Danville-Pittsylvania Regional Industrial Facility Authority

CITY OF DANVILLE, VIRGINIA
COUNTY OF PITTSYLVANIA, VIRGINIA

AGENDA

MONDAY, MARCH 8, 2010

12:00 NOON

DAN RIVER BUSINESS DEVELOPMENT CENTER CONFERENCE ROOM
300 RINGGOLD INDUSTRIAL PARKWAY

COUNTY OF PITTSYLVANIA MEMBERS

COY E. HARVILLE, CHAIRMAN
HENRY A. "HANK" DAVIS, JR.
FRED M. INGRAM, ALTERNATE

CITY OF DANVILLE MEMBERS

SHERMAN M. SAUNDERS, VICE-CHAIRMAN/SECRETARY-TREASURER
T. DAVID LUTHER
FRED O. SHANKS, III, ALTERNATE

STAFF

JOSEPH C. KING, ACTING CITY MANAGER, DANVILLE
WILLIAM D. SLEEPER, PITTSYLVANIA COUNTY ADMINISTRATOR
CLEMENT & WHEATLEY, ATTORNEY FOR AUTHORITY
ANNETTE Y. CRANE, CLERK TO THE AUTHORITY

1. MEETING CALLED TO ORDER

2. ROLL CALL

3. APPROVAL OF FEBRUARY 8, 2010 MEETING MINUTES

4. URANIUM MINING RESOLUTION NO. 2010-03-01

5. RESOLUTIONS BY PITTSYLVANIA COUNTY BOARD OF SUPERVISORS REGARDING BOARD APPOINTMENTS TO DANVILLE-PITTSYLVANIA REGIONAL INDUSTRIAL FACILITY AUTHORITY

6. RESOLUTION OF THE DANVILLE-PITTSYLVANIA REGIONAL INDUSTRIAL FACILITY AUTHORITY RATIFYING PRIOR ACTIONS

7. NANCY BARBOUR SMITH VS. PITTSYLVANIA COUNTY BOARD OF SUPERVISORS

8. FINANCIAL REPORT

9. CLOSED MEETING AS PERMITTED BY SUBSECTION (A) (7) OF SECTION 2.2-3711 OF THE CODE OF VIRGINIA, 1950, AS AMENDED – CONSULTATION WITH LEGAL COUNSEL AND BRIEFINGS BY STAFF MEMBERS OR CONSULTANTS PERTAINING TO ACTUAL OR PROBABLE LITIGATION, WHERE SUCH CONSULTATION OR BRIEFING IN OPEN MEETING WOULD ADVERSELY AFFECT THE NEGOTIATING OR LITIGATING POSTURE OF THE PUBLIC BODY; AND CONSULTATION WITH LEGAL COUNSEL EMPLOYED OR RETAINED BY A PUBLIC BODY REGARDING SPECIFIC LEGAL MATTERS REQUIRING THE PROVISION OF LEGAL ADVICE BY SUCH COUNSEL.

10. CLOSED MEETING AS PERMITTED BY SUBSECTION (A) (1) OF SECTION 2.2-3711 OF THE CODE OF VIRGINIA, 1950, AS AMENDED – DISCUSSION, CONSIDERATION, OR INTERVIEWS OF PROSPECTIVE CANDIDATES FOR EMPLOYMENT.

11. CLOSED MEETING AS PERMITTED BY SUBSECTION (A) (5) OF SECTION 2.2-3711 OF THE CODE OF VIRGINIA, 1950, AS AMENDED – DISCUSSION CONCERNING A PROSPECTIVE BUSINESS OR INDUSTRY OR THE EXPANSION OF AN EXISTING BUSINESS OR INDUSTRY WHERE NO PREVIOUS ANNOUNCEMENT HAS BEEN MADE OF THE BUSINESS' OR INDUSTRY'S INTEREST IN LOCATING OR EXPANDING ITS FACILITIES IN THE COMMUNITY.

12. CLOSED MEETING AS PERMITTED BY SUBSECTION (A) (5) OF SECTION 2.2-3711 OF THE CODE OF VIRGINIA, 1950, AS AMENDED – DISCUSSION CONCERNING A PROSPECTIVE BUSINESS OR INDUSTRY OR THE EXPANSION OF AN EXISTING BUSINESS OR INDUSTRY WHERE NO PREVIOUS ANNOUNCEMENT HAS BEEN MADE OF THE BUSINESS' OR INDUSTRY'S INTEREST IN LOCATING OR EXPANDING ITS FACILITIES IN THE COMMUNITY.

13. DISCUSSION OF FUTURE MEETING LOCATION AND ARRANGEMENTS

14. COMMUNICATIONS FROM:
    HENRY A. "HANK" DAVIS, JR.
    COY E. HARVILLE
    FRED M. INGRAM
    T. DAVID LUTHER
    SHERMAN M. SAUNDERS
    FRED O. SHANKS, III

15. ADJOURN

Danville-Pittsylvania Regional Industrial Facility Authority

Minutes

February 8, 2010

The Regular Meeting of the Danville Pittsylvania Regional Industrial Facility Authority convened at 12 o'clock Noon on the above date in the Conference Room of the Dan River Business Development Center located at 300 Ringgold Industrial Parkway. Present were City of Danville Members Vice-Chairman/Secretary-Treasurer Sherman Saunders, David Luther and Alternate Fred Shanks and Pittsylvania County Members Chairman Coy Harville and Hank Davis.

City/County staff members attending were: Pittsylvania County Administrator Dan Sleeper, Pittsylvania County Assistant Administrator Otis Hawker, Danville Economic Development Marketing Director Corrie Teague, Danville Finance Director Barbara Dameron, Pittsylvania County Finance Director Kim Van der Hyde, Danville Senior Accountant Amy Merricks, Clement and Wheatley Attorney Michael Guanzon, and Danville City Clerk/Clerk to the Authority Annette Crane.

Dewberry and Davis Project Manager Shawn Harden was also in attendance.

Chairman Harville called the Meeting to order.

APPROVAL OF JANUARY 11, 2010 MINUTES

Upon **Motion** by Mr. Saunders and second by Mr. Davis, Minutes of the January 11, 2010 Meeting were approved as presented. Draft copies had been distributed to Authority Members prior to the Meeting.

REPORT ON STRUCTURES LOCATED AT THE MEGA PARK

Mr. Sleeper distributed a booklet containing photographs of existing structures at the Mega Park. Mr. Harville advised that structure no. 5 had been removed, cleaned and seeded. Structure No. 6 was the structure that burned late last year. Mr. Hawker called attention to a map of Berry Hill indicating the placement of various structures on the property. He invited Authority Members to view the sites at their leisure.

Mr. Harville stressed the importance of checking to see if any of the structures were historically significant before demolition occurred. Mr. Saunders asked if the buildings could be used for training by fire departments. Mr. Harville asked Mr. Sleeper to check with the Brosville and Bachelors Hall Fire Departments to see if there was interest in burning the buildings for training.

Upon **Motion** by Mr. Davis and second by Mr. Luther, a Resolution relating to the mining of uranium at Berry Hill and a Closed Meeting were placed on the Agenda as Items 6a and 6b, respectively, by a unanimous vote.

Danville-Pittsylvania Regional Industrial Facility Authority

Minutes

February 8, 2010

SPECIAL MARCH MEETING – FINANCING MEGA PARK LAND ACQUISITION

Ms. Dameron reviewed a preliminary financing schedule for 2010 bonds that had been distributed with the agenda. She stated it was anticipated that if all goes as indicated on the schedule, a special Authority meeting would take place the week of February 28.

PROGRESS REPORT-ENGINEERING ACTIVITIES-MEGA PARK

Dewberry and Davis Project Manager Shawn Harden updated Authority Members on engineering activities at the Mega Park. Mr. Harden advised the inclement weather had held up activities to a degree, but archealogical work continues. Another site containing approximately 50 graves had been discovered and the company is working to ensure the site will be protected. Mr. Harden reported that wetland delineation continues and is near completion.

RESOLUTION – URANIUM MINING AT MEGA PARK SITE

Mr. Davis **moved** to adopt a Resolution that the Danville Pittsylvania Regional Industrial Facility Authority will not sell, lease or otherwise make use of mineral rights it owns at the Berry Hill Mega Park for the minining of uranium or construction of a uranium milling operation. The Motion **failed** for lack of a second.

CLOSED MEETING

At 12:34 P.M. Mr. Harville recognized Mr. Davis who **moved** the meeting be recessed and the Authority immediately convene in Closed Meeting for consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body regarding specific legal matters requiring the provision of legal advise by such counsel of as permitted by Subsection (a) (7) of Section 2.2-3711 of the Code of Virginia, 1950, as amended. The Motion was seconded by Mr. Saunders and carried unanimously.

Upon unanimous vote, at 1:05 P.M. the Authority returned to open meeting and Mr. Davis **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 confirmity 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 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. Luther and carried by the following vote:

VOTE:	4-0
AYE:	Davis, Harville, Luther, and Saunders (4)
NAY:	None (0).

MONTHLY FINANCIAL REPORT

Upon **Motion** by Mr. Saunders and second by Mr. Luther, the Monthly Financial Report was approved as presented. Copies of the report had been distributed in the agenda package.

COMMUNICATIONS

Mr. Saunders requested, and RIFA members agreed, that the Danville Fire Department should be invited to use the structures at Berry Hill for training along with the Brosville and Bachelors Hall Departments.

Clerk's Note: At their requests, Mss. Hudson and Dix were given copies of the booklet containing structures at the Mega Park.

The Meeting adjourned at 1:09 P.M.

_____
Chairman

_____
Clerk to the Authority

DANVILLE PITTSYLVANIA
REGIONAL INDUSTRIAL FACILTIES AUTHORITY

RESOLUTION
2010-03-01

WHEREAS, Pittsylvania County and the City of Danville have invested millions of dollars for the purchase and development of the "Mega Park" in the Berry Hill community in the Southwestern area of Pittsylvania County through their partnership in the Danville Pittsylvania Regional Industrial Facilities Authority incorporating the acquiring of real estate and consultant designs for environmental impacts, utilities and infrastructure; and

WHEREAS, it is the intent of Pittsylvania County and the City of Danville and the Danville Pittsylvania Regional Industrial Facilities Authority to continue investment in and development of this park to provide new jobs and enhance the economic stability of the region by locating new industrial projects; and

WHEREAS, it is imperative for the industrial prospects to have confidence that their investment in our region will not be compromised by uranium mining if Virginia lifts the current moratorium ; and

WHEREAS, it is the responsibility of Pittsylvania County and the City of Danville and the Danville Pittsylvania Regional Industrial Facilities Authority to protect the health, safety, welfare, and prosperity of the citizens of Pittsylvania County and the City of Danville; then

BE IT HEREBY RESOLVED, that the Danville Pittsylvania Regional Industrial Facilities Authority will not sell, lease or otherwise make use of mineral rights it owns on the Berry Hill Mega Park for the mining of uranium or construction of a uranium milling operation.

Given under my hand this 8th day of March 2010.

_____
Coy E. Harville, Chairman
Danville Pittsylvania
Regional Industrial Facilities Authority

_____
Annette Crane, Clerk
Danville Pittsylvania
Regional Industrial Facilities Authority

RESOLUTION NO. 1

PITTSYLVANIA COUNTY BOARD OF SUPERVISORS
RESOLUTION

RATIFICATION OF DANVILLE-PITTSYLVANIA REGIONAL INDUSTRIAL FACILITY AUTHORITY BOARD APPOINTMENTS
PRESENTED MARCH 1, 2010
ADOPTED MARCH 1, 2010

WHEREAS, the Board of Supervisors of the County of Pittsylvania, Virginia is a governing body which is a member of an authority created pursuant to the Virginia Regional Industrial Facilities Act, Chapter 64 of Title 15.2 of the Code of Virginia, 1950, as amended, to wit: the Danville-Pittsylvania Regional Industrial Facility Authority; and

WHEREAS, Section 15.2-6403 permits each member locality to appoint two members and one alternate from each member's governing body to act on the Board of Directors of the Danville-Pittsylvania Regional Industrial Facilities Authority; and

WHEREAS, the Pittsylvania County Board of Supervisors has historically permitted its Chairman of the Board of Supervisors to appoint members to various committees and boards at its annual meeting pursuant to the bylaws duly adopted by the Board of Supervisors; and

WHEREAS, Chapter 64 of Title 15.2 of the Code of Virginia, Section 15.2-6403 A states that the governing body of each member locality shall appoint the membership of the Board of Directors to a Regional Industrial Facilities Authority created pursuant to the Virginia Regional Industrial Facilities Act; and

WHEREAS, Article 4, Chapter 15, Title 15.2 of the Code of Virginia provides that the governing body member of the Board of Directors of a Regional Industrial Facilities Authority may be appointed by the County Board Chairman on behalf of the governing body; and

WHEREAS, litigation has been filed requesting that the Circuit Court of Pittsylvania County, Virginia, determine the authority of the Chairman of the Board of Supervisors to appoint Board members and alternates to a Regional Industrial Facilities Authority; and

WHEREAS, the Board of Supervisors of the County of Pittsylvania, Virginia desires to show full and complete compliance with any and all statutory requirements and full technical adherence to any and all legal, moral and ethical standards for the performance of its duties.

NOW, THEREFORE, be it hereby resolved that the Board of Supervisors of the County of Pittsylvania, Virginia do hereby ratify, approve, and confirm all prior acts by the various chairpersons of the Board of Supervisors of the County of Pittsylvania, Virginia in the appointments of the members and alternates to the Board of Directors of the Danville-Pittsylvania Regional Industrial Facilities Authority; and

DO HEREBY FURTHER RESOLVE that the heretofore made appointments to the Board of Directors of the Danville-Pittsylvania Regional Industrial Facilities Authority and the alternate appointments made by the chairpersons of this Board are hereby appointed by a majority vote by duly empaneled majority of the lawful quorum of the Members of the Board of Supervisors of Pittsylvania County, Virginia upon due notice of this Resolution, nunc pro tunc and effective upon the date of appointment previously made by any chairperson of this Board to serve such lawful term following said appointment for so long as said appointee remained as a member of the Board of Supervisors of Pittsylvania County as required by law.

This resolution is hereby adopted, upon due notice, by majority of a lawful quorum of the members of the Board of Supervisors of Pittsylvania County, Virginia.

Given under my hand this ____ day of _____, 2010:

BOARD OF SUPERVISORS OF THE COUNTY OF PITTSYLVANIA, VIRGINIA BY:

_____(SEAL)
HENRY A. DAVIS, JR., CHAIRMAN

STATE OF VIRGINIA, AT LARGE CITY/COUNTY OF _____, to-wit:

The foregoing instrument was acknowledged before me in my jurisdiction aforesaid on the

_____ day of _____, 2010, by_____.

My commission: _____.

_____Notary Public

ATTEST:

_____
William D. Sleeper,
Clerk of the Board of Supervisors

RESOLUTION NO. 2

PITTSYLVANIA COUNTY BOARD OF SUPERVISORS
RESOLUTION

RATIFICATION OF DANVILLE-PITTSYLVANIA REGIONAL INDUSTRIAL FACILITY AUTHORITY BOARD APPOINTMENTS
PRESENTED MARCH 1, 2010
ADOPTED MARCH 1, 2010

WHEREAS, the Board of Supervisors of the County of Pittsylvania, Virginia is a governing body which is a member of an authority created pursuant to the Virginia Regional Industrial Facilities Act, Chapter 64 of Title 15.2 of the Code of Virginia, 1950, as amended, to wit the Danville-Pittsylvania Regional Industrial Facility Authority; and

WHEREAS, Section 15.2-6403 permits each member locality to appoint two members and one alternate from each member's governing body to act on the Board of Directors of the Danville-Pittsylvania Regional Industrial Facilities Authority; and

WHEREAS, the Pittsylvania County Board of Supervisors has historically permitted its Chairman of the Board of Supervisors to appoint members to various committees and boards at its annual meeting pursuant to the bylaws duly adopted by the Board of Supervisors; and

WHEREAS, Chapter 64 of Title 15.2 of the Code of Virginia, Section 15.2-6403 A states that the governing body of each member locality shall appoint the membership of the Board of Directors to a Regional Industrial Facilities Authority created pursuant to the Virginia Regional Industrial Facilities Act; and

WHEREAS, Article 4, Chapter 15, Title 15.2 of the Code of Virginia provides that the governing body member of the Board of Directors of a Regional Industrial Facilities Authority may be appointed by the County Board Chairman on behalf of the governing body; and

WHEREAS, litigation has been filed requesting that the Circuit Court of Pittsylvania County, Virginia, determine the authority of the Chairman of the Board of Supervisors to appoint Board members and alternates to a Regional Industrial Facilities Authority; and

WHEREAS, the Board of Supervisors of the County of Pittsylvania, Virginia desires to show full and complete compliance with any and all statutory requirements and full technical adherence to any and all legal, moral and ethical standards for the performance of its duties; and

WHEREAS, the Board of Supervisors of the County of Pittsylvania, Virginia has ratified, approved and confirmed all prior acts by the various chairpersons of the Board of Supervisors of the County of Pittsylvania, Virginia in the appointment of the members and alternates to the Board of Directors of the Danville-Pittsylvania Regional Industrial Facility Authority by Resolution adopted immediately prior to this Resolution.

NOW, THEREFORE, be it hereby resolved that the Board of Supervisors of the County of Pittsylvania, Virginia do hereby ratify, approve, and confirm all prior acts by the various chairpersons of the Board of Supervisors of the County of Pittsylvania, Virginia and the Board of Supervisors of the County of Pittsylvania, Virginia itself relating to, in support of and in any manner providing aid, material, support, and assistance to the Danville-Pittsylvania Regional Industrial Facilities Authority.

This resolution is hereby adopted, upon due notice, by majority of a lawful quorum of the members of the Board of Supervisors of Pittsylvania County, Virginia.

Given under my hand this ____ day of _____, 2010:

BOARD OF SUPERVISORS OF THE COUNTY OF PITTSYLVANIA, VIRGINIA BY:

_____(SEAL)
HENRY A. DAVIS, JR., CHAIRMAN

STATE OF VIRGINIA, AT LARGE CITY/COUNTY OF _____, to-wit:

The foregoing instrument was acknowledged before me in my jurisdiction aforesaid on the

_____ day of _____, 2010, by_____.

My commission: _____.

_____Notary Public

ATTEST:

_____
William D. Sleeper,
Clerk of the Board of Supervisors

RESOLUTION OF THE DANVILLE-PITTSYLVANIA REGIONAL INDUSTRIAL FACILITY AUTHORITY RATIFYING PRIOR ACTIONS

WHEREAS, the Danville-Pittsylvania Regional Industrial Facility Authority (the "Authority") is a political subdivision of the Commonwealth of Virginia duly created pursuant to the Virginia Regional Industrial Facilities Act, as amended (the "Act"); and

WHEREAS, Code of Virginia Section 15.2-6403 A. states that the governing body of each member locality shall appoint the membership of the Board of Directors to a Regional Industrial Facilities Authority created pursuant to the Act; and

WHEREAS, Code of Virginia Section 15.2-6403 permits each member locality to appoint two members and one alternate from each member's governing body to act on the Board of Directors of the Authority; and

WHEREAS, the Pittsylvania County Board of Supervisors (the "Board of Supervisors") has historically permitted its Chairman of the Board of Supervisors to appoint members to various committees and boards at its annual meeting pursuant to the bylaws duly adopted by the Board of Supervisors; and

WHEREAS, Article 4, Chapter 15, Title 15.2 of the Code of Virginia provides that the governing body member of the Board of Directors of a Regional Industrial Facilities Authority may be appointed by the County Board Chairman on behalf of the governing body; and

WHEREAS, litigation has been filed requesting that the Circuit Court of Pittsylvania County, Virginia, determine the authority of the Chairman of the Board of Supervisors to appoint Board members and alternates to a Regional Industrial Facilities Authority; and

WHEREAS, the Board of Supervisors, pursuant to resolutions adopted at its meeting on March 1, 2010, has ratified, approved and confirmed all prior acts by the various chairpersons of the Board of Supervisors in the appointment of the members and alternates to the Board of Directors of the Authority, and has further ratified, approved and confirmed all prior acts by the various chairpersons of the Board of Supervisors and all prior acts of the Board of Supervisors itself relating to, in support of and in any manner providing aid, material, support, and assistance to the Authority; and

WHEREAS, the Board of Directors of the Authority desires to show full and complete compliance with any and all statutory requirements and full technical adherence to any and all legal, moral and ethical standards for the performance of its duties.

NOW, THEREFORE, BE IT RESOLVED BY THE DANVILLE-PITTSYLVANIA REGIONAL INDUSTRIAL FACILITY AUTHORITY, THAT:

1. The Authority hereby approves, ratifies and confirms in all respects any and all actions previously taken by the Authority and by the members of its Board of Directors.

2. All actions of the Chairman, the Vice Chairman and any other officers or agents of the Authority for and on behalf of the Authority prior to the date hereof are in all respects ratified, approved and confirmed. All other actions of officers of the Authority in conformity with the purposes and intent of this Resolution, regardless of whether such actions occurred before or occur after the enactment of this Resolution, are hereby ratified, approved and confirmed.

CERTIFICATE

I, the undersigned Secretary of the Danville-Pittsylvania Regional Industrial Facility Authority, hereby certify that the foregoing is a true, correct and complete copy of a Resolution duly adopted by a majority of the directors of the Danville-Pittsylvania Regional Industrial Facility Authority at a meeting duly called and held on March 8, 2010, and that such Resolution has not been repealed, revoked, rescinded or amended, but is in full force and effect on the date hereof.

WITNESS my hand as Secretary of the Danville-Pittsylvania Regional Industrial Facility Authority this ____ day of March, 2010.

_____

Secretary, Danville-Pittsylvania Regional Industrial Facility Authority

Item No. 7

VIRGINIA: IN THE CIRCUIT COURT OF PITTSYLVANIA COUNTY

NANCY BARBOUR SMITH,
KAREN B. MAUTE,
ANDREW LESTER,
GEORGE STANHOPE,
CAROLYN A. GIBSON, Individually
And on Behalf of Other Persons
Similarly Situated,

Plaintiffs,

v. Case No. CL 10000088-00

PITTSYLVANIA COUNTY
BOARD OF SUPERVISORS,

Defendant.

SERVE:

John P. Light, Attorney,
Pittsylvania County
Board of Supervisors
Law Firm of Williams, Morrison, etc.
317 Patton Street
Danville, VA 24541

COMPLAINT FOR DECLARATORY JUDGMENT

Come the plaintiffs who are taxpayers and citizens of Pittsylvania County, Virginia, and on behalf of themselves and on behalf of all other Pittsylvania County taxpayers similarly situated, move for declaration that the unilateral appointments to the Board of Directors of the Danville-Pittsylvania Regional Industrial Facility Authority ("RIFA") made by each Chairperson of the Pittsylvania County Board of Directors ("Defendant") in the years 2006, 2007, 2008, 2009 and 2010, were and are null and void and for declaration that the commitments to convey, and the conveyances of, assets, monies, properties, grants, economic opportunities, and any and all other monetary and economic benefits belonging to the taxpayers of Pittsylvania County, made by the

Filed in the Clerk's Office the 19 day of February, 2010
at 10:58 M.
Writ Tax $ 5.00
Fee $ 50.00
Sheriff 12.00
Misc. 25.00
Total Paid $ 96.00
TESTE: H. F. MAYMORE, JR., CLERK
Deputy Clerk

Pittsylvania County Board of Supervisors and paid over and/or diverted and/or promised, and/or given, to RIFA, during the aforementioned years, were and are unauthorized, illegal and in violation of the Virginia Constitution.

In support of this Complaint, plaintiffs state as follows:

1. In the year 2006, M. K. "Kate" Berger served as Chairperson of the Pittsylvania County Board of Supervisors.

2. In each of the years 2007, 2008 and 2009, Coy E. Harville served as Chairperson of the Pittsylvania County Board of Supervisors.

3. In the year 2010, Henry A. Davis became Chairperson of the Pittsylvania County Board of Supervisors.

4. Pittsylvania County is a member locality of the Danville-Pittsylvania Regional Industrial Facility Authority ("RIFA").

5. RIFA is political subdivision created by and comprised of two member localities: the City of Danville and Pittsylvania County. Code of Virginia §15.2-6403(A).

6. RIFA operates exclusively through a Board of Directors which is required to be comprised of four voting members: two members from Pittsylvania County (and one alternate), and two members from the City of Danville (and one alternate), who must be appointed by the "governing bodies" of the member localities pursuant to Code of Virginia §15.2-6403(A).

7. Pittsylvania County taxpayers are governed and represented by an elected Board of Supervisors.

8. Code of Virginia §15.2-1400(B) defines a "governing body" as comprised of not fewer than three nor more than eleven members.

9. Pittsylvania County is divided into seven, discrete geographic voting districts, each district being represented by one member elected to the Board of Supervisors by the voters of that district.

10. The seven – member Pittsylvania County Board of Supervisors constitutes the "governing body" of Pittsylvania County.

11. There are no "at large" members on the Pittsylvania County Board of Supervisors.

12. Between the years 2001 through 2005, the "governing body of Pittsylvania County" as defined in Code of Virginia §15.2-1400(B), complied with Code of Virginia §15.2-6403(A) and made the various appointments to the Board of Directors of RIFA as mandated by the Code.

13. In the years 2001 through the current time in 2010, and at all times relevant thereto, the Pittsylvania County Board of Supervisors had the benefit of the services of John P. Light, legal counsel, and County Administrator William D. Sleeper, each of whom has been continuously employed in the same capacities both in the years 2001 through 2005, when compliance with Code of Virginia §15.2-6403(A) was maintained, and in the years 2006 through 2010 when compliance with Code of Virginia §15.2-6403(A) was not maintained.

14. In the year 2006, M.K. Berger was Chairperson of the Board of Supervisors and made unilateral appointments to the RIFA Board of Directors, including herself, when she knew, or should have known that her unilateral action was in violation of the legal requirements of Code of Virginia §15.2-6403(A).

15. In the year 2007, Board of Supervisors Chairman Coy E. Harville continued the unilateral appointments to the RIFA Board of Directors that had been made in 2006 by Chairwoman M.K.Berger, when he knew, or should have known that the unilateral appointments were in violation of the legal requirements of Code of Virginia §15.2-6403(A).

16. In the year 2008, Board of Supervisors Chairman Coy E. Harville made unilateral appointments to the RIFA Board of Directors, including himself, when he knew, or should have known, that his unilateral action was in violation of the legal requirements of Code of Virginia §15.2-6403(A).

17. In the year 2009, Board of Supervisors Chairman Coy Harville continued the unilateral appointments he had made in 2008 to the RIFA Board of Directors, when he knew, or should have known, that continuing said unilateral appointments to the RIFA Board of Directors was a continuing violation of the legal requirements of Code of Virginia §15.2-6403(A).

18. In 2010, Board of Supervisors Chairman Hank A. Davis, Jr., made unilateral appointments to the RIFA Board of Directors, including himself, when he knew or should have known, that his unilateral action was in violation of the legal requirements of Code of Virginia §15.2-6403A.

19. Code of Virginia §15.2-1535(C) states that appointments to the RIFA Board of Directors made in violation of the Code of Virginia §15.2-6400 *et seq.*, makes such appointments to that office void.

20. Defendants, each and every one of them, possessing the benefit of retained counsel to the Board of Supervisors knew, or should have known, that unilateral appointments made to the RIFA Board of Directors by a chairperson of the Pittsylvania County Board of Supervisors, beginning in the years 2006 through the current time, was in violation of Code of Virginia §15.2-6403(A), and made such appointments void.

21. In consequence of the Defendant's violations of Code of Virginia §15.2-6403(A), at no time during the period 2006 through the current time, has RIFA operated with a lawfully constituted Board of Directors

22. Those members of the Pittsylvania County Board of Supervisors who were the unilateral appointees to the RIFA Board of Directors by the Chairpersons of the Pittsylvania Board of Supervisors from the years 2006 through 2010, knew or should have known, that they possessed no legal authority to vote upon, demand, accept or commit any monies and/or resources to the benefit of RIFA, from the monies and resources belonging to the taxpayers of Pittsylvania County.

23. During the period 2006 through 2009, and on information and belief up through the present time in year 2010, the individuals unilaterally appointed to the RIFA Board of Directors, in violation of Code of Virginia §15.2-6403(A), did vote to commit and did require the Board of Supervisors of Pittsylvania County to divert and lodge in the possession of RIFA, certain economic resources belonging to the taxpayers of Pittsylvania County.

24. The resources belonging to the taxpayers of Pittsylvania County, which the Pittsylvania County Board of Supervisors did expend, convey and commit to the use and benefit of, and ownership by, RIFA during the years 2006 and up through the present time, include and are not limited to, monies, property, real property, grants, economic opportunities and debt service of RIFA indebtedness.

25. All resources, assets and monies conveyed to RIFA, as set forth in Par.24, *supra*, were and are unlawful diversions of resources rightfully belonging to the taxpayers of Pittsylvania County, and such conveyances were and are outside the scope of defendant's authorized duties and in violation of the Virginia Constitution.

26. Any and all resources, assets and monies committed for future conveyance to RIFA, during the years 2006 to the current time, as set forth in Par. 24, *supra,* were and are unlawful commitments to divert resources, assets and monies lawfully belonging to the taxpayers of Pittsylvania County, and such commitments were and are outside the scope of defendant's authorized duties and in violation of the Virginia Constitution.

27. All long-term debt, debt financing and/or future debt-financing commitments entered into by the Defendant, beginning in 2006 through the current date, to be paid out of monies, properties grants and any and all other economic resources

belonging to the taxpayers of Pittsylvania County, which Defendant has authorized to be diverted to support RIFA indebtedness, were and are outside the Defendant's authorized duties and in violation of the Virginia Constitution.

28. Any and all indebtedness created by the Defendant, in the form of loans or "advancements" obtained from the City of Danville between the years 2006 through the current time, which monies were and/or are being diverted to the benefit of RIFA and which indebtedness is being paid or will be paid back to the City of Danville from the treasury of Pittsylvania County taxpayers either directly, or indirectly through a RIFA bond issue which Defendant's have agreed or will agree to finance, was and is outside the scope of Defendant's authorized duties and was and is in violation of the Virginia Constitution.

29. Attached and incorporated herein as if fully set forth, are the Agendas and Minutes of the Pittsylvania County Board of Supervisors relevant hereto, all Agendas and Minutes having been published by the Board of Supervisors of Pittsylvania County documenting the unilateral appointments to the RIFA Board of Directors by each Chairperson of the Pittsylvania County Board of Supervisors in the years 2006 through 2010.[1] *See:* pages 01-21, attached.

WHEREFORE, plaintiffs move that: (a) the unilateral appointments and continuing unilateral appointments, made by all chairpersons of the Pittsylvania County Board of Supervisors between January 2006 and the current time, to the RIFA Board of Directors, be declared in violation of the Code of Virginia and void; (b) that past, present and future commitments to convey, as well as all past conveyances of economic resources, properties, grants, and lost economic opportunities belonging to the taxpayers of Pittsylvania County and any and all of the expenditures made and/or authorized by the Pittsylvania County Board of Supervisors to the benefit of RIFA, including and not limited to the financing of RIFA debts, in the absence of a legally constituted RIFA Board of Directors during the years 2006 through the present time, be declared illegal, void, and outside the scope of Defendant's duties and in violation of the Code of Virginia

[1] All Board of Supervisors Agendas and Meeting Minutes incorporated herein have been reviewed and approved by the Pittsylvania County Board of Supervisors with the exception of the January 4, 2010 minutes, which are subject to approval at the March 2010 Regular Meeting of the Pittsylvania County Board of Supervisors.

and the Virginia Constitution; (c) that the Pittsylvania County Board of Supervisors be required to make an accounting of the economic resources, including and not limited to monies, grants, and real property belonging to the taxpayers of Pittsylvania County that were conveyed to, and/or committed to, the benefit of RIFA from January 2006 through the current time; (d) that the Pittsylvania County Board of Supervisors be required to make and/or obtain full restitution of said public resources, properties, grants, monies and lost economic opportunities, on behalf of the taxpayers of Pittsylvania County including interest, and additionally, for payment of costs associated with the bringing of this action; (e) that the Pittsylvania County Board of Supervisors permanently be enjoined from re-conveying to RIFA any and all of the monies and properties which are the subject of this action; and (f) for such other and further relief as the Court deems appropriate.

Plaintiffs, by counsel, certify that they have complied with Code of Virginia §15.2-1248.

Respectfully submitted:

Barbara Hudson

Barbara Hudson, Attorney for Plaintiffs

Barbara Hudson
PO Box 1227
Chatham, VA 24531
434-432-1722

PITTSYLVANIA COUNTY BOARD OF SUPERVISORS

REORGANIZATIONAL MEETING

TUESDAY, JANUARY 3, 2006

GENERAL DISTRICT COURTROOM

EDWIN R. SHIELDS COURTHOUSE ADDITION

AGENDA

1. Call To Order – 7:00 p.m.
2. Roll Call
3. Invocation
4. Pledge of Allegiance
5. Items to be added to the Agenda

REORGANIZATION OF THE BOARD:

6. Election of Chairman

   (a) Duties of Chairman – County Administrator
   (b) Nomination and Election of Chairman – County Administrator
   (c) Turn Meeting Over to the New Chairman

7. Election of Vice-Chairman
8. By Laws and Rules of Order

   (a) Re-adopt Existing By Laws
   (b) Robert Rules of Order

9. Set Day and Time of Regular Meeting - Chairman

APPOINTMENT OF COMMITTEES BY CHAIRMAN:

10. Standing Committees

    (a) Finance/Insurance Committee (4 members)
    (b) Personnel Committee (3 members)
    (c) Property or Building Committee (3 members)

11. Special Committees

(a) Solid Waste Committee (3 members)
(b) Legislative Committee (3 members)
(c) Computer/Radio/Telecommunications Committee (3 members)
(d) Board of Supervisors/School Board Liaison Committee (3 members)
(e) Joint Sites and Facilities Committee (3 members)
(f) Fire & Rescue Policies and Procedures Committee (3 members)

OTHER APPOINTMENTS BY CHAIRMAN:

12. Board Member (1) to the Tri County Lake Advisory Committee

13. Board Members (2) to the West Piedmont Planning District Commission

14. Board Member (1) to the Pittsylvania County Planning Commission

15. Board Member (1) to the Virginia Association of Counties

16. Board Members (2) to the Pittsylvania County Economic Development (PCED)

17. Board Member (1) to the Pittsylvania County Community Action Agency

18. Board Members (3) to the Metropolitan Planning Organization (MPO)
(County Administrator is the alternate)

19. Board Member (1) to the Transportation Safety Commission

20. Elected Officials (2) to the SARA Title II (LEPC)

21. Board Member (1) to the Roanoke River Basin Association

22. Board Member (1) to the Social Services Board

APPROVAL OF AGENDA

HEARING OF CITIZENS

CONSENT AGENDA

23. *(a)* Minutes: December 5, 2005 Regular Meeting
December 12, 2005 Adjourned Meeting
December 20, 2005 Adjourned Meeting

Tuesday, January 3, 2006
Reorganizational Meeting

VIRGINIA: The Reorganizational Meeting of the Pittsylvania County Board of Supervisors was held on Tuesday, January 3, 2006 in the General District Courtroom of the Edwin R. Shields Courthouse Addition in Chatham, Virginia. William D. Sleeper, County Administrator, called the meeting to order at 7:00 p. m. The following members were present:

Michael Irby	Staunton River District
Henry A. Davis, Jr.	Chatham-Blairs District
William H. Pritchett	Banister District
Robert W. Scearce, Jr.	Dan River District
Tim R. Barber	Tunstall District
M. K. "Kate" Berger	Callands-Gretna District
Coy E. Harville	Westover District

Mr. William D. Sleeper, County Administrator and Clerk of the Board; Ms. Dorothy J. Ciezkowski, Deputy Clerk of the Board; and Mr. Otis S. Hawker, Assistant County Administrator was also present.

Mr. Harville gave the invocation and led the pledge of allegiance.

Reorganization of Board

Mr. Sleeper explained the procedure for electing a chair and vice-chair of the Board of Supervisors. He read from the By-Laws and Rules of Order, Article 1.2 stating the duties of the chair and opened the floor for nominations for chair.

Mr. Barber nominated Ms. M. Kate Berger for Chair of the Board of Supervisors for 2006. Mr. Harville seconded the nomination.

Mr. Irby nominated Henry A. Davis, Jr. for Chair of the Board of Supervisors for 2006. Mr. Scearce seconded the nomination.

The following vote was recorded for Chair:

Voting for Mr. Davis: Mr. Irby, Mr. Davis and Mr. Scearce.

Voting for Ms. Berger: Mr. Harville, Ms. Berger, Mr. Barber, Mr. Pritchett and Mr. Irby.

Mr. Sleeper announced Ms. M. Kate Berger was elected Madam Chairwoman of the Board of Supervisors for 2006 by majority vote.

Mr. Sleeper turned the meeting over to the new Chairwoman.

Ms. Berger thanked the Board for the confidence they had placed in her and for their support, and expressed her desire to move Pittsylvania County forward within the bounds that the Board has to accomplish this with, and also expressed her continued pleasure in working with all Board Members. She then called for nominations for Vice-Chair of the Board of Supervisors for 2006.

Mr. Pritchett nominated Mr. Coy E. Harville for Vice-Chair of the Board of Supervisors for 2006. Mr. Barber seconded the nomination.

The following vote was recorded for Vice-Chair:

Voting for Mr. Coy E. Harville: Mr. Irby, Mr. Davis, Mr. Pritchett, Mr. Scearce, Mr. Barber, Mr. Harville, and Ms. Berger.

Mr. Coy E. Harville was elected Vice-Chairman of the Board of Supervisors for 2006 by unanimous vote.

Tuesday, January 3, 2006
Reorganizational Meeting

Other Appointments by Chairman

Tri-County Lake Advisory Committee - M. K. "Kate" Berger

West Piedmont Planning District Commission - William H. Pritchett, Henry A. Davis, Jr.

Pittsylvania County Planning Commission - M. K. "Kate" Berger

Pittsylvania County Economic Development - Tim R. Barber, Coy E. Harville

Virginia Association of Counties Committee – Coy E. Harville

Pittsylvania County Community Action Agency - William H. Pritchett

Metropolitan Planning Organization - Robert W. Scearce, Jr., Henry A. Davis, Jr., Coy E. Harville Alternate: County Administrator

Transportation Safety Commission - Michael L. Irby

Sara Title III (LEPC) - William H. Pritchett, Michael L. Irby

Social Services Board - William H. Pritchett

Roanoke River Basin Association – Henry A. "Hank" Davis, Jr.

Danville-Pittsylvania Regional Facility Authority – M. K. "Kate" Berger (4), Robert W. Scearce, Jr. (2) Alternate: Tim R. Barber (2)

Ms. Berger stated that she will serve a four-year term on the Danville-Pittsylvania Regional Facility Authority; Mr. Scearce will serve a two-year term; and Mr. Barber will serve a two-year term as alternate.

Approval of Agenda

Upon a motion of Mr. Harville, seconded by Mr. Barber, the board voted unanimously to approve the agenda with the following additions:

(a) Resolution – Proposed request to the General Assembly for a Regional Jail and local funding, *Mr. Sleeper*

Hearing of the Citizens

Ms. Berger opened the floor to any citizen or citizens that would like to address the board on any subject that was not on the agenda, to state their name, district and concern. No one present desired to be heard; the hearing of the citizens was closed.

PITTSYLVANIA COUNTY BOARD OF SUPERVISORS

REORGANIZATIONAL MEETING

WEDNESDAY, JANUARY 3, 2007

GENERAL DISTRICT COURTROOM

EDWIN R. SHIELDS COURTHOUSE ADDITION

AGENDA

1. Call To Order – 7:00 p.m.
2. Roll Call
3. Invocation
4. Pledge of Allegiance
5. Items to be added to the Agenda

REORGANIZATION OF THE BOARD:

6. Election of Chairman

   (a) Duties of Chairman – County Administrator
   (b) Nomination and Election of Chairman – County Administrator
   (c) Turn Meeting Over to the New Chairman

7. Election of Vice-Chairman
8. By Laws and Rules of Order

   (a) Re-adopt Existing By Laws
   (b) Robert Rules of Order

9. Set Day and Time of Regular Meeting - Chairman

APPOINTMENT OF COMMITTEES BY CHAIRMAN:

10. Standing Committees

    (a) Finance/Insurance Committee (4 members)
    (b) Personnel Committee (3 members)
    (c) Property/Building Committee (3 members)

11. Special Committees

(a) Solid Waste Committee (3 members)
(b) Legislative Committee (3 members)
(c) Computer/Radio/Telecommunications Committee (3 members)
(d) Board of Supervisors/School Board Liaison Committee (3 members)
(e) Joint Sites and Facilities Committee (3 members)
(f) Fire & Rescue Policies and Procedures Committee (3 members)
(g) Economic Development Committee (3 members)

OTHER APPOINTMENTS BY CHAIRMAN:

12. Board Member (1) to the Tri County Lake Advisory Committee

13. Board Members (2) to the West Piedmont Planning District Commission

14. Board Member (1) to the Pittsylvania County Planning Commission

15. Board Members (2) to the Pittsylvania County Economic Development (PCED)

16. Board Member (1) to the Virginia Association of Counties

17. Board Member (1) to the Pittsylvania County Community Action Agency

18. Board Members (3) to the Metropolitan Planning Organization (MPO) (County Administrator is the alternate)

19. Board Member (1) to the Transportation Safety Commission

20. Elected Officials (2) to the SARA Title III (LEPC)

21. Board Member (1) to the Social Services Board

22. Board Member (1) to the Roanoke River Basin Association

23. Danville-Pittsylvania County Regional Facility Authority: M. Kate Berger (3-years), Robert W. Scearce, Jr. (1-year); Alternate: Tim R. Barber (1-year)

APPROVAL OF AGENDA

HEARING OF CITIZENS

CONSENT AGENDA

24. *(a)* Minutes: December 4, 2006 Regular Meeting
December 19, 2006 Adjourned Meeting

(b) Bill List: December 2006

Pittsylvania County Board of Supervisors
Wednesday, January 3, 2007
Reorganizational Meeting

VIRGINIA: The Reorganizational Meeting of the Pittsylvania County Board of Supervisors was held on Wednesday, January 3, 2007 in the General District Courtroom of the Edwin R. Shields Courthouse Addition in Chatham, Virginia. William D. Sleeper, County Administrator, called the meeting to order at 7:00 p. m. The following members were present:

Coy E. Harville	Westover District
Tim R. Barber	Tunstall District
Robert W. Scearce, Jr.	Dan River District
William H. Pritchett	Banister District
Henry A. Davis, Jr.	Chatham-Blairs District
Michael Irby	Staunton River District
M. Kate Berger	Callands-Gretna District

Mr. William D. Sleeper, County Administrator and Clerk of the Board; Ms. Dorothy J. Ciezkowski, Deputy Clerk of the Board; Mr. John P. Light, Legal Counsel; Mr. Gregory L. Sides, Director of Planning; and Mr. Odie H. Shelton, Jr., Director of Code Compliance were also present.

Mr. Pritchett gave the invocation and led the pledge of allegiance.

Reorganization of Board

Mr. Sleeper explained the procedure for electing a chairman and vice-chairman of the Board of Supervisors. He read from the By-Laws and Rules of Order, Article 1.2 stating the duties of the chairman and opened the floor for nominations for chairman.

Mr. Pritchett nominated Mr. Coy E. Harville for Chairman of the Board of Supervisors for 2007. Mr. Irby seconded the nomination.

Mr. Scearce nominated Mr. Henry A. Davis, Jr. for Chairman of the Board of Supervisors for 2007. Mr. Davis seconded the nomination.

The following vote was recorded for Chairman:

Voting for Mr. Davis: Mr. Scearce and Mr. Davis.

Voting for Mr. Harville: Mr. Harville, Mr. Pritchett, Mr. Barber, Mr. Irby and Ms. Berger.

Mr. Sleeper announced Mr. Coy E. Harville was elected Chairman of the Board of Supervisors for 2007 by majority vote.

Mr. Sleeper turned the meeting over to the new Chairman.

Mr. Harville thanked the Board for the confidence they had placed in him and for their support; and expressed his desire to move Pittsylvania County forward, within the bounds that the Board has to accomplish this with, in representing our citizens to the best of our abilities for the prosperity of the County; and also expressed his continued pleasure in working in harmony with all Board Members over this coming year.

The Chairman announced moving added items to the end of the nominating procedures. He then called for nominations for Vice-Chairman of the Board of Supervisors for 2007.

Ms. Berger nominated Mr. Tim R. Barber for Vice-Chairman of the Board of Supervisors for 2007. Mr. Pritchett seconded the nomination.

The following vote was recorded for Vice-Chairman:

Voting for Mr. Tim R. Barber: Ms. Berger, Mr. Barber, Mr. Scearce, Mr. Pritchett, Mr. Irby and Mr. Harville.

Opposed: Mr. Davis.

Wednesday, January 3, 2007
Reorganizational Meeting

Other Appointments by Chairman

Tri-County Lake Advisory Committee - M. Kate Berger

West Piedmont Planning District Commission - William H. Pritchett, Henry A. Davis, Jr.

Pittsylvania County Planning Commission - M. Kate Berger

Pittsylvania County Economic Development - Tim R. Barber, Coy E. Harville

Virginia Association of Counties Committee – M. Kate Berger

Pittsylvania County Community Action Agency - William H. Pritchett

Metropolitan Planning Organization - Robert W. Scearce, Jr., Henry A. Davis, Jr., Coy E. Harville

Transportation Safety Commission - Michael L. Irby

Sara Title III (LEPC) - William H. Pritchett, Robert W. Scearce, Jr.

Social Services Board - William H. Pritchett

Roanoke River Basin Association – Henry A. Davis, Jr.

Danville-Pittsylvania Regional Facility Authority – M. Kate Berger (3 years remaining), Robert W. Scearce, Jr. (1 year remaining) Alternate: Tim R. Barber (1 year remaining)

Approval of Agenda

Upon a motion of Ms. Berger, seconded by Mr. Barber, the board voted unanimously to approve the agenda with the following addition:

(a) Yorktowne Real Estate Tax Appropriation requiring a 10-day layover, Mr. Sleeper.

Hearing of the Citizens

Mr. Harville opened the floor to any citizen or citizens that would like to address the board on any subject that was not on the agenda, to state their name, district and concern. No one present desired to be heard; the hearing of the citizens was closed.

Consent Agenda

Upon a motion of Mr. Scearce, seconded by Mr. Pritchett, the board voted unanimously to approve the following consent agenda:

(a) Minutes: December 4, 2006 Regular Meeting
December 19, 2006 Adjourned Meeting

(b) Bill List: December 2006

Unfinished Business

Following the required 10-day layover from the December 19, 2006 adjourned meeting of the Board, the motion was to appropriate from Unappropriated Funds the amount of $6,000 to reimburse John Merricks, Kenny Merricks, and Larry Merricks for their original land deposit, which was due to Kentuck Baptist Church purchasing the entire tract. The following vote was recorded. Ms. Berger – Yes, Mr. Barber – Yes, Mr. Scearce – Yes, Mr. Pritchett – Yes, Mr. Davis – Yes, Mr. Irby – Yes and Mr. Harville - Yes. Motion carried by unanimous vote.

PITTSYLVANIA COUNTY BOARD OF SUPERVISORS

REORGANIZATIONAL MEETING

MONDAY, JANUARY 7, 2008

GENERAL DISTRICT COURTROOM

EDWIN R. SHIELDS COURTHOUSE ADDITION

AGENDA

1. Call To Order – 7:00 p.m.
2. Roll Call
3. Invocation
4. Pledge of Allegiance
5. Items to be added to the Agenda
   - *(a)* Chatham Depot Agreement
   - *(b)* Resolution – Cane Creek Parkway – Swedwood Drive

REORGANIZATION OF THE BOARD:

6. Election of Chairman
   - *(a)* Duties of Chairman – County Administrator
   - *(b)* Nomination and Election of Chairman – County Administrator
   - *(c)* Turn Meeting Over to the New Chairman
7. Election of Vice-Chairman
8. By Laws and Rules of Order
   - *(a)* Re-adopt Existing By Laws
   - *(b)* Robert Rules of Order
9. Set Day and Time of Regular Meeting - Chairman

APPOINTMENT OF COMMITTEES BY CHAIRMAN:

10. Standing Committees
    - *(a)* Finance/Insurance Committee (4 members)
    - *(b)* Personnel Committee (3 members)
    - *(c)* Property/Building Committee (3 members)

11. Special Committees

(a) Solid Waste Committee (3 members)
(b) Legislative Committee (3 members)
(c) Computer/Radio/Telecommunications Committee (3 members)
(d) Board of Supervisors/School Board Liaison Committee (3 members)
(e) Joint Sites and Facilities Committee (3 members)
(f) Fire & Rescue Policies and Procedures Committee (3 members)
(g) Economic Development Committee (3 members)
(h) Agricultural Development Board (1 member)

OTHER APPOINTMENTS BY CHAIRMAN:

12. Board Member (1) to the Tri County Lake Advisory Committee

13. Board Members (2) to the West Piedmont Planning District Commission

14. Board Member (1) to the Pittsylvania County Planning Commission

15. Board Members (2) to the Pittsylvania County Economic Development (PCED)

16. Board Member (1) to the Virginia Association of Counties

17. Board Member (1) to the Pittsylvania County Community Action Agency

18. Board Members (3) to the Metropolitan Planning Organization (MPO)
(County Administrator is the alternate)

19. Board Member (1) to the Transportation Safety Commission

20. Elected Officials (2) to the SARA Title III (LEPC)

21. Board Member (1) to the Social Services Board

22. Board Member (1) to the Roanoke River Basin Association

23. Danville-Pittsylvania County Regional Facility Authority: (3-years), (1-year); Alternate: (1-year)

APPROVAL OF AGENDA

HEARING OF CITIZENS

CONSENT AGENDA

24. *(a)* Minutes: December 3, 2007 Regular Meeting
December 18, 2007 Adjourned Meeting
(b) Bill List: December 2007

VIRGINIA: The re-organizational meeting of the Pittsylvania County Board of Supervisors was held on Monday, January 7, 2008 in the General District Courtroom of the Edwin R. Shields Courthouse Addition in Chatham, Virginia. William D. Sleeper, County Administrator, called the meeting to order at 7:00 p. m. The following members were present:

Fred M. Ingram	Callands-Gretna District
Tim R. Barber	Tunstall District
James H. Snead	Dan River District
William H. Pritchett	Banister District
Henry A. Davis, Jr., Jr.	Chatham-Blairs District
Marshall A. Ecker	Staunton River District
Coy E. Harville	Westover District

Mr. William D. Sleeper, County Administrator and Clerk for the Board; Mr. John P. Light, Legal Counsel; Otis S. Hawker, Assistant County Administrator; Odie Shelton, Director of Code Compliance and Greg L. Sides, Director of Planning, were also present

Mr. Pritchett gave the invocation and led the pledge of allegiance.

Approval of Agenda

Upon a motion of Mr. Scearce, seconded by Mr. Barber, the board voted unanimously to approve the agenda with the following additions:

(1) Chatham Train Depot Agreement
(2) Resolution – Cane Creek Parkway
(3) Request for a letter of commendation for a County employee
(4) Supplemental Request from Sheriff's Department
(5) Appointment for the IDA – Staunton River District
(6) Discussion on Board salary decrease

Motion to approve items added to the agenda was made by Mr. Ecker and seconded by Mr. Snead. Motion passed unanimously.

Re-Organization of the Board:

Election of Chairman

Mr. Sleeper opened the floor for nominations for Chairman of the Board of Supervisors for 2008. Mr. Ingram nominated Mr. Henry Davis, Jr., seconded by Mr. Ecker. Mr. Barber nominated Mr. Coy Harville, seconded by Mr. Pritchett. Motion was made by Mr. Ecker, seconded by Mr. Snead, to close nominations. Motion to close nominations passed unanimously.

Mr. Sleeper took votes for Chairman; Mr. Harville received four votes: Mr. Davis, Jr. received three votes. Mr. Sleeper then turned the meeting over to Mr. Harville as the new Chairman of the Board of Supervisors for 2008.

(i) Fire & Rescue Policies and Procedures Committee: Mr. Fred Ingram – Chairman, Mr. James Snead and Mr. Marshall Ecker
(j) Economic Development Committee: Mr. Tim Barber – Chairman, Mr. James Snead and Coy Harville
(k) Agricultural Development Board: Mr. Tim Barber

Other Appointments by Mr. Harville were:

Mr. Fred Ingram to the Tri County Lake Advisory Committee

Mr. William Pritchett and Mr. Henry Davis, Jr. to the West Piedmont Planning District Commission

Mr. James Snead to the Pittsylvania County Planning Commission

Mr. Marshall Ecker and Mr. Henry Davis, Jr. to the Pittsylvania County Economic Development (PCED)

Mr. Coy Harville to the Virginia Association of Counties

Mr. William Pritchett to the Pittsylvania County Community Action Agency

Mr. James Snead, Mr. Marshall Ecker and Mr. Coy Harville to the Metropolitan Planning Organization (MPO); Mr. Sleeper, County Administrator, is the alternate

Mr. Fred Ingram to the Transportation Safety Commission

Mr. William Pritchett and Mr. Henry Davis, Jr. to the SARA Title III (LEPC)

Mr. William Pritchett to the Social Services Board

Mr. Henry Davis, Jr. to the Roanoke River Basin Association
Mr. Coy Harville-(3-years); Mr. James Snead-(1-year); and Mr. Tim Barber as Alternate - (1-year) to the Danville-Pittsylvania County Regional Facility Authority

Mr. Henry Davis, Jr. and Mr. Fred Ingram to the Tri-County Re-licensing Committee (TCRC)

Hearing of Citizens

Mr. Harville opened the floor to any citizen or citizens who wished to address the board on any subject that was not on the agenda.

PITTSYLVANIA COUNTY BOARD OF SUPERVISORS

REORGANIZATIONAL MEETING

MONDAY, JANUARY 5, 2009

GENERAL DISTRICT COURTROOM

EDWIN R. SHIELDS COURTHOUSE ADDITION

AGENDA

1. Call To Order – 7:00 p.m.
2. Roll Call
3. Invocation
4. Pledge of Allegiance
5. Items to be added to the Agenda

REORGANIZATION OF THE BOARD:

6. Election of Chairman
   - *(a)* Duties of Chairman – County Administrator
   - *(b)* Nomination and Election of Chairman – County Administrator
   - *(c)* Turn Meeting Over to the New Chairman
7. Election of Vice-Chairman
8. By Laws and Rules of Order
   - *(a)* Re-adopt Existing By Laws
   - *(b)* Robert Rules of Order
9. Set Day and Time of Regular Meeting - Chairman

APPOINTMENT OF COMMITTEES BY CHAIRMAN:

10. Standing Committees
    - *(a)* Finance/Insurance Committee (4 members)
    - *(b)* Personnel Committee (3 members)
    - *(c)* Property/Building Committee (3 members)
11. Special Committees
    - *(a)* Solid Waste Committee (3 members)
    - *(b)* Legislative Committee (3 members)
    - *(c)* Computer/Radio/Telecommunications Committee (3 members)

(d) Board of Supervisors/School Board Liaison Committee (3 members)
(e) Joint Sites and Facilities Committee (3 members)
(f) Fire & Rescue Policies and Procedures Committee (3 members)
(g) Economic Development Committee (3 members)
(h) Agricultural Development Board (1 member)

OTHER APPOINTMENTS BY CHAIRMAN:

12. Board Member (1) to the Tri County Lake Advisory Committee

13. Board Members (2) to the West Piedmont Planning District Commission

14. Board Member (1) to the Pittsylvania County Planning Commission

15. Board Member (1) to the Virginia Association of Counties

16. Board Member (1) to the Pittsylvania County Community Action Agency

17. Board Members (3) to the Metropolitan Planning Organization (MPO) (County Administrator is the alternate)

18. Board Member (1) to the Transportation Safety Commission

19. Elected Officials (2) to the SARA Title III (LEPC)

20. Board Member (1) to the Social Services Board

21. Board Member (1) to the Roanoke River Basin Association

22. Danville-Pittsylvania County Regional Facility Authority: _____ (3-years), _____ (1-year); Alternate: _____ (1-year)

APPROVAL OF AGENDA

HEARING OF CITIZENS

CONSENT AGENDA

23. *(a)* Minutes: December 1, 2008 Regular Meeting
December 16, 2008 Adjourned Meeting
December 22, 2008 Adjourned Meeting
(b) Bill List: December 2008

NEW BUSINESS

VIRGINIA: The re-organizational meeting of the Pittsylvania County Board of Supervisors was held on Monday, January 5, 2009 in the General District Courtroom of the Edwin R. Shields Courthouse Addition in Chatham, Virginia. William D. Sleeper, County Administrator, called the meeting to order at 7:00 p. m. The following members were present:

Fred M. Ingram	Callands-Gretna District
Tim R. Barber	Tunstall District
James H. Snead	Dan River District
William H. Pritchett	Banister District
Henry A. Davis, Jr., Jr.	Chatham-Blairs District
Marshall A. Ecker	Staunton River District
Coy E. Harville	Westover District

Mr. William D. Sleeper, County Administrator, Mr. John P. Light, Legal Counsel for the County and Ms. Rebecca Flippen, Deputy Clerk, were also present.

Mr. Henry Davis, Jr., gave the invocation and led the pledge of allegiance.

Approval of Agenda

Motion was made by Mr. Snead, seconded by Mr. Harville, to approve the agenda with the following item additions/deletions:

(a) Industrial Development Authority (IDA) Appointment – Westover District
(b) To Removed the IDA Dan River appoint as it was already addressed at a previous meeting.

Mr. Snead's motion to approve the agenda with additions/deletions was unanimously approved by the Board.

Re-Organization of the Board:

Election of Chairman

Mr. Sleeper opened the floor for nominations for Chairman of the Board of Supervisors for 2008. Mr. Ingram nominated Mr. Henry Davis, Jr., seconded by Mr. Ecker. Mr. Barber nominated Mr. Coy Harville, seconded by Mr. Pritchett. Motion was made by Mr. Ecker, seconded by Mr. Snead, to close nominations. Motion to close nominations passed unanimously.

Mr. Sleeper took votes for Chairman; Mr. Harville received four votes: Mr. Davis, Jr. received three votes. Mr. Sleeper then turned the meeting over to Mr. Harville as the new Chairman of the Board of Supervisors for 2009.

Election of Vice-Chairman

Mr. Harville opened the floor to nominations for Vice-Chairman of the Board of Supervisors. Mr. Ecker nominated Mr. Henry Davis, Jr., which was seconded by Mr. Ingram. Mr. Pritchett nominated Mr. Tim Barber, which was seconded by Mr. Snead. Motion was made by Mr. Snead, seconded by Mr. Pritchett, to close the nominations. Motion to close nominations carried unanimously.

(j) Economic Development Committee: Mr. Tim Barber – Chairman, Mr. James Snead and Coy Harville
(k) Agricultural Development Board: Mr. Tim Barber

Other Appointments by Mr. Harville were:

Mr. Fred Ingram to the Tri-County Lake Advisory Committee

Mr. William Pritchett and Mr. Henry Davis, Jr. to the West Piedmont Planning District Commission

Mr. James Snead to the Pittsylvania County Planning Commission

Mr. Coy Harville to the Virginia Association of Counties

Mr. William Pritchett to the Pittsylvania County Community Action Agency

Mr. James Snead, Mr. Henry Davis, Jr., and Mr. Coy Harville to the Metropolitan Planning Organization (MPO); Mr. Sleeper, County Administrator, is the alternate

Mr. Fred Ingram to the Transportation Safety Commission

Mr. William Pritchett and Mr. Henry Davis, Jr. to the SARA Title III (LEPC)

Mr. William Pritchett to the Social Services Board

Mr. Henry Davis, Jr. to the Roanoke River Basin Association
Mr. Coy Harville-(3-years); Mr. James Snead-(1-year); and Mr. Tim Barber as Alternate - (1-year) to the Danville-Pittsylvania County Regional Facility Authority

Hearing of Citizens

Mr. Herbert Strange, of the Tunstall District, addressed the Board as representative of the citizens in Cascade who live on SR 622 with concerns about the remainder of the road that needs to be finished (3.6 miles) and repairs to the bridge. Mr. Harville said the Board would forward this to Randy Hamilton, Resident Engineer, with the Virginia Department of Transportation.

The last person to speak was Anna Anderson, of the Tunstall District, with concerns about stray animals.

This concluded the hearing of the citizens.

Consent Agenda

(a) Minutes: December 1, 2008 Regular Meeting
December 16, 2008 Adjourned Meeting
December 22, 2008 Adjourned Meeting
(b) Bill List: December 2008

PITTSYLVANIA COUNTY BOARD OF SUPERVISORS

REORGANIZATIONAL MEETING

MONDAY, JANUARY 4, 2010

GENERAL DISTRICT COURTROOM

EDWIN R. SHIELDS COURTHOUSE ADDITION

AGENDA

1. Call to Order – 7:00 p.m.
2. Roll Call
3. Invocation
4. Pledge of Allegiance
5. Items to be added to the Agenda

REORGANIZATION OF THE BOARD:

6. Election of Chairman
   - *(a)* Duties of Chairman – County Administrator
   - *(b)* Nomination and Election of Chairman – County Administrator
   - *(c)* Turn Meeting Over to the New Chairman
7. Election of Vice-Chairman
8. By Laws and Rules of Order
   - *(a)* Re-adopt Existing By Laws
   - *(b)* Robert Rules of Order
9. Set Day and Time of Regular Meeting - Chairman

APPOINTMENT OF COMMITTEES BY CHAIRMAN:

10. Standing Committees
    - *(a)* Finance/Insurance Committee (4 members)
    - *(b)* Personnel Committee (3 members)
    - *(c)* Property/Building Committee (3 members)
11. Special Committees
    - *(a)* Solid Waste Committee (3 members)
    - *(b)* Legislative Committee (3 members)
    - *(c)* Computer/Radio/Telecommunications Committee (3 members)

(d) Board of Supervisors/School Board Liaison Committee (3 members)
(e) Joint Sites and Facilities Committee (3 members)
(f) Fire & Rescue Policies and Procedures Committee (3 members)
(g) Economic Development Committee (3 members)
(h) Agricultural Development Board (1 member)

OTHER APPOINTMENTS BY CHAIRMAN:

12. Board Member (1) to the Tri County Lake Advisory Committee

13. Board Members (2) to the West Piedmont Planning District Commission

14. Board Member (1) to the Pittsylvania County Planning Commission

15. Board Member (1) to the Virginia Association of Counties

16. Board Member (1) to the Pittsylvania County Community Action Agency

17. Board Members (3) to the Metropolitan Planning Organization (MPO) (County Administrator is the alternate)

18. Board Member (1) to the Transportation Safety Commission

19. Elected Officials (2) to the SARA Title III (LEPC)

20. Board Member (1) to the Social Services Board

21. Board Member (1) to the Roanoke River Basin Association

22. Danville-Pittsylvania County Regional Facility Authority: _____ (3-years), _____ (1-year); Alternate: _____ (1-year)

APPROVAL OF AGENDA

HEARING OF CITIZENS

CONSENT AGENDA

23. *(a)* Minutes: December 7, 2009 Regular Meeting
December 15, 2009 Adjourned Meeting

(b) Bill List: December 2009

NEW BUSINESS

24. Randy Foster – Principal – Chatham High School

January 4, 2010
Re-organizational Meeting

VIRGINIA: The re-organizational meeting of the Pittsylvania County Board of Supervisors was held on Monday, January 4, 2010 in the General District Courtroom of the Edwin R. Shields Courthouse Addition in Chatham, Virginia. William D. Sleeper, County Administrator, called the meeting to order at 7:03 p.m. The following members were present:

Fred M. Ingram	Callands-Gretna District
Tim R. Barber	Tunstall District
James H. Snead	Dan River District
William H. Pritchett	Banister District
Henry A. Davis, Jr.	Chatham-Blairs District
Marshall A. Ecker	Staunton River District
Coy E. Harville	Westover District

Mr. William D. Sleeper, County Administrator and Clerk of the Board; Mr. John P. Light, Legal Counsel; and Rebecca Flippen, Deputy Clerk were also present.

Mr. Sleeper gave the invocation and led the pledge of allegiance.

Upon a motion of Mr. Davis, seconded by Mr. Ecker, the board voted unanimously to approve added the following to the agenda:

(1) Request for a public hearing to be set for proposed amendments to Chapter 12.1 of the Pittsylvania County Ordinance.

Mr. Davis's motion was unanimously approved by the Board.

Re-Organization of the Board:

Election of Chairman

Mr. Sleeper explained that under the By-laws adopted at the January 2009 Re-organizational Meeting, nominations for chairman and vice-chairman required both a nomination and a second, and that votes will be taken in the order that the nominations were made and it takes four votes, the majority of the board, in order to select a chairman. He further read the responsibilities of the Chairman, as per named in the Board's By-laws. Mr. Sleeper opened the floor for nominations for Chairman of the Board of Supervisors for 2010. Mr. Ingram nominated Mr. Henry Davis, Jr., seconded by Mr. Ecker. Mr. Snead nominated Mr. Coy Harville, seconded by Mr. Barber. There were no other nominations and closed the nomination process. The following votes were recorded by raise of Board members' hands in favor for electing Mr. Davis as Chairman: Mr. Ingram: Yes; Mr. Ecker: Yes; Mr. Davis: Yes; Mr. Pritchett: Yes. Mr. Sleeper stated that at this time, there was a majority vote in favor of Mr. Davis. Mr. Sleeper then took a vote by raise of board member hands in favor of voting Mr. Harville in as Chairman. The following votes were recorded by raise of hands of Board members: Mr. Barber: Yes; Mr. Snead: Yes; Mr. Harville: Yes. Mr. Sleeper stated Mr. Henry A. Davis, Jr. was Chairman of the Board of Supervisors for 2010. Mr. Davis thanked those who elected him, was very appreciative and would do everything he can to move the Board forward and keep it as unified as possible.

Election of Vice-Chairman

Mr. Davis then opened the nomination process for Vice-Chairman of the Board for 2010. Mr. Pritchett nominated Mr. Tim Barber for Vice-Chairman, which was seconded by Mr. Snead. Mr. Ecker then nominated Mr. Fred Ingram for Vice-Chairman, which was seconded by Mr. Davis. No one else was nominated. Then, by raise of Board members hands, the following vote was recorded in favor as Mr. Barber be elected as Vice-Chairman: Mr. Barber: Yes, Mr. Snead: Yes; Mr. Pritchett: Yes, and Mr. Harville: Yes. Mr. Davis stated that was a majority vote and there was no need to go forward and named Mr. Barber as Vice-Chairman for the Board of Supervisors for 2010.

By Laws and Rules of Order

Mr. Davis asked if there was a motion to re-adopt the Board's current By-Laws and Procedures and the Robert Rules of Order. A substitute motion was made by Mr. Ecker, seconded by Mr. Barber to adopt the draft by-laws all members received in December and to approve changes made in red in that draft. Mr. Sleeper stated that even if the Board approves the draft by-laws, that the Board would have to wait until their next meeting to actually take a vote. Mr. Ecker then amended his substitute motion to include the Board continue under their current by-laws and procedures, and under Robert's Rules of Order, until being able to take a vote on the proposed draft by-laws at their next meeting on January 19, 2010 and discuss the changes. Mr. Ecker's motion was seconded by Mr. Harville and unanimously approved by the Board.

Set Day and Time of Regular Meeting

Motion was made by Mr. Pritchett, seconded by Mr. Barber, for the Board of Supervisors meetings to continue to be held on the first Monday and third Tuesday each month, at 7:00 pm, in the General District Courtroom, which was unanimously approved by the Board.

Appointments of Committees by Chairman:

Mr. Harville appointed the following Board members to:

Standing Committees

(a) Finance/Insurance Committee: Mr. Coy Harville-Chairman, Mr. Tim R. Barber, Mr. James H. Snead and Mr. William H. Pritchett

(b) Personnel Committee: Mr. Fred M. Ingram – Chairman, Mr. Marshall A. Ecker and Mr. William H. Pritchett

(c) Property/Building Committee: Mr. Marshall A. Ecker – Chairman, Mr. James H. Snead and Mr. Fred M. Ingram

Special Committees

(d) Solid Waste Committee: Mr. Marshall A. Ecker.-Chairman, Mr. Fred Ingram and Mr. Tim R. Barber

(e) Legislative Committee: Mr. Marshall A. Ecker – Chairman, Mr. William Pritchett and Mr. Tim R. Barber

(f) Computer/Radio/Telecommunications Committee: Mr. James Snead – Chairman, Mr. Coy E. Harville. and Mr. Marshall Ecker

(g) Board of Supervisors/School Board Liaison Committee: Mr. William Pritchett- Chairman, Mr. James Snead and Mr. Tim. R. Barber

(h) Joint Sites and Facilities Committee: Mr. William Pritchett – Chairman, Mr. Coy E. Harville and Mr. Tim R. Barber

(i) Fire & Rescue Policies and Procedures Committee: Mr. Fred Ingram – Chairman, Mr. William H. Pritchett and Mr. Marshall Ecker

(j) Economic Development Committee: Mr. Fred M. Ingram – Chairman, Mr. Coy E. Harville and Mr. Henry A. Davis, Jr.

(k) Agricultural Development Board: Mr. Marshall A. Ecker

Other Appointments by Mr. Harville were:

(1) Tri-Lake AEP Relicensing Committee (TCRC): Henry A. Davis, Jr., Fred M. Ingram
(2) Tri-County Lack Advisory Committee (TLAC): Fred M. Ingram
(3) West Piedmont Planning District Commission: William H. Pritchett, Henry A. Davis, Jr.
(4) Pittsylvania County Planning Commission: Fred M. Ingram
(5) Virginia Association of Counties: Coy E. Harville
(6) Pittsylvania County Community Action Agency: William H. Pritchett
(7) Metropolitan Planning Organization : James H. Snead, Henry A. Davis, Jr., Coy E. Harville
(8) Transportation Safety Commission: Fred M. Ingram
(9) Sara Title III (LEPC): William H. Pritchett, Henry A. Davis, Jr.
(10) Social Services Board: William H. Pritchett
(11) Roanoke River Basin Association: Coy E. Harville
(12) Danville – Pittsylvania Regional Facilities Authority: Coy E. Harville, Henry A. Davis, Jr., Fred M. Ingram

Approval of Agenda

Motion was made by Mr. Harville, seconded by Mr. Ecker, to approve the agenda with the added item. Mr. Harville's motion was unanimously approved by the Board.

Consent Agenda

Motion was made by Mr. Harville, seconded by Mr. Barber, to approve the Consent Agenda with the addition of an amendment to the December 15, 2009 minutes (on page 9 of the Board packet-1st paragraph-the motion should include "and the required personnel changes in Code Compliance".) Mr. Harville's motion was unanimously approved by the Board.

2. *(a)* Minutes: December 7, 2009 Regular Meeting
December 15, 2009 Adjourned Meeting

(b) Bill List: December 2009

Hearing of Citizens

Mr. Davis opened the floor to any citizen or citizens who wished to address the board on any subject that was not on the agenda.

Mr. Allen Gross of the Banister District made comments concerning votes by the Board covering the previous year and asked the Board to support people of the County.

Danville - Pittsylvania Regional Industrial Facility Authority

Financial Status

Table of Contents

A. $7.3 Million Bonds

B. General Expenditures for FY 2010

C. Mega Park

D. Build out of the Research Facility – Danville Regional Foundation

Danville-Pittsylvania Regional Industrial Facility Authority

$7.3 million Bonds for Cane Creek Centre - Issued in August 2005

As of February 28, 2010

	Funding	Budget / Contract Amount	Expenditures	Encumbered	Unexpended / Unencumbered
Funding					
Funds from bond issuance	$ 7,300,000.00				
Issuance cost	(155,401.33)				
Bank fees	(98.25)				
Interest earned to date	482,417.86				
Cane Creek Parkway		$ 3,423,296.09	$ 3,342,961.25	$ 80,334.84	
Swedwood Drive [2]		69,414.00	69,414.00	-	
Cane Creek Centre entrance [3]		72,335.00	53,878.70	-	
Financial Advisory Services		7,600.00	7,600.00	-	
Dewberry contracts [1]		69,582.50	69,582.50	-	
Dewberry contracts not paid by 1.7 grant[4]		142,740.61	3,080.00	139,660.61	
Land			2,560,921.67	-	
Demolition services			33,761.62	-	
Legal fees			42,937.89	-	
Other expenditures			9,689.70	-	
Total	$ 7,626,918.28		$ 6,193,827.33	$ 219,995.46	$ 1,213,095.50

notes:

[1] *Dewberry Contracts consist of wetland, engineering, surveying and site preparation*

[2] *Funds being used to cover City and County matching contributions for a VDOT grant for Swedwood Drive*

[3] *Project completed under budget*

[*] *In September 2008 the outstanding principal balance of $6,965,000 on the Series 2005 Cane Creek Project Revenue Bonds was tendered and not remarketed. These bonds were converted to bank bonds and are now subject to the Credit and Reimbursement agreement the Authority has with Wachovia Bank. The remarketing agent will continue its attempt to remarket these bonds in order to convert them back to Variable Rate Revenue Bonds. As a result, it is likely that the City and County will have to contribute additional funds in order to make future interest payments on the letter of credit attached to these bonds.*

[4] *These contracts were originally to be paid by the $1.7M Special Projects Grant, this grant has expired and the TIC did not issue an extension. The remaining amounts of the contract will be paid using bond funds.*

Road Summary-Cane Creek Parkway:	
English Contract-Construction	$ 5,363,927.00
Change Orders	165,484.50
Expenditures over contract amount	3,579.50
(Less) County's Portion of Contract	(935,207.00)
(Less) Mobilization Allocated to County	(9,718.00)
Portion of English Contract Allocated to RIFA	4,588,066.00
Dewberry Contract-Engineering	683,850.00
Total Road Contract Allocated to RIFA	**$ 5,271,916.00**

Funding Summary - Cane Creek Parkway	
VDOT	$ 1,848,619.91
Bonds	3,423,296.09
	$ 5,271,916.00

Danville-Pittsylvania Regional Industrial Facility Authority

General Expenditures for Fiscal Year 2010

As of February 28, 2010

	Funding	Budget	Expenditures	Encumbered	Unexpended / Unencumbered
Funding					
City	$ 75,000.00	$	$	$	$
County	75,000.00				
Carry forward from FY09	20,001.89				
Contingency					
Bank Fees			4,046.25	-	
Berry Hill Project			13,233.29	-	
Angler's Park Wetland Miligation			1,360.00		
Total Contingency Budget		50,000.00	18,639.54	-	31,360.46
Legal		75,401.89	8,118.71	-	67,283.18
Accounting		20,000.00	18,500.00	-	1,500.00
Postage & Shipping		100.00	24.76	-	75.24
Meals		2,500.00	1,015.61	-	1,484.39
Utilities		15,000.00	4,638.43	-	10,361.57
Insurance		7,000.00	369.00	-	6,631.00
Total	$ 170,001.89	$ 170,001.89	$ 51,306.05	$ -	**$ 118,695.84**

Danville-Pittsylvania Regional Industrial Facility Authority

Mega Park

As of February 28, 2010

	Funding	Budget / Contract Amount	Expenditures	Encumbered	Unexpended / Unencumbered
Funding					
City contribution	$ 134,482.50				
County contribution	134,482.50				
City advance for Klutz, Canler, & Shoffner property [1]	10,340,983.83				
Tobacco Commission FY09 SSED Allocation	3,370,726.00				
Tobacco Commission FY10 SSED Allocation - Engineering Portion	407,725.00				
Land					
Klutz property		$ 8,394,553.50	$ 8,394,553.50	$ -	
Canler property [2]		1,200,000.00	1,200,000.00	-	
Adams property		37,308.00	37,308.00	-	
Carter property		5,843.00	5,843.00	-	
Jane Hairston property		1,384,961.08	1,384,961.08	-	
Bill Hairston property		201,148.00	201,148.00	-	
Shoffner Property		1,872,896.25	1,872,896.25	-	
Other					
Dewberry & Davis		28,965.00	28,965.00	-	
Dewberry & Davis[3]		990,850.00	523,075.05	467,774.95	
Consulting Services - McCallum Sweeney		115,000.00	80,343.52	34,656.48	
Total	$ 14,388,399.83	$ 14,231,524.83	$ 13,729,093.40	$ 502,431.43	$ 156,875.00

[1] *This figure does not include the interest the City is losing from the univested funds.*

[2] *settlement fees have been charged to general expenditures until a funding source is available*

[3] *This contract was originally for $814,500, but has been amended to include a traffic impact analysis, and a cemetery survey. $740,000 will be covered by the FY09 Tobacco Allocation and $250,850 will be covered by the FY10 Tobacco Allocation.*

Danville Pittsylvania Regional Industrial Facility Authority

Danville Regional Foundation - Build Out of the Research Facility

As of February 28, 2010

	Funding	Budget / Contract Amount	Expenditures	Encumbered	Unexpended / Unencumbered
Danville Reg. Foundation	1,745,000.00				
Money Market - Interest Earned	22,687.21				
McKinney & Company		144,800.79	144,800.79	-	
Blair Construction, Inc.		1,450,261.00	1,450,261.00	-	
CRB Electric, Inc		23,153.00	-	-	
Custom Construction		13,911.00	13,806.67	-	
Powers Signs, Inc.		5,871.35	5,871.35	-	
Millwork Specialist, LLC - Case work for interior		78,935.04	78,935.04	-	
Commonwealth Blinds & Shades		3,074.20	3,074.20	-	
Sigma Engineered Solutions PC		11,800.00	-	11,800.00	
CCI**		59,101.00	59,101.00	-	
Total	1,767,687.21	1,790,907.38	1,755,850.05	11,800.00	**37.16**

** Contract is for $82,588, the Institute will provide the remaining funds of $23,487 to complete the project