

DANVILLE-PITTSYLVANIA REGIONAL INDUSTRIAL FACILITY AUTHORITY

Minutes

March 14, 2011

The Regular Meeting of the Danville Pittsylvania Regional Industrial Facility Authority convened at 12:09 p.m. on the above date in the Conference Room located at the Danville Regional Airport, 424 Airport Drive. Present were City of Danville Members David Luther and alternate Fred Shanks and Pittsylvania County Members Vice-Chairman Coy Harville and Hank Davis. Chairman Sherman Saunders and Pittsylvania County alternate Fred Ingram were absent. (Mr. Shanks arrived at 12:14 p.m.)

City/County staff members attending were: City Manager Joe King, Pittsylvania County Administrator Dan Sleeper, Assistant County Administrator for Planning & Development Gregory Sides, Danville Economic Development Director Jeremy Stratton, Danville Finance Director Barbara Dameron, Pittsylvania County Finance Director Kim Van der Hyde, Danville Senior Accountant Patricia Knutti, Clement and Wheatley Attorney Michael Guanzon, and Secretary to the Authority Susan DeMasi.

Also present were Dewberry and Davis Project Manager Shawn Harden.

Mr. Harville presided and called the Meeting to order.

PUBLIC COMMENT PERIOD

There were no comments from citizens.

APPROVAL OF FEBRUARY 14, 2011 MINUTES

Upon **Motion** by Mr. Luther and second by Mr. Davis, Minutes of the February 14, 2011 Meeting were approved, as presented. Draft copies had been distributed to Authority Members prior to the Meeting.

CONSIDERATION OF RESOLUTION NO. 2011-03-14-05

Mr. Davis **moved to table** Consideration of Resolution No. 2011-03-14-05.

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

VOTE: 3-0
AYE: Davis, Harville, Luther, (3)
NAY: None (0).

CONSIDERATION OF RESOLUTION NO. 2011-03-14-06

Mr. Luther **moved** to approve Resolution No. 2011-03-14-06 ratifying the Proposal Acceptance for Proposal for Subsurface Exploration and Geotechnical Engineering Analysis (ECS Proposal No. 09.17364-P), between the Authority and ECS Carolinas, LLP, a North Carolina limited

DANVILLE-PITTSYLVANIA REGIONAL INDUSTRIAL FACILITY AUTHORITY

Minutes

March 14, 2011

liability partnership, for the performance of soil borings on the Authority's Cane Creek site as requested by a business prospect, at a cost of \$2,889.00.

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

VOTE: 3-0
AYE: Davis, Harville, Luther (3)
NAY: None (0).

MONTHLY FINANCIAL REPORT

Mr. Harville requested that Mr. Sleeper and Mr. King discuss the Hughes Home situation and report to the Board at the next meeting.

Mr. Luther **moved** to accept the financial report as presented. The Motion was seconded by Mr. Davis and carried by the following vote:

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

DESIGNATE YORKTOWNE REPAYMENT OF INCENTIVES

Mr. Luther **moved** to approve a request to Designate the Yorktowne Repayment of Incentives and Retain these Funds to cover Future Operating and Project Costs as needed.

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

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

OBTAIN ADDITIONAL FUNDING BY TRANSFERRING RENTAL REVENUE

Mr. Shanks **moved** to approve Obtaining Additional Funding by Transferring \$50,000.00 of Rental Revenue Realized to the Fiscal Year 2011 General Expenditures Budget.

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

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

DANVILLE-PITTSYLVANIA REGIONAL INDUSTRIAL FACILITY AUTHORITY

Minutes

March 14, 2011

CLOSED MEETING

At 12:23 p.m. Mr. Luther **moved** that the meeting be recessed and the Authority immediately convene in Closed Meeting as permitted by Section 2.2-3711(A)(7) of the Code of Virginia, 1950 as amended, for consultation with and briefing by legal counsel pertaining to actual litigation regarding Nancy Barbour Smith, et al. v. Pittsylvania County Board of Supervisors (Case No. CL1000088-00), where such consultation or briefing in open meeting would adversely affect the litigating posture of the Authority.

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

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

Upon unanimous vote at 12:36 p.m., the Authority returned to open meeting and Mr. Luther **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 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. Davis and carried by the following vote:

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

COMMUNICATIONS

Mr. Sleeper noted that the grading and the sewer of the Cane Creek Projects is out to bid for 30 days.

No further communications were heard.

DANVILLE-PITTSYLVANIA REGIONAL INDUSTRIAL FACILITY AUTHORITY

Minutes

March 14, 2011

The Meeting adjourned at 12:39 p.m.

Vice-Chairman

Clerk to the Authority