

DANVILLE-PITTSYLVANIA REGIONAL INDUSTRIAL FACILITY AUTHORITY

Minutes

March 11, 2024

A Meeting of the Danville-Pittsylvania Regional Industrial Facility Authority convened at 12:16 p.m. on the above date at the Institute for Advanced Learning and Research, 150 Slayton Avenue, Room 206, Danville, Virginia. Present were City of Danville Members Vice Chairman Sherman M. Saunders, J. Lee Vogler, Jr. and Alternate Dr. Gary P. Miller. Pittsylvania County Members present were Chairman William V. Ingram, Robert Tucker and Alternate Darrell Dalton.

City/County staff members attending were: City Manager Ken Larking, County Administrator Stuart Turille, Pittsylvania County Director of Finance Kim Van Der Hyde, Authority Treasurer Michael Adkins, City of Danville Accountants Meredith Franklin and Jaime Pritchett, City of Danville Director of Economic Development Corrie Bobe, Assistant Director of Economic Development Kelvin Perry, Pittsylvania County Director of Economic Development Matt Rowe, Pittsylvania County Project Manager Kattie Saunders, Legal Counsel to the Authority Michael Guanzon and Secretary to the Authority Susan DeMasi. Also present were Brian Bradner, Shawn Harden and Joseph Snead from Dewberry, Linda Green, and Pittsylvania County Board Supervisor Ken Bowman.

Chairman William V. Ingram presided.

PUBLIC COMMENT PERIOD

No one present desired to be heard.

APPROVAL OF MINUTES OF THE FEBRUARY 12, 2024, REGULAR MEETING

Upon **Motion** by Mr. Saunders and **second** by Mr. Tucker, Minutes of the February 12, 2024, Regular Meeting were approved as presented. Draft copies had been distributed to Authority Members prior to the Meeting.

NEW BUSINESS

5A. FINANCIAL STATUS REPORT AS OF FEBRUARY 29, 2024

Authority Treasurer Michael Adkins gave the Financial Status report as of February 29, 2024, beginning with the \$7.3M Bonds for Cane Creek, which had no activity for February. Under General Expenditures for the current fiscal year, RIFA paid \$26 to Danville Circuit Court for a recording fee related to 350 Slayton Avenue, legal fees to Christian & Barton of \$14,104 for services received through the month of December, meals at the Institute of \$416.40, monthly utilities of \$171.46, and monthly maintenance from Sellars Brothers for Cane Creek and Berry Hill in the amount of \$4,890. Funding Other than Bonds for Berry Hill had a payment to Dewberry of \$24,987.50 for work completed under Amendments #33, #35A, #37 and #38, and \$910.00 to Troutman Pepper Hamilton Sanders. Lot 4 Site Development, Lots 1 and 2, and Water and Sewer had no expenditures for the month of February. Cyber Park Site Development had a payment to Dewberry of \$2,000 for work done under Amendment #2. Rent, Interest and Other Income for February show RIFA received rent from the Institute for the Hawkins' Building of \$23,342.11, rent for February and March from AEP of \$3,000, and earned interest from the money market account of \$4,150. Timber sales from Hopkins Lumber was \$125,880, and RIFA received \$52,433 from the County which will be paid to Morgan Olsen for the incentive; the expense for February was a payment to the Institute for Hawkins Building Maintenance in the amount of \$23,342.11.

DANVILLE-PITTSYLVANIA REGIONAL INDUSTRIAL FACILITY AUTHORITY

Minutes

March 11, 2024

Mr. Tucker **moved** to accept the Financial Report as presented; the Motion was **seconded** by Mr. Saunders and carried by the following vote:

VOTE: 4-0
AYE: Ingram, Tucker, Saunders, Vogler (4)
NAY: None (0)

6. CLOSED SESSION

At 12:19 p.m. Mr. Vogler **moved** that the Meeting of the Danville-Pittsylvania Regional Industrial Facility Authority be recessed in a Closed Meeting for the following purposes:

[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

DANVILLE-PITTSYLVANIA REGIONAL INDUSTRIAL FACILITY AUTHORITY

Minutes

March 11, 2024

session would adversely affect the bargaining position or negotiating strategy of the Authority.

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

VOTE: 4-0
AYE: Ingram, Tucker, Saunders, Vogler (4)
NAY: None (0)

7. RETURN TO OPEN SESSION

On **Motion** by Mr. Tucker and **second** by Mr. Vogler and by unanimous vote at 1:21 p.m., the Authority returned to open meeting.

Mr. Saunders **moved** for adoption of the following Resolution:

That the Authority certify that, to the best of each Member's knowledge:

(i) only public business matters lawfully exempted from 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 Authority.

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

VOTE: 4-0
AYE: Ingram, Tucker, Saunders, Vogler (4)
NAY: None (0)

8. COMMUNICATIONS

Board members noted they were excited about future prospects, and thanked the staff for the work they do.

Mr. Rowe noted staff received several complaints regarding dirt and traffic along Buford Road, and staff worked with the contractors to address those complaints. Branch Construction went down the roadway, picked up trash and went out of their way to make sure the impacts to the neighborhoods through the connector road project were being minimized. Mr. Rowe stated that the RIFA Board directed Mr. Larking and Mr. Turille to sign a payment to Sellars Brothers to remove the house on Lot 3 at the Megasite; that has been done and has been stabilized.

Mr. Ingram stated Brian Bradner from Dewberry received a promotion, Vice President of Dewberry, and noted his congratulations. Mr. Ingram stated he has received calls from citizens on Buford Road, it was a mix between trash and mud on the road. In construction, there will be mud on the road, and thanked Mr. Rowe for following up on those complaints. Mr. Rowe noted Mr. Turille took care of that, and Branch Construction was out the next day picking up trash.

DANVILLE-PITTSYLVANIA REGIONAL INDUSTRIAL FACILITY AUTHORITY

Minutes

March 11, 2024

Meeting adjourned at 1:31 p.m.

APPROVED:

s/ Sherman M. Saunders
Vice Chairman

s/ Susan M. DeMasi
Secretary to the Authority