



DANVILLE-PITTSYLVANIA REGIONAL INDUSTRIAL FACILITY AUTHORITY AGENDA

**City of Danville, Virginia
County of Pittsylvania, Virginia**

**Institute for Advanced Learning and Research
150 Slayton Avenue, Room 206
Danville, Virginia**

April 8, 2024

12:00 PM

County of Pittsylvania Members

William V. ("Vic") Ingram, Chairman
Robert M. Tucker, Jr.
Darrell W. Dalton, Alternate

City of Danville Members

Sherman M. Saunders, Vice Chairman
J. Lee Vogler, Jr.
Dr. Gary P. Miller, Alternate

Staff

Kenneth F. Larking, City Manager Officer
Stuart J. Turille, Jr., County Administrator Officer
Christian & Barton, L.L.P., Legal Counsel to Authority
Susan M. DeMasi, Authority Secretary
Michael L. Adkins, Authority Treasurer

1. MEETING CALLED TO ORDER

2. ROLL CALL

3. PUBLIC COMMENT

Members of the public who desire to comment on a specific agenda item will be heard during this period. The Chairman/Vice Chairman of the Authority may restrict the number of speakers. Each speaker shall be limited to a total of three minutes for comments.

[Please note that the public comment period is not a question-and-answer session between the public and the Authority.]

4. APPROVAL OF MINUTES

- A. Consideration of Approval of Minutes from Regular Meeting held on March 11, 2024.

5. NEW BUSINESS

- A. Presentation of the Authority's Fiscal Year 2023 Audit Report. - Michael L. Adkins, Authority Treasurer.
- B. Consideration of a Resolution approving a modification to that certain Option and Ground Lease Agreement with Crown Castle Towers 06-2 LLC, a Delaware Limited Liability Company, approved under Resolution No. 2023-06-12-5B, where minimum business terms of the construction and operation of the communications facility have been modified. - Matthew Rowe, Pittsylvania County Director of Economic Development and Michael A. Guanzon, Legal Counsel to the Authority.
- C. Consideration of a Resolution approving 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 Southern Virginia Megasite at Berry Hill Project (a portion of GPINS 1366-78-4718 and 1367-70-4519), commonly known as 4380 Berry Hill Road, in Pittsylvania County, Virginia. - Mr. Guanzon
- D. Consideration of a Resolution authorizing the Chairman of the Authority to Negotiate, Execute, Deliver and Record that Third Amendment to Berry Hill Industrial Park Supplemental Declaration of Restrictive Covenants, amending the original Supplemental Declaration of Protective Covenants dated October 1, 2017, and recorded in the Pittsylvania County Land Records as Instrument No. 17-05662 (as amended), providing for the modification of certain vegetative buffers relating to an amendment to the State Programmatic General Permit for vegetative buffers along U.S. Highway 311 and Oak Hill Road for the Authority's Southern Virginia Mega Site Project, in furtherance of facilitating the Virginia Department of Transportation's Construction of the Berry Hill Connector Road - Brian Bradner, Vice President, Dewberry and Mr. Guanzon.
- E. Consideration of a Resolution authorizing the negotiation, execution and delivery of an amendment to that certain timber sale contract dated June 16, 2022, by and between the Authority and Hopkins Lumber Contractors, Inc., a Virginia corporation, for the sale of timber within the Authority's Southern Virginia Megasite at Berry Hill Project.- Mr. Rowe

F. Financial Status Reports as of March 31, 2024. Michael L. Adkins, Authority Treasurer.

6. CLOSED MEETING

During the closed session, all matters discussed shall involve receiving advice from legal counsel, and as such all communications during the closed session shall be considered attorney-client privileged.

- A. *As permitted by Section 2.2-3711(A)(5) of the Code of Virginia, 1950, as amended ("Virginia Code"), for discussion concerning one or more prospective businesses where no previous announcement has been made of that business's interest in locating its facilities in one or more of the Authority's projects, located in Pittsylvania County, Virginia, and/or Danville, Virginia; and*
- B. *As permitted by Virginia Code § 2.2-3711(A)(39) for discussion or consideration of records excluded under Virginia Code § 2.2-3705.6(3) (including without limitation (i) those certain confidential proprietary records voluntarily provided by private business pursuant to a promise of confidentiality from the Authority, and used by the Authority for business and trade development and (ii) those certain memoranda, working papers, or other information related to businesses that are considering locating or expanding in Virginia, prepared by the Authority, where competition or bargaining is involved and where disclosure of such information would adversely affect the financial interest of the Authority); such information being excluded from mandatory disclosure under Virginia Code § 2.2-3705.1(12) (information relating to the negotiation and award of a specific contract pertaining to the Authority's Southern Virginia Megasite at Berry Hill project, Cyber Park project and/or Cane Creek Centre project, where competition or bargaining is involved and where the release of such information would adversely affect the bargaining power or negotiating strategy of the Authority) and Virginia Code § 2.2- 3705.1(8) (appraisals and cost estimates of real property in one or more of the Authority's projects subject to a proposed purchase, sale, or lease, prior to the completion of such purchase, sale, or lease); and*
- C. *As permitted by Virginia Code § 2.2-3711(A)(3) for discussion or consideration of the acquisition and/or the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Authority; and*
- D. *As permitted by Virginia Code § 2.2-3711(A)(8) for consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel; and*
- E. *As permitted by Virginia Code § 2.2-3711(A)(29) for discussion of the award of a public contract involving the expenditures of public funds where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the Authority.*

7. RETURN TO OPEN SESSION

A. Confirmation of Motion and Vote to Reconvene in Open Meeting.

B. Motion to Certify Closed Meeting.

8. COMMUNICATIONS

A. Authority Board Members

B. Staff

9. ADJOURN