



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**

September 9, 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
Vincent Shorter, Interim 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 August 12, 2024.

5. NEW BUSINESS

- A. Consideration of Resolution No. 2024-09-09-5A, authorizing the negotiation, execution and delivery of a license agreement with Strata Solar, LLC, a North Carolina limited liability company, or its affiliates, for licensee's non-exclusive access to an existing electrical easement on a portion of the Authority's real property, commonly known as Tract AB, containing approximately 520.003 acres, in the Authority's Southern Virginia Megasite at Berry Hill project, located in the Pittsylvania County, Virginia, whereby licensee will construct and operate electrical lines and appurtenant facilities for the transmission and distribution of electricity related to licensee's adjacent solar facility; the license agreement will be for a term of one (1) year, which the Authority may extend the term for one (1) additional year; and licensee will pay a monthly fee equal to \$1,500.00 – Matthew D. Rowe, Director of Economic Development, Pittsylvania County, and Brian K. Bradner, P.E., Senior Vice President, Dewberry Engineers
- B. Consideration of Resolution No. 2024-09-09-5B, authorizing the execution and delivery of that certain Contract of Sale between the Authority, as buyer, and Waller S. Hairston, William Hunt Hairston, Allen Waller Hairston, Anne Bartlett Hairston-Strang, and Sallie Hairston Miller, collectively as sellers, for the Authority's purchase of certain real property located in Pittsylvania County, Virginia, consisting of approximately 289.47 acres (GPIN 1366-12-5834), commonly known as Berry Hill Rd/863 Dan River-Oak Hill Tr., provided however that the Authority shall only be authorized to deliver a non-refundable deposit equal to \$50,000.00 allowing the Authority to initiate a review period in order to conduct due diligence on property for period of 90 days, and where the Authority has the option to extend the review period for two consecutive extensions of 30 days each subject to an extension fee \$16,500.00 per extension – Mr. Rowe and Michael C. Guanzon, Esq., Christian & Barton, L.L.P., Authority Legal Counsel
- C. Consideration of Resolution 2024-09-09-5C, approving that certain Local Performance Agreement with RBW Sports & Classics, Inc. (the "Company"), a Delaware corporation and an affiliate of RBW Classic Cars Ltd., a United Kingdom private limited company, under which the Company will establish and operate an electric car manufacturing facility at 1350 Barker Road, Ringgold, Virginia, at the Authority's Cane Creek Centre Industrial

Park, under a lease with the Industrial Development Authority of Danville, Virginia, including without limitation an option to purchase, and the City of Danville, Virginia, and the County of Pittsylvania, Virginia, would provide certain tax rebates and the waiver of certain permit fees and connection fees, in exchange for, among other things, the creation by the Company of 144 new jobs with an average annual wage of at least \$53,514.67, excluding standard fringe benefits, and certain minimum capital investment of \$7,951,000.00, over a performance period of 5 years – Mr. Rowe and Corrie T. Bobe, Director of Economic Development, City of Danville

D. Financial Status Reports as of August 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