

DANVILLE-PITTSYLVANIA REGIONAL INDUSTRIAL FACILITY AUTHORITY

Minutes

November 16, 2016

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 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 Director of Economic Development Matt Rowe, Assistant County Administrator for Planning & Development Gregory Sides, Assistant Director of Economic Development Corrie Teague, City of Danville Director of Finance Michael Adkins, City of Danville Senior Accountant Henrietta Weaver, Clement Wheatley Attorney Jennifer Burnett and Secretary to the Authority Susan DeMasi. Also present was Shawn Harden of Dewberry & Davis.

**PUBLIC COMMENT PERIOD**

No one desired to be heard

**APPROVAL OF MINUTES FOR THE OCTOBER 13, 2016 MEETING**

Upon **Motion** by Mr. Saunders and **second** by Mr. Warren, Minutes of the October 13, 2016 Meeting were approved as presented. Draft copies had been distributed to Authority Members prior to the Meeting.

**NEW BUSINESS**

**5A. CONSIDERATION – RESOLUTION 2016-11-16-5A – PLATS FOR BERRY HILL**

Mr. Shawn Harden from Dewberry & Davis explained that Dewberry prepared the property plat for the entire Berry Hill Industrial Park. In order for staff to adequately describe the lots for economic development, they have asked that Dewberry prepare smaller exhibits, one sheet each. It will be five exhibits that will be attached to the overall property plat to describe each lot and what they are subdivided on.

Mr. Shanks **moved** adoption of *Resolution 2016-11-16-5A authorizing Dewberry Engineers, Inc. to prepare individual plats showing the newly formulated parcels at Berry Hill, to attach as exhibits to future conveyance and other instruments describing the parcels as a matter of convenience and efficiency, at a proposed cost of approximately \$6,300.00. [No written Resolution]*

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

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

**5B. CONSIDERATION – RESOLUTION 2016-11-16-5B – AMEND 1260 SOUTH BOSTON ROAD COOPERATION AGREEMENT**

Mr. Barksdale noted Item 5B has been pulled from the Agenda.

Assistant Director of Economic Development Corrie Teague explained in working with the contractor, they were able to situate the building on the original ten acres; the additional four were not needed.

There were no objections from Board members.

**5C. RECEIPT OF TERMINATION OF LEASE FROM SECURITAS**

Director of Finance Michael Adkins explained the Finance office for the City of Danville received a Notice for Termination of the Lease with Securitas. The Authority received \$300 a month from them in lease payments and the lease has been in place for seven years. They did provide the sufficient thirty day notice to discontinue this lease. Staff expects the last payment will be November 1, 2016 and they noted in the letter that the keys will be returned on or before the 30<sup>th</sup> of November.

**5D. FINANCIAL STATUS REPORT AS OF OCTOBER 31, 2016**

Director of Finance, Michael Adkins reviewed the Financial Status report as of October 31, 2016, beginning with the \$7.3M Cane Creek Centre bonds which had some expenditures. The Authority did a refinancing or refunding of those bonds in September and there were closing and legal fees. The Authority expended \$50,489 related to the closing and refinancing of those bonds. General Expenditures show the Authority spent \$21,048 for legal fees for general counsel services, \$3,000 to Brown, Edwards on the Annual Audit for FY 2016, \$271 for meals and \$32 in monthly utilities. Mega Park Funding Other Than Bonds showed no expenditures for October and Berry Hill Mega Park Lot 4 Site Development showed no expenditures for October as well. Rent, Interest and Other Income Realized shows \$19,024 collected in rent from the Institute for Advanced Learning and Research for the Charles Hawkins Research Building, \$300 in rent from Securitas and \$523 in Interest Income. The only expenditure was the Hawkins Building Management Fee paid to the Institute for Advanced Learning and Research for \$19,024.

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

VOTE: 4-0  
AYE: Barksdale, Warren, Saunders, Shanks (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.]*

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At 12:22 p.m. Mr. Shanks **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 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. Warren and carried by the following vote:

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

D. On **Motion** by Mr. Warren and **second** by Mr. Shanks and by unanimous vote at 12:49 p.m., the Authority returned to open meeting.

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

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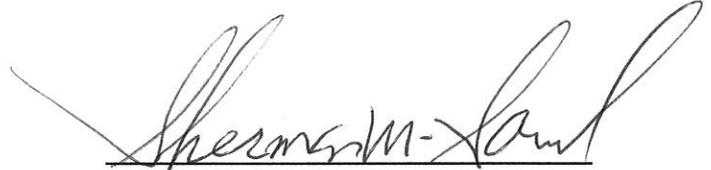
November 16, 2016

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

**7. COMMUNICATIONS**

Board Members thanked the staff for the good report, the great job they are doing and the collaboration between the City and the County. Mr. Barksdale wished everyone a good Thanksgiving Holiday.

The Meeting adjourned at 12:52 p.m.



Chairman



Secretary to the Authority