



Independent Journalism & Civic Transparency
Richlands, Virginia • admin@catalystcivic.org

BRIEFING FOR THE RICHLANDS TOWN COUNCIL

Subject: Public financing directed to a privately owned building, and the participation of a sitting member of this Council in the closed sessions that considered it.

Concerning: Project Gideon (CNX Gas Company LLC) · VCEDA financing · The Richlands Professional Building, 1600 Front Street, Richlands

Prepared by **Simon Steele**

Catalyst Civic — Independent Journalism & Civic Transparency
admin@catalystcivic.org

August 11, 2026

Submitted for the record. Every factual statement in this briefing is supported by an attached exhibit.



Independent Journalism & Civic Transparency
Richlands, Virginia • admin@catalystcivic.org

OUTLINE OF REMARKS

- I.** Who I am, and what this is
- II.** What the record shows — October to December 2022 *Ex. A–E*
- III.** What followed — January to May 2023 *Ex. F–N*
- IV.** The statute *§ 2.2-3112(A), page 4*
- V.** Closing

Every factual statement in these remarks is supported by an attached exhibit.



Independent Journalism & Civic Transparency
Richlands, Virginia • admin@catalystcivic.org

TIMELINE

DATE	EVENT	EX.
Oct 12, 2022	IDA closed session. “Project Gideon” listed as item #10.	A
Oct 12, 2022	Roll call records “Mr. Seth White (recused self from item #10).”	B
Nov 16, 2022	Gideon loan motion. Minutes record “IDA Absent: Mr. Seth White (Left at 3:50pm).”	C
Dec 8, 2022	IDA closed session, Project Gideon item #4. Motion to enter closed session seconded by Mr. Seth White . Motion to return seconded by Mr. Seth White .	D
Dec 8, 2022	Certification roll call — AYES include Mr. Seth White . No recusal recorded. Final IDA meeting.	E
Jan 11, 2023	Members present: Hurt, Addison, Payne, Robinson. Mr. White is not listed.	F
Jan 11, 2023	Closed session convened for a single matter — Project Gideon.	G
Jan 11, 2023	IDA approves application to VCEDA for a loan up to \$900,000, \$400,000 forgivable upon retention of 100 FTE positions and creation of 20 new FTE positions.	H
Feb 16, 2023	VCEDA executes the Loan Agreement — Chairman Larry Mosley, notarized.	I
Feb 28, 2023	RPB Properties LLC formed . Registered agent: Seth R White. (Va. SCC Entity ID 11506344)	J
May 26, 2023	Lease, RPB Properties LLC to CNX Gas Company LLC. § 4.7: on receipt of \$900,000 from the IDA, CNX pays \$900,000 to RPB Properties for the landlord’s work.	K
May 26, 2023	Rent: \$420,000/yr rising to \$472,713.72/yr. Fifteen-year term — approximately \$6,689,511 .	L
May 26, 2023	Lessor Acknowledgement, notarized — Seth R White, Manager, RPB Properties LLC .	M
May 26, 2023	Lessee Acknowledgement, notarized — Brian Green, VP of Virginia Operations, CNX.	N



Independent Journalism & Civic Transparency
Richlands, Virginia • admin@catalystcivic.org

VIRGINIA CODE § 2.2-3112

Prohibited conduct concerning personal interest in a transaction; exceptions

A. Each officer and employee of any state or local governmental or advisory agency who has a personal interest in a transaction shall disqualify himself from participating in the transaction if (i) the transaction has application solely to property or a business or governmental agency in which he has a personal interest or a business that has a parent-subsidiary or affiliated business entity relationship with the business in which he has a personal interest or (ii) he is unable to participate pursuant to subdivision B 1, 2, or 3. Any disqualification under the provisions of this subsection shall be recorded in the public records of the officer's or employee's governmental or advisory agency. The officer or employee shall disclose his personal interest as required by subsection E of § 2.2-3114 or subsection F of § 2.2-3115 and **shall not vote or in any manner act on behalf of his agency in the transaction.** The officer or employee **shall be prohibited from (i) attending any portion of a closed meeting** authorized by the Virginia Freedom of Information Act (§ 2.2-3700 et seq.) **when the matter in which he has a personal interest is discussed** and (ii) discussing the matter in which he has a personal interest with other governmental officers or employees at any time.

Subsections B through G set out exceptions and related provisions and are omitted here for length. The complete section is available at law.lis.virginia.gov. Text retrieved August 5, 2026. Emphasis added.



Independent Journalism & Civic Transparency
Richlands, Virginia • admin@catalystcivic.org

EXHIBIT A

ENTER EXECUTIVE:

Upon motion of Mrs. Ann Robinson, seconded by Mrs. Melanie Protti-Lawrence, and unanimously passed with all members present voting in favor of adding (A)(5) Project Coatings to the Agenda in Executive Session pursuant to Virginia code, section 2.2-3711 for the items listed below and the added items above:

10 Matters –

- | | | |
|----|----------|---|
| 1 | (A) (5) | Bee Noodle Seed Grant Presentation |
| 2 | (A) (5) | Project Brew Update |
| 3 | (A) (3) | Property Acquisition Discussion Bluefield Industrial Park |
| 4 | (A) (5) | Update on Tele-health |
| 5 | (A) (5) | Project Trifecta |
| 6 | (A) (1) | Personnel, County Attorney |
| 7 | (A) (29) | Contract Negotiations VEDP Project Springboard |
| 8 | (A) (3) | Property Disposition near Tazewell Middle School |
| 9 | (A) (5) | Picture (update) Loan |
| 10 | (A) (5) | Project Gideon |

RETURN FROM EXECUTIVE SESSION:

Upon motion of Mrs. Ann Robinson, seconded by Mr. Seth White, and unanimously passed with all members present voting in favor, the Industrial Development Authority of Tazewell County, Virginia, hereby adopts the following certification:

CERTIFICATION OF EXECUTIVE MEETING

WHEREAS, the Industrial Development Authority of Tazewell County, Virginia, has convened an executive meeting on this date pursuant to an affirmative vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia, requires a certification by said Authority that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED, that the Industrial Development Authority of Tazewell County, Virginia hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed both before and after the

October 12, 2022

Page 2

IDA Minutes, October 12, 2022, p. 2 — closed session agenda; "Project Gideon" listed as item #10.



Independent Journalism & Civic Transparency
Richlands, Virginia • admin@catalystcivic.org

EXHIBIT B

ROLL CALL VOTE:

AYES: Mr. Kyle Hurt
Mr. Darrell Addison
Mr. Mack Payne
Mr. Curtis Breeding (left meeting at 5:45 p.m.)
Mrs. Melanie Protti-Lawrence (left meeting at 6:01 p.m.)
Mrs. Ann Robinson
Mr. Seth White (recused self from item #10)

Action Taken:

Bee Noodle Seed Grant Presentation:

Upon motion of Mrs. Ann Robinson, seconded by Mr. Darrell Addison, and unanimously passed with all members present voting in favor, the IDA Authority hereby authorize the Chairman to issue a Letter of Support regarding Project Bee Noodle for the VCEDA Seed Capital Grant, in an amount up to \$10,000.

Project Trifecta:

Upon motion of Mr. Darrell Addison, seconded by Mr. Seth White, and unanimously passed with all members present voting in favor, the IDA Authority hereby authorize the Chairman to issue a Letter of Support regarding Project Trifecta for the Carilion Clinic Community Grant application submitted.

Todd Day – Sport Complex:

The IDA wants to invite Mr. Todd Day to come and give a presentation for the sports complex.

Meeting Adjourned:

Upon motion of Mr. Mack Payne, seconded by Mr. Darrell Addison, and unanimously passed with all members present voting in favor the meeting was adjourned with meeting at 2:00 p.m. on November 16, 2022.

The regular meeting was scheduled for Wednesday, November 16, 2022 at 2:00 p.m.

Approved Date: 11.16.22

Chairman: [Signature]

IDA Minutes, October 12, 2022, p. 3 – roll call: “Mr. Seth White (recused self from item #10).”



Independent Journalism & Civic Transparency
Richlands, Virginia • admin@catalystcivic.org

EXHIBIT C

IDA Absent: Mr. Seth White (Left at 3:50pm)
Mrs. Anna Robinson (Joined by phone at 2:47pm)

Member to Vote:

Upon motion of Mr. Darrell Addison, seconded by Mr. Mack Payne, and unanimously passed with all members present voting in favor, the IDA Authority hereby approves Mrs. Robinson to participate and vote pursuant to the IDA's adopted remote participation policy.

Action Taken:

Project AP:

Upon motion of Mr. Curtis Breeding, seconded by Mr. Mack Payne, and unanimously passed with all members present voting in favor, the IDA Authority hereby authorize to issue a Letter of Support to VCEDA on behalf of Project AP for its pending loan application.

Project Picture:

Upon motion of Mr. Curtis Breeding, seconded by Mr. Mack Payne, and unanimously passed with all members present voting in favor, the IDA agree to co-sign a loan for equipment in the amount of up to \$250,000 with the VSBFA for the expansions discussed contingent upon a personal guarantee from the principal on Project Picture.

Project Frazier:

Upon motion of Mr. Darrell Addison, seconded by Mr. Curtis Breeding, and unanimously passed with all members present voting in favor, the IDA approves the lease as presented in Executive Session regarding Project Frazier, subject to legal review, and authorize the Chairman to execute the same. (See Attachment)

Project Springboard:

Upon motion of Mr. Darrell Addison, seconded by Mr. Mack Payne and unanimously passed with all members present voting in favor, the IDA approves the Performance Agreement on Project Springboard

November 16, 2022

Page 3



Independent Journalism & Civic Transparency
Richlands, Virginia • admin@catalystcivic.org

EXHIBIT D

ECONOMIC DEVELOPMENT DIRECTOR REPORT:

Project Tracking:

Mr. Tim Danielson stated that the department was following 17 active projects.

December 8, 2022

Page 1

Upon motion of Mr. Darrell Addison, seconded by Mrs. Melanie Protti-Lawrence, and unanimously passed with all members present voting in favor of adding (A)(1) Personnel regarding the IDA Attorney to the executive session agenda.

ENTER EXECUTIVE:

Upon motion of Mr. Mack Payne, seconded by Mr. Seth White, and unanimously passed with all members present voting in favor, the Industrial Development Authority of Tazewell County, Virginia hereby enters into executive session pursuant to Virginia code, section 2.2-3711 for the items listed below and the added items above:

7 Matters –

- | | | |
|---|---------|--------------------------------|
| 1 | (A) (5) | Project Boom |
| 2 | (A) (5) | Project FD (HS Invoice & Loan) |
| 3 | (A) (5) | Project SE Blackrock 1 Update |
| 4 | (A) (5) | Project Gideon |
| 5 | (A) (5) | Project Wood Update |
| 6 | (A) (5) | Clifffield Elementary School |
| 7 | (A) (5) | Project Brew Update |

RETURN FROM EXECUTIVE SESSION:

Upon motion of Mrs. Melanie Protti-Lawrence, seconded by Mr. Seth White, and unanimously passed with all members present voting in favor, the Industrial Development Authority of Tazewell County, Virginia, hereby adopts the following certification:

CERTIFICATION OF EXECUTIVE MEETING

WHEREAS, the Industrial Development Authority of Tazewell County, Virginia, has convened an executive meeting on this date pursuant to an affirmative vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia, requires a certification by said Authority that such closed meeting was conducted in conformity with Virginia law;

IDA Minutes, December 8, 2022 — closed session, Project Gideon item #4; motion to enter closed session seconded by Mr. Seth White.



Independent Journalism & Civic Transparency
Richlands, Virginia • admin@catalystcivic.org

EXHIBIT E

NOW, THEREFORE, BE IT RESOLVED, that the Industrial Development Authority of Tazewell County, Virginia hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Industrial Development Authority of Tazewell County, Virginia.

ROLL CALL VOTE:

AYES: Mr. Kyle Hurt
Mr. Darrell Addison
Mr. Mack Payne
Mr. Seth White
Mrs. Ann Robinson
Mrs. Melanie Protti-Lawrence

December 8, 2022

Page 2

IDA Minutes, December 8, 2022, p. 2 — certification roll call; AYES include Mr. Seth White.



Independent Journalism & Civic Transparency
Richlands, Virginia • admin@catalystcivic.org

EXHIBIT F

Industrial Development Authority of Tazewell County, Virginia Minutes

January 11, 2023

A regular meeting of the Industrial Development Authority of Tazewell County was held on Wednesday, January 11, 2023, at 2:00 p.m. in the board room of the Tazewell County Administration Office, 197 Main Street, Tazewell, Virginia.

Members present were: Mr. Kyle Hurt
Mr. Darrell Addison
Mr. Mack Payne
Mrs. Ann Robinson

Also present were: Mr. Tim Danielson, Economic Development Director
Mrs. Ashley Harris, Economic Development Manager
Mrs. Tanya Mullins, Grant Accounting Manager
Mr. Eric Young, County Administrator
Mrs. Maggie Asbury, Board of Supervisor
Mr. Chase Collins, County Attorney

MEETING CALL TO ORDER:

At this time, the January 11, meeting of the Tazewell County Industrial Development Authority (IDA) was called to order at 2:00 p.m. with Mr. Kyle Hurt, Chairman presiding.

APPROVAL OF MINUTES:

Upon motion of Mrs. Ann Robinson seconded by Mr. Darrell Addison, and passed with all members present voting in favor, the Authority approved the minutes of December 8, 2023 meeting.

APPROVAL OF FINANCIAL ITEMS:

Upon motion of Mrs. Ann Robinson, seconded by Mr. Darrell Addison, and unanimously passed with all members present voting in favor, the Authority approves the invoice summary, with the exception of check #12976 to Altizer, Walk, & White in the amount of \$4,595.00.

Upon motion of Mr. Mack Payne, seconded by Mrs. Ann Robinson, and unanimously passed with all members present voting in favor of approving bank statements for December General Account and December Grant Account.

Upon motion of Mrs. Ann Robinson, seconded by Mr. Mack Payne, and unanimously passed with all members present voting in favor of removing Mrs. Denise Harmon and adding Mrs. Tanya Mullins to the General and Grant Accounts.

CITIZENS COMMENTS:

None.

COUNTY ADMINISTRATOR REPORT:

None.

COUNTY/IDA ATTORNEY REPORT:

None.

IDA Minutes, January 11, 2023, p. 1 — members present; Mr. White is not listed.



Independent Journalism & Civic Transparency
Richlands, Virginia • admin@catalystcivic.org

EXHIBIT G

ECONOMIC DEVELOPMENT DIRECTOR REPORT:

Project Tracking:

Mr. Tim Danielson stated that the department was following 17 active projects.

Project FD Invoice:

Mr. Tim Danielson prepared a summary based upon all of the expenses for the shed. (See Financing Shed Closing Costs Attachment)

Upon motion of Mr. Darrell Addison, seconded by Mr. Mack Payne, and unanimously passed with all members present voting in favor of approving the financing shed closing costs.

ENTER EXECUTIVE:

Upon motion of Mrs. Ann Robinson, seconded by Mr. Mack Payne, and unanimously passed with all members present voting in favor, the Industrial Development Authority of Tazewell County, Virginia hereby enters into executive session pursuant to Virginia code, section 2.2-3711 for the items listed below and the added items above:

1 Matter --

1 (A) (5) Project Gideon

RETURN FROM EXECUTIVE SESSION:

Upon motion of Mr. Darrell Addison, seconded by Mrs. Ann Robinson, and unanimously passed with all members present voting in favor, the Industrial Development Authority of Tazewell County, Virginia, hereby adopts the following certification:

CERTIFICATION OF EXECUTIVE MEETING

WHEREAS, the Industrial Development Authority of Tazewell County, Virginia, has convened an executive meeting on this date pursuant to an affirmative vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia, requires a certification by said Authority that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED, that the Industrial Development Authority of Tazewell County, Virginia hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Industrial Development Authority of Tazewell County, Virginia.

ROLL CALL VOTE:

AYES: Mrs. Ann Robinson
Mr. Mack Payne
Mr. Darrell Addison
Mr. Kyle Hurt



Independent Journalism & Civic Transparency
Richlands, Virginia • admin@catalystcivic.org

EXHIBIT H

Project Gideon:

Upon motion of Mr. Darrell Addison, seconded by Mr. Mack Payne, and unanimously passed with all members present voting in favor to approve an application to VCEDA on Project Gideon for a loan up to \$900,000.00, \$400,000.00 of which to be forgivable upon the retention of 100 FTE positions and the creation of 20 new FTE positions.

Meeting Adjourned:

Upon motion of Mr. Darrell Addison, seconded by Mrs. Ann Robinson, and unanimously passed with all members present voting in favor the meeting was adjourned with meeting at 2:00 p.m. on February 8, 2023.

The regular meeting was scheduled for Wednesday, January 11, 2023 at 2:00 p.m.

IDA Minutes, January 11, 2023 — approval of application to VCEDA; loan up to \$900,000, \$400,000 forgivable.



Independent Journalism & Civic Transparency
Richlands, Virginia • admin@catalystcivic.org

EXHIBIT I

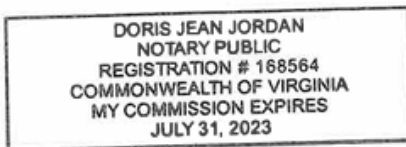
VCEDA Form 700

**VIRGINIA COALFIELD ECONOMIC
DEVELOPMENT AUTHORITY
("VCEDA")**

By: Larry Mosley (SEAL)
Print Name: Larry Mosley
Title: Chairman

STATE OF VIRGINIA
COUNTY OF RUSSELL, to-wit:

The foregoing instrument was acknowledged before me this 16th day of February, 2023, by Larry Mosley, the Chairman of the Virginia Coalfield Economic Development Authority, a political subdivision of the Commonwealth of Virginia, for and on behalf of the Authority.



Doris Jean Jordan
Notary Public

My commission expires the 31st day of July, 2023.
Notary Registration Number: 168564.

[Signature page follows]

Loan Agreement (VCEDA Form 700) — executed February 16, 2023 by Chairman Larry Mosley, notarized.



Independent Journalism & Civic Transparency
Richlands, Virginia • admin@catalystcivic.org

EXHIBIT J

Entity Information	
Entity Name: RPB Properties LLC	Entity ID: 11506344
Entity Type: Limited Liability Company	Entity Status: Active
Series LLC: No	Reason for Status: Active
Formation Date: 02/28/2023	Status Date: 02/28/2023
VA Qualification Date: 02/28/2023	Period of Duration: Perpetual
Industry Code: 0 - General	Annual Report Due Date: N/A
Jurisdiction: VA	Charter Fee: N/A
Registration Fee Due Date: Not Required	

Registered Agent Information	
RA Type: Individual	Locality: TAZEWELL COUNTY
RA Qualification: General Partner of a General or Limited Partnership that is a Member or Manager of the Limited Liability Company	
Name: Seth R White	Registered Office Address: 1424 2nd St, Richlands, VA, 24641 - 2455, USA

Principal Office Address
Address: 1424 2nd St, Richlands, VA, 24641, USA

Virginia State Corporation Commission record — RPB Properties LLC, formed 02/28/2023; registered agent Seth R White. Entity ID 11506344.



Independent Journalism & Civic Transparency
Richlands, Virginia • admin@catalystcivic.org

EXHIBIT K

4.7 Lessee Buildout Payment.

On the date Lessee receives the sum of \$900,000 from the Industrial Development Authority of Tazewell County, Virginia, \$400,000 of which is the proceeds of a loan from the Industrial Development Authority of Tazewell County, Virginia (the “VCEDA Loan”), Lessee agrees to pay to Lessor the sum of \$900,000.00 to be applied to the costs of the Lessor’s Work (“the Lessee Buildout Payment”). The Lessor acknowledges and understands that the purpose of the VCEDA Loan is to increase opportunities for employment and to enhance the economic base of Tazewell County, Virginia and the Virginia Coalfield Region and to assist with the retention and expansion of CNX Resources and its affiliated entities, and directly involving and promoting the success of CNX in Tazewell County, Virginia. Lessor will use the Lessee Buildout Payment solely to pay direct labor, materials and other direct costs of Lessor’s Work and for no other purpose. Lessor will provide Lessee



Independent Journalism & Civic Transparency
Richlands, Virginia • admin@catalystcivic.org

EXHIBIT L

3. RENT. 3.1 Commencing on the Commencement Date, Lessee shall pay the following rent to Lessor:

Lease Years	Annual Rent	Monthly Rent
1-3	\$420,000	\$35,000
4-6	\$432,600	\$36,050
7-9	\$445,578	\$37,131.50
10-12	\$458,945.40	\$38,245.45
13-15	\$472,713.72	\$39,392.81

3.2 Payment of Rent. Monthly installments of rent shall be paid to

Commercial Real Estate Lease, § 3.1 — rent schedule.



Independent Journalism & Civic Transparency
Richlands, Virginia • admin@catalystcivic.org

EXHIBIT M

LESSOR ACKNOWLEDGEMENT

COMMONWEALTH OF VIRGINIA)

COUNTY OF Saxwell) SS

On this 26th day of May, 2023, before me appeared Seth R White ~~NAME~~
~~OF LESSOR~~, [TITLE OF LESSOR], of ~~[COMPANY NAME OF LESSOR]~~, to me
Manager ~~known to be the person described in and who executed the foregoing Subordination,~~
Non-Disturbance and Attornment Agreement, as the members or designated agents
of ~~[NAME OF COMPANY]~~, a Virginia LLC ~~and acknowledged that s/he~~
RPB Properties, LLC ~~executed the same as the free act and deed of said~~ and are acting
for and on behalf of and as members or designated agents of the said
_____.

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed my notarial
seal, at my office in Saxwell, the day and year last above written.

Tanya Jones Mullins
Notary Public Signature

My Commission expires 01/31/2027



Lessor Acknowledgement, May 26, 2023 — Seth R White, Manager, RPB Properties LLC, notarized.



Independent Journalism & Civic Transparency
Richlands, Virginia • admin@catalystcivic.org

EXHIBIT N

LESSEE ACKNOWLEDGEMENT

COMMONWEALTH OF VIRGINIA)
COUNTY OF Sagewell) SS

On this 26th day of May, 2023, before me appeared Brian Green, to me personally known, who, being by me duly sworn, did say that he is the VP of Va Operations, and that on behalf of said limited liability company, acknowledged said Agreement to be the free act and deed of said limited liability company.

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed my notarial seal, at my office in Sagewell, the day and year last above written.

Tanya Jones Mullins
Notary Public Signature

My Commission expires 01/31/2027.



Lessee Acknowledgement, May 26, 2023 — Brian Green, VP of Virginia Operations, CNX Gas Company LLC, notarized.