

DANVILLE-PITTSYLVANIA REGIONAL INDUSTRIAL FACILITY AUTHORITY

**Minutes
December 12, 2011**

The Regular Meeting of the Danville Pittsylvania Regional Industrial Facility Authority convened at 12:18 p.m. on the above date in the Danville Regional Airport, Conference Room, 424 Airport Drive, Danville, Virginia. Present were City of Danville Members T. David Luther and alternate Fred O. Shanks, III; Vice Chairman Sherman M. Saunders was absent. Pittsylvania County Members present were Chairman Coy E. Harville and Henry A. "Hank" Davis, Jr.; Alternate Fred Ingram was absent.

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

Chairman Harville called the Meeting to order.

PUBLIC COMMENT PERIOD

No one desired to be heard.

APPROVAL OF NOVEMBER 21, 2011 MINUTES

Upon **Motion** by Mr. Shanks and **second** by Mr. Davis, Minutes of the November 21, 2011 Meeting were approved, as presented. Draft copies had been distributed to Authority Members prior to the Meeting.

NEW BUSINESS

A. CONSIDERATION OF RESOLUTION 2011-12-12-5A – REVISING ARTICLE VI OF THE AMENDED AND RESTATED BYLAWS OF THE AUTHORITY

Attorney to the Authority, Michael Guanzon noted that because of RIFA's by-laws, any changes to the By-laws need at least one weeks' advance notice to be given. Therefore, this Resolution would be discussed today and voted on at the next meeting. The revision in this by-law would allow the Treasurer to be a "Vice-Secretary" in the Secretary's absence.

Mr. Davis **moved to Table** Resolution No. 2011-12-12-5A - Initial Discussion, (2012-01-09-__ Adopted), revising Article VI ("Officers") of the Amended and restated Bylaws of the Authority adopted August 13, 2007, and last revised April 11, 2011 (the "Bylaws"), to provide that the Treasurer, in the absence of the Secretary, shall perform all duties of the Secretary, except for those certain other duties which the Chairman, under the Bylaws, delegates to a director, alternate director, officer or staff member in the Secretary's absence.

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

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

B. CONSIDERATION - RESOLUTION NO. 2011-12-12-5B AUTHORIZING THE SALE TO HERB JEFFERSON OF THAT CERTAIN WOOD FENCE LOCATED IN THE AUTHORITY'S MEGA PARK

County Administrator Dan Sleeper noted that Mr. Jefferson had been writing letters regarding this fence and Greg Sides noted that he had spoken with Mr. Jefferson several times. Mr. Sides also spoke with Jeremy Stratton of the City and their position was that the fence did not need to be removed, but they needed the RIFA Board to confirm this.

After further discussion – **NO ACTION** – was taken on Resolution 2011-12-12-5B – A Resolution Authorizing the Sale to Herb Jefferson of that certain wood fence located on that certain real property (Tax GPIN 1367-70-4519) located in the Authority's Mega Park Project, in Pittsylvania County, Virginia, commonly known as the Trayham Place/Canter Property, for a Purchase Price of \$10.

C. CONSIDERATION - RESOLUTION NO. 2011-12-12-5C DIRECTING PURSUIT OF AN AMENDMENT TO CERTAIN DECLARATION OF RESTRICTIONS OF INDUSTRIAL DEVELOPMENT AUTHORITY AND CITY OF DANVILLE, VIRGINIA DATED MAY 30, 2000

Karen Black, Chief Public Works Engineer from the City of Danville and Brian Dunevant City of Danville Public Works, explained that the City of Danville has a project on South Boston Road between the Pilot and Airport Drive, adding a third lane to the Eastbound lanes of South Boston Road.

Ms. Black explained that when the City builds the road, the grading is going to encroach on part of the conservation easement. The City needs to relocate the conservation easement to another section. Mr. Sleeper noted that the City is requesting a change in easement that is currently located by 58 down to the other side.

Mr. Davis **moved** adoption of Resolution 2011-12-12-5C, directing the pursuit of amendment to that certain Declaration of Restrictions of Industrial Development Authority and City of Danville, Virginia (the "City"), dated May 30, 2000, and recorded in the Clerk's Office of the Circuit Court of Danville, Virginia, as Instrument No. 00-2582, at page 21, as such restrictions pertain to that certain parcel owned by the Authority fronting at the corner of River Point Road and South Boston Road (Tax PIN 76443), located in the Authority's Cyber Park Project, in Danville, Virginia; such amendment shall relocate a portion of the conservation easement to a portion of that certain adjacent parcel owned by the Authority

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fronting on River Point Road (Tax PIN 76441), located in the Cyber Park Project, which relocation is in support of the City's transportation project (VDOT UPC 98233) on Route 58 west (South Boston Road), which includes the addition of a right turn lane along South Boston Road for the purpose of improving traffic safety along that road corridor.

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

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

D. CONSIDERATION – RESOLUTION 2011-12-12-5D – AUTHORIZING THE DISTRIBUTION AND CONVEYANCE TO THE AUTHORITY'S MEMBER LOCALITY, CITY OF DANVILLE, PARCEL FRONTING CORNER OF RIVER POINT ROAD AND SOUTH BOSTON ROAD

Ms. Black, Chief Engineer for City of Danville Public Works noted that in order to fulfill the storm water management requirements for the South Boston Road project, they will need to build a storm water detention pond. The City is asking the RIFA board to dedicate a lot across from the Pilot Station to the City.

Mr. Davis **moved** adoption of Resolution 2011-12-12-5D, authorizing the distribution and conveyance to the Authority's member locality, the City of Danville, Virginia (the "City"), of that certain parcel fronting at the corner of River Point Road and South Boston Road (Tax PIN 76443), containing 2.093 acres, more or less, located in the Authority's Cyber Park Project, in Danville, Virginia, for the purpose of facilitating the City's transportation project (VDOT UPC 98233) on Route 58 West (South Boston Road), which includes the addition of a right turn lane along South Boston Road for the purpose of improving traffic safety along that road corridor.

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

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

E. CONSIDERATION – RESOLUTION 2011-12-12-5E – RECOGNITION OF SERVICE OF HENRY A. DAVIS, JR., ESQUIRE, TO THE AUTHORITY AS A DIRECTOR

Mr. Shanks **moved** adoption of Resolution 2011-12-12-5E – Recognizing the service of Henry A. Davis Jr., Esquire to the Authority as a director. (A copy of the Resolution is attached to these minutes).

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

VOTE: 3-1-0
AYE: Harville, Luther and Shanks (3)
ABSTAIN: Davis (1)
NAY: None (0)

**F. FINANCIAL REPORT AS OF NOVEMBER 30, 2011 – Barbara A. Dameron, CPA,
Authority Treasurer**

Barbara Dameron, Authority Treasurer gave a financial report as of November 30, 2011. Ms. Dameron noted that Sheet A, Cane Creek, Lots 3 and 9 Project, local share: \$75,244 in expenditures since October. On Sheet B – General Expenditures: reimbursement of \$6,500 from the County for the painting at the Lake House; Legal: \$10,946 of which \$2,685 relates to the Bond issue and the balance was general items; \$3,500 for Brown & Edwards and several smaller items for meals and utilities. On Sheet C, the Mega Park: no expenditures this past month. On Sheet D, Cane Creek, Lots 3 and 9, expenditures of \$340,000 to Haymes Brothers and \$4,000 to Dewberry and Davis. On Sheet E: no change. Sheet F, rent and interest: \$17,565 from the IALR for rent, \$600 for Securitas for October and November rent and \$26 in interest for a total of \$18,165. Sheet G, comparing October to November, \$205,000 received as reimbursement from the EDA.

Mr. Harville asked City and County staff if the power had been shut off to the two homes that are being torn down. Mr. Harville noted they needed to be taken off of the insurance and the utilities.

Mr. Harville also asked for a report in the January meeting on the cost to the taxpayer versus what RIFA recuperated on the lawsuit.

After questions and discussion by Board members, Mr. Luther **moved** approval of the Financial Report as of November 30, 2011.

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. Harville read Resolution 2011-12-12-5E recognizing Mr. Davis's service to the Danville-Pittsylvania Regional Industrial Facility Authority.

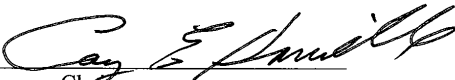
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Mr. Harville noted that Mr. Davis has been a pleasure to work with and has helped this Authority to move forward in the past year and all of RIFA is proud of that.

Mr. Davis noted his thanks to all.

MEETING ADJOURNED AT 12:40 P.M.



Chairman



Secretary to the Authority

DANVILLE-PITTSYLVANIA REGIONAL INDUSTRIAL FACILITY AUTHORITY
RESOLUTION
2011-12-12-5E

WHEREAS, Pittsylvania County Board of Supervisors and the City of Danville developed an agreement to establish a Regional Industrial Facility Authority to provide economic development for the region; and

WHEREAS, it has been a significant benefit to both Pittsylvania County and the City of Danville for the partnership that operates the Danville-Pittsylvania Regional Industrial Facility Authority; and

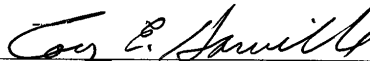
WHEREAS, this regional partnership requires significant cooperation and leadership to administer the economic development programs designed for the growth and the future of these two communities; and


WHEREAS, the Honorable Henry A. Davis, Jr., has served as a member of the Danville-Pittsylvania Regional Industrial Facility Authority since January, 2010, providing guidance and leadership necessary for the Authority to move forward in developing the future of the Danville-Pittsylvania County Region; and

WHEREAS, Henry A. Davis, Jr., will be retiring from the Pittsylvania County Board of Supervisors on January 1, 2012; then

BE IT HEREBY RESOLVED, that the Members of the Board of Directors of the Danville-Pittsylvania Regional Industrial Facility Authority express their sincere appreciation for the service of Henry A. Davis, Jr., as a member of the Danville-Pittsylvania Regional Industrial Facility Board of Directors and recognize the devotion and duty provided by Henry A. Davis, Jr., in his service to the Authority and for his outstanding service and exemplary leadership to the Authority and wish him all success in his future endeavors.

Given under my hand this 12th day of December, 2011.


Coy E. Harville, Chairman


Susan DeMasi, Clerk