

DANVILLE-PITTSYLVANIA REGIONAL INDUSTRIAL FACILITY AUTHORITY
Minutes
April 10, 2012

The Regular Meeting of the Danville Pittsylvania Regional Industrial Facility Authority convened at 12:16 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 Vice Chairman Sherman M. Saunders; alternate Fred O. Shanks was absent. Pittsylvania County Members present were Chairman Coy E. Harville, James Snead and Alternate Jessie L. Barksdale.

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

Dewberry & Davis Project Manager Shawn Harden was also present.

Chairman Harville called the Meeting to order.

PUBLIC COMMENT PERIOD

No one desired to be heard.

APPROVAL OF MARCH 12, 2012 MINUTES

Upon **Motion** by Mr. Luther and **second** by Mr. Snead, Minutes of the March 12, 2012 Meeting were approved, as presented. Draft copies had been distributed to Authority Members prior to the Meeting.

NEW BUSINESS

5A. CONSIDERATION – RESOLUTION NO. 2012-04-10-5A – APPROVE A ONE-YEAR RENEWAL OF LEASE TO THE OSBORNE COMPANY OF NORTH CAROLINA, INC., IN THE AUTHORITY’S MEGA PARK

Mr. Snead **moved** adoption of *Resolution 2012-04-10-5A, to approve a one-year renewal of the lease to the Osborne Company of North Carolina, Inc., a North Carolina corporation, of approximately 100 acres of pastureland in the Authority’s Mega Park Site (a portion of GPINs 1366-78-4718 and 1367-70-4519), owned by the Authority, commonly known as 4380 Berry Hill Road; and the lease shall be for the use of harvesting grass hay and incidental uses acceptable to the Authority, at a total rental fee of \$800.*

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

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

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5B. CONSIDERATION - RESOLUTION NO. 2012-04-10-5B – APPROVING AN AMENDMENT TO THE DECLARATION OF PROTECTIVE COVENANTS OF THE AUTHORITY'S CANE CREEK CENTRE

Marketing and Research Manager Corrie Teague noted that the amendment would allow retail and commercial use for the front lots at Cane Creek.

Mr. Saunders **moved** adoption of *Resolution No. 2012-04-10-5B*, to approve an Amendment to that certain Declaration of Protective Covenants of the Authority's Cane Creek Centre, dated July 12, 2000, and recorded in the Clerk's Office of the Circuit Court of the County of Pittsylvania, Virginia, as Instrument No. 05-06158, in Deed Book 1505, at page 237, and recorded in the Clerk's Office of the Circuit Court of the City of Danville, Virginia, as Instrument No. 05-4233, at page 189, as such restrictions pertain to (i) that certain area designated as Lot 12, fronting on Cane Creek Parkway and South Boston Road (U.S. Highway No. 58), and (ii) that certain portion of the area designated as Lot 6 that is located only in the City of Danville, Virginia, and fronting on Cane Creek Parkway and South Boston Road (U.S. Highway No. 58); being a portion of that certain parcel of land known as GPIN 2347-03-7443, in the County of Pittsylvania, Virginia, and all of those certain parcels of land known as PINs 78380 and 77193, in the City of Danville, Virginia.

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

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

5C. FINANCIAL REPORT AS OF MARCH 31, 2012 – BARBARA DAMERON, CPA, AUTHORITY TREASURER

Ms. Dameron noted there was limited activity with very few transactions last month. Under general expenses, the Authority spent \$4,867, of that \$4,051 was for legal fees not related to the litigation, except for about \$114. The Authority realized \$20,172 in rental income and \$55.00 income for reimbursement of expenses for a FOIA request.

Mr. Snead **moved** adoption of the *Financial Report as of March 31, 2012*. The Motion was **seconded** by Mr. Luther and carried by the following vote:

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

6A. CLOSED SESSION

At 12:20 p.m., Mr. Luther moved that the Meeting of the Danville-Pittsylvania Regional Industrial Facility Authority be recessed in a Closed Meeting as permitted by Section 2.2-3711(A)(5) of the Code of Virginia, 1950, as amended, for discussion concerning the

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expansion of an existing industry where no previous announcement has been made of the industry's interest in expanding its facilities in Pittsylvania County, Virginia.

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

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

Mr. Harville noted that upon **Motion** by Mr. Luther and **second** by Mr. Snead, and by unanimous vote at 1:00 p.m., the Authority returned to open meeting.

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 meeting requirements of Virginia Law were discussed in the Closed Meeting to which this Certification Resolution applies, and (ii) only such public business matters as were identified in the Motion convening the Closed Meeting were heard, discussed, or considered by the Authority.

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

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

COMMUNICATIONS

There were no communications from Board Members or staff.

Authority Secretary noted that she had been informed by the City Manager's Executive Secretary that Mr. Shank's sister-in-law had passed away. Mr. Harville asked that his family be remembered.

Upon **Motion** by Mr. Luther and **second** by Mr. Snead, and unanimous vote, the Meeting was adjourned.

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MEETING ADJOURNED AT 1:02 P.M.


Chairman


Secretary to the Authority