

DANVILLE-PITTSYLVANIA REGIONAL INDUSTRIAL FACILITY AUTHORITY
Minutes
February 10, 2014

The Regular Meeting of the Danville-Pittsylvania Regional Industrial Facility Authority convened at 12:13 p.m. on the above date in the Danville Regional Airport Conference Room, 424 Airport Drive, Danville, Virginia. Present were City of Danville Members Vice Chairman Sherman M. Saunders, Fred O. Shanks, III and Alternate J. Lee Vogler. Pittsylvania County Members present were Chairman Coy E. Harville and James Snead. Alternate Brenda H. Bowman was absent.

City/County staff members attending were: City Manager Joe King, Deputy City Manager Ken Larking, Assistant County Administrator for Planning & Development Gregory Sides, Governmental Affairs Consultant Linwood Wright, City of Danville Finance Director/Authority Treasurer Barbara Dameron, Division Director of Power & Light Ken Ashworth, City of Danville Senior Accountant Patricia Conner, Project Manager Corrie Teague, Clement & Wheatley Attorney Michael Guanzon and Secretary to the Authority Susan DeMasi.

Also present was Dewberry and Davis Project Manager Shawn Harden.

PUBLIC COMMENT PERIOD

No one present desired to be heard.

APPROVAL OF MINUTES FOR THE JANUARY 13, 2014 MEETING

Upon **Motion** by Mr. Saunders and **second** by Mr. Shanks, Minutes of the January 13, 2014 meeting were approved as presented.

Draft copies had been distributed to Authority Members prior to the Meeting.

MOTION TO MOVE CLOSED SESSION ITEMS 6 A. B. AND C. ON THE AGENDA

Mr. Harville noted there would be a change in the order of the Agenda, with the Closed Session to be heard next. Mr. Harville requested a Motion to move the Closed Session items. Mr. Saunders **moved** that Closed Session Items 6 A. B. and C. be moved.

The motion was **seconded** by Mr. Snead and carried by the following vote:

VOTE: 4-0
AYE: Harville, Snead, Saunders, Shanks (4)
NAY: None (0)

6. CLOSED SESSION

Chairman Harville noted that during the Closed Session, all matters discussed shall involve receiving advice from legal counsel, and as such all communications during the closed session shall be considered attorney-client privileged.

A. At 12:15 p.m., Mr. Shanks **moved** that the Meeting of the Danville-Pittsylvania Regional Industrial Facility Authority be recessed in a Closed Meeting as permitted by Section 2.2-3711(A)(3) of the Code of Virginia, 1950, as amended, for discussion or consideration of the disposition of real property for a public purpose to develop the Authority's Cane Creek

DANVILLE-PITTSYLVANIA REGIONAL INDUSTRIAL FACILITY AUTHORITY
Minutes
February 10, 2014

Centre project, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Authority; and

B. As permitted by Section 2.2-3711(A)(5) of the Code of Virginia, 1950, as amended, for discussion concerning a prospective business or industry where no previous announcement has been made of the business' or industry's interest in locating its facilities in the Authority's Cane Creek Centre project or Mega Park project; and

C. As permitted by Section 2.2-3711(A)(7) of the Code of Virginia, 1950, as amended, for consultation with its legal counsel, Clement & Wheatley, pertaining to *Danville-Pittsylvania RIFA v. AVRC, Inc.*, Case No. CL12000634-00, in the Circuit Court for the City of Danville, Virginia, where such consultation in open meeting would adversely affect the negotiating or litigating posture of the Authority.

The Motion was **seconded** by Mr. Snead and carried by the following vote:

VOTE: 4-0
AYE: Harville, Snead, Saunders, Shanks (4)
NAY: None (0)

Mr. Saunders left the meeting at 12:30 p.m.

On **Motion** by Mr. Snead and **second** by Mr. Shanks and by unanimous vote at 12:37 p.m., the Authority returned to open meeting.

Mr. Snead **moved** adoption of the following Resolution:

WHEREAS, the Authority convened in Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia, 1950, as amended, requires a Certification by the Authority that such Closed Meeting was conducted in conformity with Virginia Law;

NOW, THEREFORE, BE IT RESOLVED that the Authority hereby certifies that, to the best of each Member's knowledge, (i) only public business matters lawfully exempted by the open meeting requirements of Virginia Law were discussed in the Closed Meeting to which this Certification Resolution applies, and (ii) only such public business matters as were identified in the Motion convening the Closed Meeting were heard, discussed, or considered by the Authority.

The Motion was **seconded** by Mr. Vogler and carried by the following vote:

VOTE: 4-0
AYE: Harville, Snead, Shanks, Vogler (4)
NAY: None (0)

DANVILLE-PITTSYLVANIA REGIONAL INDUSTRIAL FACILITY AUTHORITY
Minutes
February 10, 2014

NEW BUSINESS

5A. CONSIDERATION – RESOLUTION 2014-02-10-5A – APPROVING RELOCATION OF AN EXISTING 69KV TRANSMISSION LINE

Ken Ashworth, Division Director of Power and Light for the City of Danville noted the relocation was proposed to clear up some of the RIFA property on the right hand side of Cane Creek Boulevard. It is an opportune time to move the line as the City is in a rebuild situation on that line, and this will be an opportunity to re-engineer and re-survey the line to a more appropriate location for the park itself.

Mr. Snead **moved** adoption of *Resolution 2014-02-10-5A, approving the relocation of an existing 69kv transmission line currently running along U.S. Highway 58 East to a parallel location along Cane Creek Boulevard, which is within the Authority's Cane Creek Centre project located in Pittsylvania County, Virginia.*

The Motion was **seconded** by Mr. Vogler carried by the following vote:

VOTE: 4-0
AYE: Harville, Snead, Shanks, Vogler (4)
NAY: None (0)

5B. CONSIDERATION – APPROVAL OF REQUEST OF IKEA DANVILLE, LLC TO RENAME A PRIVATE ROAD

Assistant County Administrator for Planning and Development Greg Sides noted Swedwood has changed their name from Swedwood Danville LLC to IKEA Danville LLC and would like to change the name of Swedwood Drive to IKEA Drive. This will have to be approved by the Pittsylvania County Board of Supervisors; the County's 911 have no problem with the address.

Authority Attorney Michael Guanzon explained under the Restrictive Covenants for the property, RIFA has the ability to approve changes in signage. The County still has to approve it for 911 purposes.

Mr. Snead **moved** that *RIFA submit a request to change the name from Swedwood Drive to IKEA Drive to the Pittsylvania County Board of Supervisors, for their approval.*

The **Motion** was seconded by Mr. Shanks and carried by the following vote:

VOTE: 4-0
AYE: Harville, Snead, Shanks, Vogler (4)
NAY: None (0)

5C. CONSIDERATION – RESOLUTION 2014-02-10-5C – RATIFYING A CERTAIN RESIDENTIAL CONTRACT OF PURCHASE AND ADDENDUM DATED DECEMBER 27, 2013

Mr. Shanks moved adoption of *Resolution 2014-02-10-5C, ratifying that certain Residential Contract of Purchase and Addendum dated December 27, 2013, for the purchase by the*

DANVILLE-PITTSYLVANIA REGIONAL INDUSTRIAL FACILITY AUTHORITY
Minutes
February 10, 2014

Authority of Lots 1, 2 and 3, fronting on Tom Forks Road, located in Pittsylvania County, Virginia (GPINs 2347-23-1845 and 2347-23-1806), at a purchase price of \$30,000.00, from Joseph A. Dabbs, Jr., and Jean P. Dabbs as sellers; such contract and addendum include without limitation an earnest money deposit of \$1,500.00, and a minimum study period of 90 days; and the property would be added to, and made part of, the Authority's Cane Creek Centre project.

The Motion was **seconded** by Mr. Snead and carried by the following vote:

VOTE: 4-0
AYE: Harville, Snead, Shanks, Vogler (4)
NAY: None (0)

5D. CONSIDERATION – REQUEST TO TRANSFER \$1,800.00 FROM THE “CONTINGENCY” BUDGET TO THE “MEALS” BUDGET

Authority Treasurer Barbara Dameron noted this relates to an announcement luncheon that was held at the Institute. Staff had not planned for that initially in the budget but RIFA does have monies left in the Contingency in General Expenditures.

Mr. Shanks **moved** to approve a request to transfer \$1,800.00 from the “Contingency” budget to the “Meals” budget on the General Expenditures for Fiscal Year 2014 budget sheet, to cover anticipated expenses for the remainder of the fiscal year. [No written resolution.]

The Motion was **seconded** by Mr. Vogler and carried by the following vote:

VOTE: 4-0
AYE: Harville, Snead, Shanks, Vogler (4)
NAY: None (0)

5E. FINANCIAL STATUS REPORT AS OF JANUARY 31, 2014

Authority Treasurer Barbara Dameron gave a financial status report noting the Authority spent \$2,256.00 to Dewberry for Wetland Monitoring. There was a total of \$3,124.00 expended for General Expenses: \$2,300.00 for legal, RIFA also paid its U.S. Bank Annual Administrative Fee of \$500.00 and the rest was for meals and utilities. For the Mega Park Lot 4, there is \$187.00 for Wetland Studies. The Rent, Interest and Other Income shows the rental income the Authority received and that RIFA paid \$9,383.00 to the Institute for the administrative property management fee for the month of January.

Mr. Snead **moved** to accept the financial report as presented.

The Motion was **seconded** by Mr. Shanks and carried by the following vote:

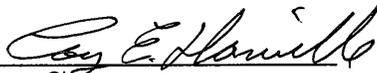
VOTE: 4-0
AYE: Harville, Snead, Shanks, Vogler (4)
NAY: None (0)

DANVILLE-PITTSYLVANIA REGIONAL INDUSTRIAL FACILITY AUTHORITY
Minutes
February 10, 2014

COMMUNICATIONS

There were no communications from Board Members or Staff.

MEETING ADJOURNED AT 12:49 P.M.


Chairman


Secretary to the Authority