

DANVILLE-PITTSYLVANIA REGIONAL INDUSTRIAL FACILITY AUTHORITY  
Minutes  
June 10, 2013

The Regular Meeting of the Danville-Pittsylvania Regional Industrial Facility Authority convened at 12:00 p.m. on the above date in the Danville Regional Airport Conference Room, 424 Airport Drive, Danville, Virginia. Present were City of Danville Members Chairman Sherman M. Saunders and Alternate J. Lee Vogler; Fred O. Shanks, III was absent. Pittsylvania County Members present were Vice Chairman Coy E. Harville and James Snead; Alternate Jessie L. Barksdale was absent.

City/County staff members attending were: Deputy City Manager Ken Larking, County Administrator Dan Sleeper, Danville Finance Director/Authority Treasurer Barbara Dameron, County Director of Finance Kim Van Der Hyde, Assistant County Administrator for Planning & Development Gregory Sides, City of Danville Project Manager Corrie Teague, Governmental Affairs Consultant Linwood Wright, City of Danville Senior Accountant Patricia Conner and Clement & Wheatley Attorney Michael Guanzon.

Chairman Saunders called the Meeting to order.

**PUBLIC COMMENT PERIOD**

No one present desired to be heard.

**APPROVAL OF MINUTES OF THE MAY 13, 2013 MEETING**

Upon **Motion** by Mr. Harville and **second** by Mr. Snead, Minutes of the May 13, 2013 meeting were approved as presented. Draft copies had been distributed to Authority Members prior to the Meeting.

**OLD BUSINESS**

**5A. CONSIDERATION – RESOLUTION 2013-06-10-5 – APPROVING AMENDMENT AND ADDENDUM TO LEASE AGREEMENT WITH IALR – CHARLES HAWKINS BUILDING**

Authority Attorney Michael Guanzon noted this item was a follow up item from last month.

Mr. Snead **moved** adoption of *Resolution No. 2013-06-10-5 approving (i) Amendment to Lease Agreement between the Authority (as landlord) and The Institute of Advanced Learning and Research (the "Institute"), a political subdivision of the Commonwealth of Virginia (as tenant), pertaining to the Charles Hawkins Building, located in the Authority's Cyber Park, under which the term would be extended for five years and thereafter for successive renewals of one year each, and Landlord would be responsible for certain maintenance and repairs in the event that the building was not occupied by a permitted sublessee or a permitted assignee of Tenant; and (ii) Addendum to Lease Agreement for the same lease under which the Institute would be contracted to perform certain maintenance and repairs to the Charles Hawkins Building at an annual rate of compensation equal to \$10 per square foot, subject to annual consideration and adjustment.*

The Motion was **seconded** by Mr. Harville. After questions and discussions, the **Motion** was carried by the following vote:

VOTE: 4-0  
AYE: Harville, Snead, Saunders, Vogler (4)

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NAY: None (0)

**NEW BUSINESS**

**6A. UPDATE ON PERMITTING APPLICATIONS FOR THE AUTHORITY'S MEGA PARK PROJECT LOCATED IN PITTSYLVANIA COUNTY, VIRGINIA**

Greg Sides noted staff asked Mr. Harden to put on hold his full update as there is so much going on. The Corp of Engineers has sent a letter back to RIFA based on the application, asking for information they need clarified or additional information. A small committee meeting consisting of City and County staff has discussed those comments and started working on addressing them and the best strategy for that. Staff will be in a better position in the future to update the Authority.

**6B. CONSIDERATION – RESOLUTION NO. 2013-06-10-6B - RENEWAL OF HUNTING LEASE WITH JAY VANN CLODFELTER AND BRENT CLODFELTER**

County Administrator Dan Sleeper noted the current lease ends June 30, 2013. This item is so the Authority can renew it and also see some additional funding. Currently, the Authority is receiving \$1,500 for leasing the Hairston Farm and the tenants have asked for an additional 189 acres to be added to that for an additional \$500. They will be paying \$2,000 a year for 561 acres as opposed to the 372 that they currently lease.

Mr. Harville **moved** adoption of *Resolution 2013-06-10-6B, approving a one-year renewal of the hunting lease with Jay Vann Clodfelter and Brent Clodfelter, as tenant, of approximately 561.13 acres, more or less, at the Authority's Mega Park Site (GPINs 1366-16-2959 and 1366-37-2002, commonly known as the Hairston Farm, and GPIN 1367-01-8739), for the uses of hunting, fishing and related outdoor recreational activities, at a total rental fee of \$2,000.*

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

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

**6C. CONSIDERATION – RESOLUTION NO. 2013-06-10-6C – AUTHORIZING ISSUANCE OF TAXABLE REVENUE REFUNDING BOND (CANE CREEK PROJECT) SERIES 2013**

Authority Treasurer Barbara Dameron noted the Authority's Letter of Credit expires the 1<sup>st</sup> of August and Wells Fargo came back with some alternatives, particularly in trying to fix the interest rate. The option that staff recommends would fix the interest rate at 1.85%. This also eliminates some risk, and eliminates some fairly hefty fees that are part of that process. The City and the County will be asked for a Moral Obligation which will not be a new one, it will replace the existing one the Authority currently has for Cane Creek.

Mr. Snead **moved** adoption of *Resolution 2013-06-10-6C authorizing the issuance of the Authority's taxable revenue refunding bond (Cane Creek project), Series 2013; authorizing the execution and delivery of all bond documents, not to exceed \$5,700,000, in connection therewith including without limitation the Financing Agreement, the Bond and the Support*

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*Agreements; and authorizing other matters in connection therewith, in order to refinance the prior \$7,300,000 Revenue Bonds (Cane Creek Project), Series 2005.*

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

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

**6D. FY 2014 PROPOSED GENERAL EXPENDITURES REPORT**

Senior Accountant Patricia Connor noted the agenda packet shows the current General Expenditures Budget for FY2013 as of May 31, 2013 compared to what staff is seeking for funding for FY2014. There are not any significant changes other than a reduction in the accounting fee for the annual audit, and a reduction in the Utilities budget. Last year shows funding for utilities estimated at \$4,000, this year staff is estimating \$500 since RIFA is now only paying for the Cyber Park sign.

Mr. Harville **moved** to approve the FY2014 Proposed General Expenditures Budget. The Motion was **seconded** by Mr. Snead and carried by the following vote:

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

**6E. FINANCIAL STATUS REPORT AS OF MAY 31, 2013**

Authority Treasurer Barbara Dameron noted there were minimal expenses beginning with Cane Creek Centre showing no changes for the month of May. Under General Expenses, \$375 which were meals, legal and utilities. The Mega Park showed no expenses as well as Berry Hill Lot 4 Site development, no charges. Under Funds Available for Appropriation, the CBN Grant Agreement is part of that budget and the Authority has paid that grading grant. The Summary of Rent, Interest and Other Income shows the Authority received \$10,200 in rental income and the Financial Statements show the impact of those changes. Mr. Harville requested an update on the status of the Cane Creek performance agreements.

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

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

**COMMUNICATIONS**

Mr. Saunders questioned Mr. Sides about the Corp of Engineers, if Henry County is making any progress with their efforts with the Corp. Mr. Sides noted to his knowledge they are not making any progress.

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Mr. Saunders noted the Authority is very proud of CBN, what they do, their expansion and that a tour may not be appropriate because of security reasons, but asked for an update on how they are doing.

Mr. Harville thanked Joe King for taking care of the AVRC issue. The grass had not been cut and it was decided rather than for RIFA to get into it, just let the City do it. The grass has been cut and looks much better.

MEETING ADJOURNED AT 12:34 P.M.

  
Chairman

  
Deputy Secretary to the Authority