

DANVILLE-PITTSYLVANIA REGIONAL INDUSTRIAL FACILITY AUTHORITY

Minutes

June 9, 2025

A Meeting of the Danville-Pittsylvania Regional Industrial Facility Authority convened at 12:08 p.m. on the above date at the Institute for Advanced Learning and Research, 150 Slayton Avenue, Room 207, Danville, Virginia. Present were City of Danville Members Chairman J. Lee Vogler, Jr., Sherman M. Saunders and Alternate Dr. Gary P. Miller. Pittsylvania County Members present were Vice Chairman William V. Ingram, Robert Tucker and Alternate Darrell Dalton.

City/County staff members attending were: City Manager Ken Larking, Interim County Administrator Dave Arnold, Authority Treasurer Michael Adkins, City of Danville Accountant Meredith Franklin, City of Danville Director of Public Works Rick Drazenovich, Pittsylvania County Director of Finance Kim Van Der Hyde, Pittsylvania County Treasurer Vincent Shorter, City of Danville Director of Economic Development Corrie Bobe – via zoom, City of Danville 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 and Joseph Snead from Dewberry, Linda Green from SVRA, Pittsylvania County Supervisor Ken Bowman, and Danville City Council Member Madison Whittle.

Also present were: JC Sells, CFO of the Danville Regional Foundation, Paul Erwin, Chairman of the Danville Regional Foundation Board, and Dr. Powell, President of Averett University.

Chairman J. Lee Vogler, Jr. presided.

PUBLIC COMMENT PERIOD

No one present desired to be heard.

APPROVAL OF MINUTES OF THE MAY 12, 2025, REGULAR MEETING

Upon **Motion** by Mr. Ingram and **second** by Mr. Saunders, Minutes of the May 12, 2025, Regular Meeting were approved as presented. Draft copies had been distributed to Authority Members prior to the Meeting.

NEW BUSINESS

5A. CONSIDERATION OF RESOLUTION 2025-06-09-5A APPROVING PLANS FOR BLOCK RETAINING WALLS NEAR THE ATDM BUILDING IN THE CYBER PARK

City Manager Ken Larking explained that part of RIFA's responsibility was to approve things within the park; this was for a retaining wall that will be in front of the ATDM building. According to Renee Burton, Division Director of Planning, this was within the requirements of the covenants, and she recommends the Board approve what has been presented. Legal Counsel to the Authority Michael Guanzon noted RIFA serves as the architectural review committee for the Cyber Park, and this was for them to approve the requirements of the restrictive covenants on the property. It also has to comply with the City Zoning Ordinance, and Ms. Burton indicated it was compliant with both.

DANVILLE-PITTSYLVANIA REGIONAL INDUSTRIAL FACILITY AUTHORITY

Minutes

June 9, 2025

Mr. Saunders **moved** for adoption of *Resolution 2025-06-09-5A, a Resolution approving the proposed plans and specifications for improvements to certain real property owned by the Authority (PIN 76441) in the Authority's Cyber Park Project located in Danville, Virginia, for the installation of three (3) segmental block retaining walls near the entrance of the Accelerated Training in Defense Manufacturing building by the City of Danville's Department of Community Development.*

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)

5B. CONSIDERATION OF RESOLUTION 2025-06-09-5B AUTHORIZING AN AMENDMENT TO THE MITIGATION AGREEMENT WITH HGS, LLC

Pittsylvania County Director of Economic Development Matt Rowe explained this item was to extend the RES contract for the mitigation for an additional month, in the amount of \$1,000.

Mr. Tucker **moved** for adoption of *Resolution 2025-06-09-5B, a Resolution authorizing the Authority to negotiate an amendment to that certain Mitigation Agreement dated as of January 31, 2025, between the Authority and HGS, LLC, a wholly-owned subsidiary of Resource Environmental Solutions, LLC, a Louisiana Limited Liability Company, to extend the term until July 31, 2025 for a maximum extension payment of \$1,000.00, in connection with Resolution No. 2024-11-13-5D.*

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)

5C. CONSIDERATION OF RESOLUTION 2025-06-09-5C APPROVING AMENDMENT #42 WITH DEWBERRY ENGINEERS

Mr. Rowe explained Item (a) of this Resolution was to amend the property bounds of the Oak Hill property that RIFA recently purchased to encompass the new re consolidated cemetery area, along with the existing cemetery feature on Lot 10 at the Megasite, as well as an additional smaller cemetery feature on Lot 11 of the Megasite. By doing so, it allows RIFA to put those two important features onto the property RIFA just purchased to ensure that it was outside the Megasite bounds and they were protected in perpetuity; this item was to approve Dewberry doing that work. In addition, every two years, in order for RIFA to stay up to date on the threatened and endangered species requirements, they have to redo the fresh water fish and mussel survey. In the past, they have not found any of the species on site or the habitat of these species, but they still have to check, and this was coming due. The final item was the vegetative buffer relocation; there was a strip of about 75' that has now been reduced significantly due to the powerlines and roadway expansion. With RIFA having acquired the Oak Hill Plantation Property, the plan was to engage with the Virginia Department of Environmental Quality, the Virginia Department of Historical Resources and the Corp to get

DANVILLE-PITTSYLVANIA REGIONAL INDUSTRIAL FACILITY AUTHORITY

Minutes

June 9, 2025

that buffer placed on the property RIFA just purchased, which frees up RIFA property from that encumbrance.

Mr. Ingram moved for adoption of Resolution 2025-06-09-5C, a Resolution approving Amendment No. 42, dated June 3, 2025, with Dewberry Engineers Inc., a New York corporation, for professional engineering and construction administration services for: (a) Lots 1, 10 and 11 in the Authority's Southern Virginia Megasite at Berry Hill Project, located in Pittsylvania County, Virginia, and real property owned by the Authority adjacent to the Southern Virginia Megasite at Berry Hill Project containing approximately 289.47 acres (GPIN 1366-12-5834), commonly known as Berry Hill Rd/863 Dan River-Oak Hill Tr.; (b) freshwater fish and mussel surveys; and (c) vegetative buffer relocation, for a lump sum fee of \$121,370.00.

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)

5D. CONSIDERATION OF RESOLUTION 2025-06-09-5D AUTHORIZING THE PROPOSAL FOR SIGN RELOCATION FROM SIGN ENTERPRISE AT SVM AT BERRY HILL

Mr. Rowe noted this item was to relocate the sign where the existing US 311 corridor was being expanded from two lanes to four lanes. This was part of the agreement RIFA had with the Virginia Department of Transportation where RIFA would need to relocate that sign. These funds would be expended by RIFA for the sign relocation and then reimbursed from VDOT; RIFA has already received \$30,500 as an upfront payment from VDOT.

Mr. Saunders moved for adoption of Resolution 2025-06-09-5D, a Resolution authorizing the negotiation, execution and delivery of a proposal for sign relocation services from Sign Enterprise Inc., a Virginia corporation, where Sign Enterprise Inc. will provide sign relocation services at the Authority's Southern Virginia Megasite at Berry Hill, located in Pittsylvania County, Virginia, for a fee not to exceed \$70,096.60, where the Virginia Department of Transportation will reimburse the Authority in an amount equal to \$70,096.60, a portion of which has already been delivered to the Authority, in connection with Resolution No. 2024-07-08-5C.

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. CONSIDERATION OF RESOLUTION 2025-06-09-5E AUTHORIZING DISBURSEMENT OF FUNDS FOR CEMETERY REBURIAL AND DESIGN SERVICES

Mr. Rowe noted this was the actual reburial cost for the reconsolidated cemeteries, for vaults, urns, the grave digging fee, and storage fee; this also includes a significant contingency cost. They were looking at about \$199,000 in fees for reburying the 264 remains. The highest value

DANVILLE-PITTSYLVANIA REGIONAL INDUSTRIAL FACILITY AUTHORITY

Minutes

June 9, 2025

was based upon the assumption that the remains would be buried in individual vaults for individual remains which has been consistently requested by the families. Also, at the direction of the administrator and the manager, staff looked at the least expensive option which would be mass vaults and that would be about \$25,500. It was staff's recommendation to approve up to this amount and if the Board directs, staff can go back to the families to let them know this was the value of doing it individually and the value of doing it in the mass vaults. RIFA has a set budget, if they choose the mass vaults, it frees up more money to do more unique things in the cemetery itself. If they choose to go the other way, they will explain how that impacts the overall budget of the project. Mr. Rowe noted the final step they were working on now was getting the actual cemetery plots and concepts done with KEi Architects. They were on site this week, and they were moving through the process. If this was approved, the bodies would start being reinterred almost immediately.

Mr. Saunders noted at the last meeting they had a guest attending regarding the cemetery and Mr. Saunders questioned if they were still moving forward together, was there an update on that. Mr. Rowe stated when they had the meeting bringing in the KEi architects last week, they invited the families as well, including representatives of the Hairston family, Ms. Adams, and a family member from California as well. Staff did not hear anything that was negative; the individual that addressed the board at the last meeting actually made a comment that they need to be understanding that the resources of RIFA were finite and RIFA was trying to do the right thing. Mr. Rowe noted to Mr. Saunders that the family can certainly come and share something they were not happy about that the staff was not aware of. Dr. Miller questioned if the families were on the same page and Mr. Rowe noted it appeared to him that was the case. Staff gave the families the entire day and everybody seemed to be in agreement.

Mr. Tucker **moved** for adoption of *Resolution 2025-06-09-5E, a Resolution authorizing the disbursement of up to \$200,000.00, for cemetery reburial and design services as part of the further development of the Authority's Southern Virginia Megasite at Berry Hill, located in Pittsylvania County, Virginia, in connection with Resolution Nos. 2024-10-16-5A and 2025-04-14-5C.*

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)

5F. FINANCIAL STATUS REPORTS AS OF MAY 31, 2025

Authority Treasurer Michael Adkins gave a brief Financial Status report as of May 31, 2025, noting RIFA paid their normal monthly invoices. They paid Jones Lang LaSalle \$65,000 for continued work on the market assessment, and paid the first interest payment on the loan that was taken out for the purchase of the Hairston property. RIFA received the expected income this month including another payment for Project Orange, and paid Dewberry \$17,000 for the Regional Economic Development Strategic Plan.

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

DANVILLE-PITTSYLVANIA REGIONAL INDUSTRIAL FACILITY AUTHORITY

Minutes

June 9, 2025

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

5G. FISCAL YEAR 2026 GENERAL EXPENDITURES BUDGET

Mr. Adkins noted each year they pass a fiscal year budget for the upcoming year. The biggest changes this year include cost increases, so they have to increase the budget. The funding from the City and County remains flat at \$125,000 from each locality. Staff increased legal fees more to what they experienced over the past few years; that varies widely based on the amount of prospect activity they have. The contract with Sellars Brothers for recurring maintenance at Cane Creek and the Megasite went up recently so that was incorporated into next year's budget. Staff was anticipating needing about \$96,365 from the Unrestricted Fund Balance if these expenditures come to fruition. There were very minimal increases and decreases on other line items.

Mr. Saunders **moved** to accept the Fiscal Year 2026 General Expenditure Budget as presented. 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 12:25 p.m. Mr. Ingram **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

DANVILLE-PITTSYLVANIA REGIONAL INDUSTRIAL FACILITY AUTHORITY

Minutes

June 9, 2025

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 1:35 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. Dalton and carried by the following vote:

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

DANVILLE-PITTSYLVANIA REGIONAL INDUSTRIAL FACILITY AUTHORITY

Minutes

June 9, 2025

8. COMMUNICATIONS

Board members noted it was a good meeting and commended the staff for the work they all do; they have an amazing team and were doing great things for the region.

Meeting adjourned at 1:38 p.m.

APPROVED:

s/ J. Lee Vogler, Jr.

Chairman

s/ Susan M. DeMasi

Secretary to the Authority