

DANVILLE-PITTSYLVANIA REGIONAL INDUSTRIAL FACILITY AUTHORITY

Minutes

August 12, 2024

A Meeting of the Danville-Pittsylvania Regional Industrial Facility Authority convened at 12:13 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. *(Dr. Miller left the meeting at 2:06 p.m. and Mr. Vogler left the meeting at 2:10 p.m.)*

City/County staff members attending were: City Manager Ken Larking, Interim County Administrator Vincent Shorter, Authority Treasurer Michael Adkins, City of Danville Accountants Meredith Franklin and Jaime Pritchett, Pittsylvania County Director of Finance Kim Van Der Hyde, 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 Steven Lippman (via zoom) and Secretary to the Authority Susan DeMasi. Also present were Brian Bradner and Shawn Harden from Dewberry, Linda Green from the Southern Virginia Regional Alliance, Antoni Matczak and Azam Khan, City of Danville interns, and Pittsylvania County Supervisor Ken Bowman.

Chairman William V. Ingram presided.

Mr. Tucker **moved** for adoption of a Resolution to name the connector road from the bypass in North Carolina, the Harville Saunders Parkway. The Motion was **seconded** by Mr. Vogler.

Mr. Ingram noted this item was brought up in 2022, by Resolution 2022-12-12-5C. In the spirit of remembering founding fathers of RIFA, Coy Harville and Sherman Saunders, RIFA passed a resolution to be sent to the Board of Supervisors since the road was in the County, in memory of those two gentlemen; the timing then wasn't right for a variety of reasons. The time was right now because the connector road, from what he understood, will be dedicated in October; the road comes off the bypass, swoops into Berry Hill and then goes south into North Carolina; it does not affect any residents. Today was a good day to bring this to the RIFA Board and have it sent to the Board of Supervisors; they have the agenda meeting tomorrow, and if they see fit, the Chairman and Vice Chair can send it to the full Board of Supervisors next Tuesday. Linda Green, Vice President of the Southern Virginia Regional Alliance explained that they have contacted the Lynchburg District Office to talk over what the processes would be on the naming. They were looking at the first or second week in October as the time they think they can do a ribbon cutting. They did want her to explain to the Board that it may or may not be completed at that point; the rain will control that, but there will be traffic on it even before the ribbon was cut, because that was required for them.

Ms. Green explained there were three different ways for a name on a sign; if both parties were deceased, it goes to the Lynchburg District Office, from the County, with a Resolution from the other two areas, RIFA and the City of Danville supporting that, then it was a CTB decision. If there was a living party, it goes to the General Assembly and the General Assembly has to put in legislation for the naming of the sign. In this case, it was different, and the recommendation was that the Board go ahead with a 911 sign, which can go straight through the County; they still may want to do a Resolution from the City and from RIFA to match the County Resolution. They can work with Ms. Bobe to set a date for the ribbon cutting. They originally targeted Buford Road where their work cover was; staff was going to request that they reconsider, if it meets the RIFA Board approval, and look at Lot 1, right at the T-intersection where people would be coming across. Ms. Green stated she requested a follow-

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up meeting with Mr. Rowe and Ms. Bobe; if anyone else wanted to be involved to let her know.

Mr. Vogler asked about a companion City Council resolution of support, and Mr. Larking noted he would share what was adopted last time with Ms. Green. Ms. Green stated the suggestion was that the County pass one, the City do one in support of the County's resolution and that RIFA do one also to show that all three bodies support this. Ms. Green stated she asked about the size of the sign, and they stated the Board could do whatever the County's ordinance allowed them to do. Mr. Dalton questioned if the County puts up the 911 sign now, wanted to move forward and send something to the General Assembly, what would they do, and Ms. Green stated they would just do a 911 sign.

Ms. Green noted a date has not been set, but it would be the first or second week in October, and Dr. Miller noted the end of the second week was the start of VML and the City members will be going to that. Mr. Vogler noted VML was October 13-15th. Ms. Green stated the CTB will organize this with the Lynchburg District Office.

The **Motion** was carried by the following vote:

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

PUBLIC COMMENT PERIOD

No one present desired to be heard.

APPROVAL OF MINUTES OF THE JULY 8, 2024, REGULAR MEETING

Upon **Motion** by Mr. Saunders and **second** by Mr. Tucker, Minutes of the July 8, 2024, Regular Meeting were approved as presented. Draft copies had been distributed to Authority Members prior to the Meeting.

NEW BUSINESS

5A. CONSIDERATION OF RESOLUTION 2024-08-12-5A AUTHORIZING AN UPDATE TO THE REGIONAL ECONOMIC DEVELOPMENT STRATEGIC PLAN

City Manager Ken Larking noted there were two items related to each other, the first one was a contract with Dewberry for their portion of a regional economic development plan; the total amount was \$136,500. The fees will be split with the Danville Regional Foundation paying one third and RIFA paying two thirds; this was something the Board had been talking about for many months. They have the 2019 Regional Economic Development Strategic Plan, and in this case, they want to break it up into two parts with two different consultants; the first was Dewberry doing mostly site analysis type work. Staff recommends RIFA approve this, and they expect to get one third paid for by the Danville Regional Foundation.

Mr. Saunders **moved** for adoption of Resolution 2024-08-12-5A, *a Resolution authorizing the Chairman of the Authority to commission an update to the Regional Economic Development Strategic Plan, the scope of which would, at a minimum, include updates to the 2019 Regional Economic Development Strategic Plan's key segments and evaluating new and evolving*

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economic development opportunities in the region, where the costs of such update will be split between Dewberry Engineers Inc., a New York Corporation, and Economic Leadership, L.L.C., a North Carolina Limited Liability Company, where fees for Dewberry's portion equals \$136,500.00 and where the Danville Regional Foundation will pay for \$45,045.00 of Dewberry's fees, resulting in total fees to be paid by the Authority equal to \$91,455.00.

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

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

5B. CONSIDERATION OF RESOLUTION 2024-08-12-5B AUTHORIZING THE CHAIRMAN TO COMMISSION AN UPDATE TO THE REGIONAL ECONOMIC DEVELOPMENT STRATEGIC PLAN

Mr. Larking explained this item was similar to the previous one, this was the second part of a Regional Economic Development Plan; this one was with Economic Leadership. Both Dewberry and Economic Leadership were part of the 2019 plan; Economic Leadership will be doing their portion of the plan and working in partnership with Dewberry. The total cost was \$154,500; the Danville Regional Foundation will pay for one third and RIFA would pay for the other two thirds.

Mr. Saunders **moved** for adoption of *Resolution 2024-08-12-5B a Resolution authorizing the Chairman of the Authority to commission an update to the Regional Economic Development Strategic Plan, the scope of which would, at a minimum, include updates to the 2019 Regional Economic Development Strategic Plan's key segments and evaluating new and evolving economic development opportunities in the region, where the costs of such update will be split between Dewberry Engineers Inc., a New York Corporation, and Economic Leadership, L.L.C., a North Carolina Limited Liability Company, where fees for Economic Leadership, L.L.C.'s portion equals \$154,500.00 and where the Danville Regional Foundation will pay for \$50,985.00 of Economic Leadership, L.L.C.'s fees, resulting in total fees to be paid by the Authority equal to \$103,515.00.*

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)

5E. FINANCIAL STATUS REPORTS AS OF JULY 31, 2024

Authority Treasurer Michael Adkins gave the Financial Status report as of July 31, 2024, beginning with the \$7.3M Bonds for Cane Creek which had no activity for July. Staff was still closing out Fiscal Year 2024, and the General Expenditures show RIFA paid the Institute \$459.48 for meals related to the June Board meeting, and monthly utilities to the City of Danville for \$128.39. Mr. Adkins noted he did not have to ask for any more funding at this point to cover administrative expenses, they have not quite used all of the funds that were approved last month. General Expenditures for Fiscal Year 2025 show \$52 in circuit court fees related to recording the second and third amendments to the Declaration of Restrictive

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Covenants for the Cyber Park, and \$45 in wire fees from Atlantic Union; those will be refunded as RIFA does qualify for free services including wires. Monthly maintenance fees to Sellars Brothers were \$4,890 for July, and Funding Other than Bonds for Berry Hill had one expenditure to Troutman Pepper Hamilton and Sanders of \$840 for legal services. Lot 4 Site Development, Lots 1 and 2 at Berry Hill, Water and Sewer at Berry Hill and Cyber Park Site Development had no activity for July. Rent Interest and Other Income for the current fiscal show RIFA received a lease payment from Capital Outdoor for \$2,000 for their Fiscal Year 2025 lease payment, and AEP paid \$4,500 for their lease payments. Miscellaneous Income included a transfer of funds from the County and the City for the new fiscal year for administrative expenses; each locality contributed \$125,000. RIFA also received the City's share of the bond debt service for this year, that was \$106,097.75. RIFA had recurring monthly expenses including the Hawkins' building maintenance paid to the Institute of \$23,342; there were pass through incentives bound for Morgan Olsen received from the County; one was a TROF grant, the other was tax rebates according to their incentive agreements. The TROF grant was \$770,775 and the tax rebates were just under \$105,000. Mr. Adkins noted the Unrestricted Fund Balance was listed as \$1.78M as of today; once they account for the Strategic Report and the Bat Study that was approved a few months ago, and the transportation study that was approved, that Unrestricted Balance was now just under \$1.3M, at \$1,297,998.

Mr. Vogler **moved** to accept the Treasurer's Report, 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)

6. CLOSED SESSION

At 12:31 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

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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.

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. Saunders and by unanimous vote at 2:13 p.m., the Authority returned to open meeting.

Mr. Tucker **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. Saunders and carried by the following vote:

VOTE: 3-0
AYE: Ingram, Tucker, Saunders (3)

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NAY: None (0)

8. COMMUNICATIONS

Mr. Dalton and Mr. Tucker thanked the entire team for their great work and a good meeting. Mr. Saunders thanked the Chairman, members of the board and staff, he appreciated all that they do. Mr. Ingram noted his agreement with the Board members and the great job they do, and expressed his gratitude to his colleagues for the resolution, for being willing to bring the naming of the connector road in memory of the late Coy Harville, and his friend Sherman Saunders who has been instrumental through the years. Mr. Saunders noted he was very humbled by this recognition.

Mr. Bradner thanked the board and staff for allowing them to serve. Mr. Rowe noted the Board took really big steps today both in the naming of the roadway and other decisions they have made.

Mr. Lippman noted the October meeting will need to be moved because of the holiday.

Meeting adjourned at 2:19 p.m.

APPROVED:

s/ William V. Ingram
Chairman

s/ Susan M. DeMasi
Secretary to the Authority