

DANVILLE-PITTSYLVANIA REGIONAL INDUSTRIAL FACILITY AUTHORITY

Minutes
April 11, 2016

The Regular Meeting of the Danville-Pittsylvania Regional Industrial Facility Authority convened at 12:15 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 and Alternate J. Lee Vogler. Fred O. Shanks, III was absent. Pittsylvania County Members present were Chairman Jessie L. Barksdale, Robert Warren and Alternate Elton W. Blackstock.

City/County staff members attending were: City Manager Ken Larking, Pittsylvania County Administrator Clarence Monday, Pittsylvania County Economic Development Director Matt Rowe, Assistant County Administrator for Planning & Development Greg Sides, City of Danville Assistant Director of Economic Development Corrie Teague, City of Danville Finance Director/Authority Treasurer Michael Adkins, City of Danville Senior Accountant Henrietta Weaver, Clement Wheatley Attorney Michael Guanzon and Secretary to the Authority Susan DeMasi.

Also present were Shawn Harden and Brian Bradner of Dewberry & Davis.

Mr. Barksdale presided.

PUBLIC COMMENT PERIOD

No one desired to be heard.

Mr. Saunders announced that Ken Larking is no longer Interim City Manager, but is now City Manager of Danville.

APPROVAL OF MINUTES FOR THE MARCH 14, 2016 MEETING

Upon **Motion** by Mr. Saunders and **second** by Mr. Warren, Minutes of the March 14, 2016 meeting were approved as presented. Draft copies had been distributed to Authority Members prior to the Meeting.

NEW BUSINESS

5A. CONSIDERATION – RESOLUTION 2016-04-11-5A – APPROVING A BILLBOARD LEASE

Michael Guanzon, attorney for RIFA explained RIFA staff had been contacted by Mr. Harkins who operates a billboard leasing company. There is a billboard on RIFA property and they would like to continue to use it. RIFA staff recommends, pending the development of that lot, which is Lot 6 in the Cane Creek Centre, to continue to lease it. The rent will be \$1,500 with an escalator clause to \$2,000; there is also a right of early termination.

Mr. Warren **moved** adoption of *Resolution 2016-04-11-5A, a Resolution approving a billboard lease agreement to Harkins Outdoor Advertising Corporation, a South Carolina corporation, for the lease of an existing billboard located on Lot 6 containing approximately 6.78 acres in that portion of the Authority's Cane Creek Centre project located in Danville, Virginia, at an initial lease rate of \$1,500.00 per year, with an early termination right by the authority in the event the authority actively develops Lot 6.*

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The Motion was **seconded** by Mr. Vogler.

Mr. Vogler questioned on the early termination, was there a time limit and Mr. Guanzon noted it was sixty days.

The Motion was **carried** by the following vote:

VOTE: 4-0
AYE: Barksdale, Warren, Saunders, Vogler (4)
NAY: None (0)

6C. FINANCIAL STATUS REPORT AS OF MARCH 31, 2016

Authority Treasurer Michael Adkins reviewed the Financial Status report as of March 31, 2016 beginning with the \$7.3M Bonds for Cane Creek with no activity during the month of March. General Expenditures show the recurring monthly expenses of \$33 for utilities and \$298 for meals. There was no activity for Mega Park Funding Other Than Bonds for March. Berry Hill Mega Park, Lot 4 Site Development showed one expenditure to Wetlands Studies and Solutions of \$672 for March. Rent, Interest and Other Income Realized for the month show RIFA received the monthly rent of \$18,876 from the Institute for Advanced Learning and Research for the Hawkins Building, \$300 from Securitas for their monthly lease payment and \$389 for interest earned for March. The only expenditure was \$18,875 which is the standard property management fee paid to the Institute for each month.

Mr. Warren **moved** to accept the Financial Report as presented. The Motion was **seconded** by Mr. Saunders and carried by the following vote:

VOTE: 4-0
AYE: Barksdale, Warren, Saunders, Vogler (4)
NAY: None (0)

6. CLOSED SESSION

[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.]

At 12:24 p.m. Mr. Warren **moved** that the Meeting of the Danville-Pittsylvania Regional Industrial Facility Authority be recessed in a Closed Meeting:

A. As permitted by Section 2.2-3711(A)(5) of the Code of Virginia, 1950, as amended ("Virginia Code"), for discussion concerning one or more prospective businesses where no previous announcement has been made of that business's interest in locating its facilities in one or more of the Authority's projects located in Pittsylvania County, Virginia, and/or Danville, Virginia;

B. As permitted by Virginia Code § 2.2-3711(A)(40) for discussion or consideration of records excluded under Virginia Code § 2.2-3705.6(3) (including without limitation those certain confidential proprietary records voluntarily provided by private business pursuant to a

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promise of confidentiality from the Authority, and used by the Authority for business and trade development); and

C. As permitted by Virginia Code §§ 2.2-3711(A)(3) and (29)(i) for discussion or consideration of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Authority; and (ii) for discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the Authority.

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

VOTE: 4-0
AYE: Barksdale, Warren, Saunders, Vogler (4)
NAY: None (0)

D. On **Motion** by Mr. Warren and **second** by Mr. Vogler and by unanimous vote at 1:09 p.m., the Authority returned to open meeting.

E. Mr. Vogler **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. Warren and carried by the following vote:

VOTE: 4-0
AYE: Barksdale, Warren, Saunders, Vogler (4)
NAY: None (0)

8. COMMUNICATIONS

Mr. Barksdale noted RIFA has a great staff and thanked everyone for their input.

Mr. Vogler thanked everyone at today's meeting.

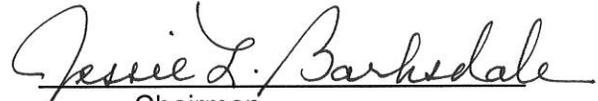
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Mr. Warren noted he was honored to be appointed to the Board and it has been a pleasure serving. Mr. Warren stated he attended a meeting announcing Go Virginia and thought it was impressive that they used a little of what the County and the City do, the relationship they have been able to form and work together for the greater good of both communities.

The Meeting adjourned at 1:13 p.m.


Chairman


Secretary to the Authority