

DANVILLE-PITTSYLVANIA REGIONAL INDUSTRIAL FACILITY AUTHORITY  
Minutes  
March 10, 2014

The Regular Meeting of the Danville-Pittsylvania Regional Industrial Facility Authority convened at 12:19 p.m. on the above date in the Danville Regional Airport Conference Room, 424 Airport Drive, Danville, Virginia. Present were City of Danville Members Vice Chairman Sherman M. Saunders, Fred O. Shanks, III and Alternate J. Lee Vogler. Pittsylvania County Members present were Chairman Coy E. Harville, James Snead and Alternate Brenda H. Bowman.

City/County staff members attending were: Deputy City Manager Ken Larking, Assistant County Administrator for Planning & Development Gregory Sides, Governmental Affairs Consultant Linwood Wright, City of Danville Finance Director/Authority Treasurer Barbara Dameron, Division Director of Planning Ken Gillie, Governmental Affairs Consultant Linwood Wright, City of Danville Senior Accountant Patricia Conner, Project Manager Corrie Teague, Clement & Wheatley Attorney Michael Guanzon and Secretary to the Authority Susan DeMasi.

Also present was Dewberry and Davis Project Manager Shawn Harden.

**PUBLIC COMMENT PERIOD**

No one present desired to be heard.

**APPROVAL OF MINUTES FOR THE FEBRUARY 10, 2014 MEETING**

Upon **Motion** by Mr. Snead and **second** by Mr. Shanks, Minutes of the February 10, 2014 meeting were approved as presented.

Draft copies had been distributed to Authority Members prior to the Meeting.

**MOVE ITEM 5 C ON THE AGENDA**

Mr. Harville noted there would be a change in the order of the Agenda, with Item 5C to be heard first.

**5C. – CONSIDERATION – RESOLUTION 2014-03-10-5C – APPROVING REQUEST FROM CBN SECURE TECHNOLOGIES**

Division Director of Planning Ken Gillie explained a gazebo was constructed in the Cyber Park at CBN. The covenants for the Cyber Park require approval before construction but there was some miscommunication. There are three sections of the covenants that CBN needs to get approval on: Section 5.1 and Appendix 1.0, Sections 1 and 3. Jason Arends from CBN explained the gazebo was put up as part of their expansion last year and meant as a place for their employees. An outside contractor erected it and did not understand they needed approval. CBN would like to correct this and explained there is a landscape design that will help hide the structure more from the road. Mr. Gillie noted if the Board recommends approval, the next step would be for CBN to appear before the Board of Zoning Appeals to ask for a variance for the location.

Mr. Shanks **moved** adoption of a Resolution 2014-03-10-5C, *approving a request from CBN Secure Technologies, Inc., a Florida corporation, to approve (i) a shelter installed at its*

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*facility located in the Authority's Cyber Park project, at 350 Stinson Drive, Danville, Virginia, and (ii) a plan to install certain landscape screening for that shelter [No written resolution.]*

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

VOTE: 4-0  
AYE: Harville, Snead, Saunders, Shanks (4)  
NAY: None (0)

**5A. CONSIDERATION – RESOLUTION 2014-03-10-5A TO SUPPORT RESOLUTION 2014-02-10-5A ON THE RELOCATION OF CERTAIN UTILITY EASEMENTS – CANE CREEK**

Mr. Shanks stated the Board passed a Resolution for this at the last meeting and Mr. Harville noted the issue of cost had not been brought up at that meeting and does not believe the board had been properly informed on the situation.

Project Manager Corrie Teague explained Utilities at this time is upgrading that transmission line along 58 that goes through Cane Creek Park. Part of this upgrade includes services to Cane Creek; RIFA does need to relocate that line. That is an additional expense to Danville Utilities who is moving it at RIFA's request and is why the cost is being brought to RIFA. It is important to relocate that line to fully utilize that lot. If RIFA decides to expand Cane Creek Centre to the east, that line would need to be relocated. Doing it now while Danville Utilities is upgrading the line will be less costly to RIFA. Ms. Teague explained that the existing line is right on the line of the property and if RIFA decides to convert that into one lot versus two separate lots that line would need to be relocated. Mr. Guanzon explained RIFA has a Revenue Sharing Agreement and if jointly owned RIFA property is to be improved, that would be split between the City and the County. Staff has, when there are expenses that are high dollar, made sure that they have everyone's approval on the Board.

Mr. Drazenovich noted the survey indicates the line is 1800' long, it is located 300' west of Cane Creek Boulevard. Mr. Gillie noted the location on a map to Board members showing that the line is currently running almost through the middle of a potential lot. Mr. Sides explained that a City map shows a layout for a building that would fit on the lot as it is now but when you combine the property to the east, you can see that the building would have to be broken up or re-align parking because of the 100' power line easement that cannot be developed.

Mr. Snead **moved** adoption of Resolution 2014-03-10-5A, to support Resolution No. 2014-02-10-5A on the relocation of certain utility easements into the Authority's Cane Creek Centre project, and to approve the estimated costs of (i) engineering services from UC Synergetic, LLC (formerly, Pike Energy Solutions LLC), a North Carolina limited liability company, at a cost of \$17,950.00, and (ii) survey services from Dewberry Engineers, Inc., a New York corporation, at a cost of \$9,000.00, which costs shall be made subject to that certain Agreement for Cost Sharing and Revenue Sharing between the City of Danville, Virginia, and Pittsylvania County, Virginia, dated October 2, 2001, and as further amended November 6, 2008.

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

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VOTE: 4-0  
AYE: Harville, Snead, Saunders, Shanks (4)  
NAY: None (0)

**5B. FINANCIAL STATUS REPORT AS OF FEBRUARY 28, 2014**

Authority Treasurer Barbara Dameron noted there were only a few expenditures for the month of February beginning under Bonds for Cane Creek Centre, RIFA expended \$280 for Wetland Monitoring. The General Expenditures show the movement in the Budget column of \$1800 from Contingency to Meals and \$550 in Legal, \$233 for Meal Expense and \$26 expended for Utilities. Under Berry Hill Mega Park is Wetlands Studies and Solutions for \$3,758. Rent, Interest and Other Income Realized shows rent received from February and an expenditure of \$9,383 for Administrative Fees for the Hawkins' Building.

Mr. Harville questioned Demolition Services if any of the recently purchased properties have been razed and Ms. Dameron explained that amount reflects old demolitions and the budget on that item has been expended.

Mr. Shanks **moved** to approve the Financial Report as of February 28, 2014 as presented. The Motion was **seconded** by Mr. Snead and carried by the following vote:

VOTE: 4-0  
AYE: Harville, Snead, Saunders, Shanks (4)  
NAY: None (0)

**6. CLOSED SESSION**

*Chairman Harville noted that 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.** At 12:43 p.m., Mr. Snead **moved** that the Meeting of the Danville-Pittsylvania Regional Industrial Facility Authority be recessed in a Closed Meeting as permitted by Section 2.2-3711(A)(3) of the Code of Virginia, 1950, as amended, for discussion or consideration of the disposition of real property for a public purpose to develop the Authority's Cane Creek Centre project, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Authority; and

**B.** As permitted by Section 2.2-3711(A)(5) of the Code of Virginia, 1950, as amended, for discussion concerning a prospective business or industry where no previous announcement has been made of the business' or industry's interest in locating its facilities in the Authority's Cane Creek Centre project or Mega Park project.

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

VOTE: 4-0  
AYE: Harville, Snead, Saunders, Shanks (4)  
NAY: None (0)

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On **Motion** by Mr. Snead and **second** by Mr. Shanks and by unanimous vote at 1:09 p.m., the Authority returned to open meeting.

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

WHEREAS, the Authority convened in Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia, 1950, as amended, requires a Certification by the Authority that such Closed Meeting was conducted in conformity with Virginia Law;

NOW, THEREFORE, BE IT RESOLVED that the Authority hereby certifies that, to the best of each Member's knowledge, (i) only public business matters lawfully exempted by 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 the Authority.

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

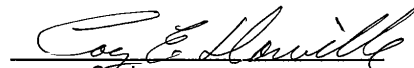
VOTE: 4-0  
AYE: Harville, Snead, Saunders, Shanks (4)  
NAY: None (0)


**COMMUNICATIONS**

Mr. Snead noted that a few months ago the RIFA Board had asked staff to give a report on U.S. Green Energy. Mr. Wright noted at the next meeting he will give an update.

There were no other communications from Board Members or Staff.

MEETING ADJOURNED AT 1:13 P.M.

  
Chairman

  
Secretary to the Authority