formable with some of the
14 outcomes and activities that they are going to be doing,
15 correct?

16 DELEGATE MARSHALL: That's correct.
17 That's the main motion.

18 DELEGATE BYRON: What is the main
19 motion?

20 DELEGATE MARSHALL: The main
21 motion is to table until September. The substitute motion by
22 Delegate Kilgore is to fund one-half and ask the staff to come
23 back in September with a recommendation.

24 SENATOR CARRICO: One question, with
25 the current rural centers and wherever you go without the

1 additional funding from the Tobacco Commission and you're
2 primarily focusing in the footprint and with this transition
3 you're going through right now, with the new Executive
4 Director in place, without the funding how much, what impact
5 would you put on the Tobacco Region without the additional
6 money?

7 MR. SINK: That's a decision the Board
8 will have to make as to how they invest their resources.

9 SENATOR CARRICO: From the dollars
10 appropriated by the General Assembly?

11 MR. SINK: And from the private sector,
12 that's correct.

13 DELEGATE MARSHALL: Any further
14 questions? Neal, call the roll on the substitute motion.

15 MR. NOYES: Substitute motion to fund
16 fifty percent. Mr. Bernard?

17 MR. BERNARD: No.

18 MR. NOYES: Delegate Byron?

19 DELEGATE BYRON: No.

20 MR. NOYES: Mr. Cannon?

21 MR. CANNON: Yes.

22 MR. NOYES: Senator Carrico?

23 SENATOR CARRICO: Yes.

24 MR. NOYES: Deputy Secretary Carter?

25 DEPUTY SECRETARY CARTER: No.

1 MR. NOYES: Delegate Johnson?
2 DELEGATE JOHNSON: No.
3 MR. NOYES: Delegate Kilgore?
4 DELEGATE KILGORE: Yes.
5 MR. NOYES: Delegate Marshall?
6 DELEGATE MARSHALL: No.
7 MR. NOYES: Delegate Merricks?
8 DELEGATE MERRICKS: No.
9 MR. NOYES: Ms. Moss?
10 MS. MOSS: No.
11 MR. NOYES: Ms. Nyholm?
12 MS. NYHOLM: No.
13 MR. NOYES: Mr. Owens?
14 MR. OWENS: No.
15 MR. NOYES: Dr. Redwine?
16 DR. REDWINE: Yes.
17 MR. NOYES: Ms. Rhinehart?
18 MS. RHINEHART: No.
19 MR. NOYES: Senator Ruff isn't here
20 today. Senator Smith?
21 SENATOR SMITH: No.
22 MR. NOYES: Mr. Spiers?
23 MR. SPIERS: Yes.
24 MR. NOYES: Ms. Thomas?
25 MS. THOMAS: No.

1 MR. NOYES: Mr. Walker?

2 MR. WALKER: Yes.

3 MR. NOYES: Six votes in favor and
4 twelve votes no. The motion fails.

5 DELEGATE MARSHALL: Now the
6 question before us or the motion is to table until September
7 and staff can make recommendations to the Special Projects
8 Committee for the September meeting. All those in favor of
9 the motion to table say aye. (Ayes.) Opposed? (No response.)
10 Thank you.

11 MR. SINK: Thank you all for your
12 consideration.

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14 PROCEEDINGS CONCLUDED.

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CERTIFICATE OF THE COURT REPORTER

I, Medford W. Howard, Registered Professional Reporter and Notary Public for the State of Virginia at large, do hereby certify that I was the court reporter who took down and transcribed the proceedings of the **Virginia Tobacco Indemnification and Community Revitalization Commission Joint Meeting of the Special Projects Committee and Executive Committee, when held on Thursday, May 23, 2013 at 10:00 a.m. at the R. T. Arnold Library in South Hill, Virginia.**

I further certify this is a true and accurate transcript, to the best of my ability to hear and understand the proceedings.

Given under my hand this 3rd day of June, 2013.

Medford W. Howard
Registered Professional Reporter
Notary Public for the State of Virginia at Large

My Commission Expires: October 31, 2014.
Notary Registration Number: 224566