

# *Danville-Pittsylvania Regional Industrial Facility Authority*

## *Minutes*

*April 12, 2010*

The Regular Meeting of the Danville Pittsylvania Regional Industrial Facility Authority convened at 12 o'clock Noon on the above date in the Conference Room of the Dan River Business Development Center located at 300 Ringgold Industrial Parkway. Present were City of Danville Members Vice-Chairman/Secretary-Treasurer Sherman Saunders, David Luther, Alternate Fred Shanks and Pittsylvania County Members Chairman Coy Harville and Hank Davis.

City/County staff members attending were: Danville Interim City Manager Joe King, Pittsylvania County Administrator Dan Sleeper, Pittsylvania County Assistant Administrator Otis Hawker, Danville Economic Development Director Jeremy Stratton, Pittsylvania County Economic Development Director Ken Bowman, Danville Finance Director Barbara Dameron, Danville Senior Accountant Amy Merricks, Clement and Wheatley Attorney Michael Guanzon, and Danville Executive Secretary Tiffany Harris. Danville Economic Development Consultant Linwood Wright was also present.

Chairman Harville called the Meeting to order.

### **APPROVAL OF MARCH 8, 2010 & MARCH 30, 2010 MINUTES**

Upon **Motion** by Mr. Davis and second by Mr. Saunders, minutes of the March 8, 2010 Meeting and the March 30, 2010 Special Called Meeting were approved as presented. Draft copies had been distributed to Authority Members prior to the meeting.

### **MEGA PARK PHASE I WATER LINE PROJECT PRESENTATION**

Mr. Sleeper advised that the County has reviewed plans with Dewberry to reduce the proposed water line running along Berry Hill Road from Hwy. 58 to the Mega Park site from a sixteen inch line to a twelve inch line. Mr. Sleeper explained the location of the proposed water tanks for Phase II of the project. He explained that during Phase II there will be a sixteen inch water line installed between the two water tanks creating a loop through the Mega Park site so that the entire site will be served by a sixteen inch water line. Mr. Sleeper explained that inside the park a sixteen inch line is needed in order to handle the fire flow.

### **MEGA PARK DEVELOPMENT STRATEGY**

Mr. King advised that Governor McDonnell has budgeted \$5 million for an undesignated Mega-Site. Mr. King explained that staff from Economic Development attended a meeting with Lt. Governor Bolling who indicated that the Governor's preference was to use the funds to help further development of a mega site at one location. Mr. King explained that there have been suggestions of spreading the proposed funding the Tobacco Region. He stated that the source of the funding is the Tobacco Commission. Mr. King explained that staff has met with Dewberry and has been advised to develop a plan to show how the proposed funds could be used to support the Mega Park. Mr. King stated that the goal of a plan would be to show that the Mega Park site is "shovel ready."

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Mr. King explained that in order to certify that the site is “shovel ready,” RIFA should develop a formal proposal to conduct a full environmental assessment of the Mega Park; complete preliminary engineering designs for utility services and roadways; secure road and utility easements; complete permitting processes; and undertake associated public information and involvement activities.

Mr. Harville stated that he is in agreement with the development of a formal proposal to use the funding. Mr. Harville suggested having a Work Session to discuss the development strategy of the Mega Park and to expedite a request to the Governor and to the Tobacco Commission.

Mr. Luther **moved** acceptance to adopt a Mega Park Development Strategy as outlined in the memorandum from Interim City Manager Joe King which includes a request to the Governor and the Tobacco Commission for funding from the Mega-Site Fund. The Motion was seconded by Mr. Davis and carried unanimously. A copy of the memorandum from Joe King had been distributed to Authority Members prior to the meeting and was included in the agenda packets.

### **DEVELOPMENT AND DISSEMINATION OF RIFA AGENDAS AND SUPPORTING REPORTS**

Mr. King explained that the City Manager’s Office is responsible for distributing the RIFA agenda materials. He suggested refinements in the process to make sure the materials are complete and ready for distribution in a timely manner. He stated that it is being proposed that the agenda be distributed on the Wednesday before the Monday meeting as opposed to the Friday before the Monday meeting. Mr. King explained that the County Administrator, Dan Sleeper, would coordinate collecting input from Pittsylvania County staff and Board members and the City Manager would coordinate collecting input from City staff and Board members to be added to the agenda.

Mr. Harville agreed that a formal process to prepare the RIFA agenda is needed.

Mr. King advised that at the next meeting, a new process will be presented to the Board on how the agenda will be made available to Board members and the public.

Mr. Harville requested the RIFA Attorney review the bylaws so that it is clear if items can be added to the agenda during a meeting and how many board members must be present to add items to the agenda during a meeting.

Mr. Saunders also requested that the RIFA Attorney review the bylaws to be sure that public notice requirements and timeframes are addressed as well.

### **MONTHLY FINANCIAL REPORT**

Mr. Harville called attention to the Monthly Financial Report that had been distributed to Members prior to the Meeting. Members were asked to direct any questions to Barbara Dameron.

Mr. Davis **moved** acceptance of the Financial Report as presented. The Motion was seconded by Mr. Luther and carried unanimously.

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**CLOSED MEETING**

At 12:34 P.M. Mr. Harville recognized Mr. Davis who **moved** the meeting be recessed and the Authority immediately convene in Closed Meeting for discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business or industry's interest in locating or expanding its facilities in the community as permitted by Subsection (A) (5) of Section 2.2-3711 of the Code of Virginia, 1950, as amended and for consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body regarding specific legal matters requiring the provision of legal advise by such counsel of as permitted by Subsection (A) (7) of Section 2.2-3711 of the Code of Virginia, 1950, as amended. The Motion was seconded by Mr. Saunders and carried unanimously.

Upon unanimous vote, at 12:48 P.M. the Authority returned to open meeting and Mr. Davis **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 confirmity 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 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. Luther and carried by the following vote:

VOTE: 4-0  
AYE: Davis, Harville, Luther, and Saunders (4)  
NAY: None (0).

The Meeting adjourned at 12:51 P.M.

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Chairman

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Clerk to the Authority