

DANVILLE-PITTSYLVANIA REGIONAL INDUSTRIAL FACILITY AUTHORITY
Minutes
August 13, 2012

The Regular Meeting of the Danville-Pittsylvania Regional Industrial Facility Authority convened at 12:13 p.m. on the above date in the Danville Regional Airport Conference Room, 424 Airport Drive, Danville, Virginia. Present were City of Danville Members Chairman Sherman M. Saunders, Fred O. Shanks, III and alternate J. Lee Vogler. Pittsylvania County Members present were Vice Chairman Coy E. Harville, James Snead and Alternate Jessie L. Barksdale.

City/County staff members attending were: City Manager Joe King, County Administrator Dan Sleeper, Danville Finance Director/Authority Treasurer Barbara Dameron, Pittsylvania County Director of Economic Development Ken Bowman, Assistant County Administrator for Planning & Development Gregory Sides, City of Danville Director of Economic Development Jeremy Stratton, City of Danville Project Manager Corrie Teague, Public and Governmental Affairs Consultant Lynwood Wright, City of Danville Senior Accountant Patricia Conner, Clement and Wheatley Attorney Michael Guanzon, and Secretary to the Authority Susan DeMasi.

Chairman Saunders called the Meeting to order.

PUBLIC COMMENT PERIOD

No one desired to be heard.

APPROVAL OF JULY 9, 2012 MINUTES

Upon **Motion** by Mr. Snead and **second** by Mr. Shanks, Minutes of the July 9, 2012 Meeting were approved, as presented. Draft copies had been distributed to Authority Members prior to the Meeting.

NEW BUSINESS

5A. FINANCIAL REPORT AS OF JULY 31, 2012 – BARBARA DAMERON, AUTHORITY TREASURER

Ms. Dameron reviewed the financial report noting in July, the Board had \$76,000 in expenditures and \$26,555 in revenues. Under the Cane Creek Bonds, \$340 to Clement & Wheatley for a subdivision of a plat. Under General Expenditures for 2012, \$27,000 to the general contractor for the demolition of the Cyber Park property and \$5,129 to Clement & Wheatley for general items and also included are some other items such as the Berry Hill leases and Dewberry Contracts. General Expenditures for FY 2013 included \$4,380 for materials needed for the Berry Hill Road, \$5,000 for the Brown, Edwards audit and meals for meetings. For the Cane Creek Center, Lots 3 and 9, \$38,050 for change order #4 which was for the Rip Rap installations in the ditches at Lot 9. Under Rent, Revenue and Other Income, the board received \$25,755 from the Institute for the Charles Hawkins building, \$17,000 of that related to the June of last year, \$8,500 for July; \$300 for Securitas and \$500 for Axxor.

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Vice Chairman Harville questioned the \$2,800 for Steven and Susan Wilson for the Hughes Home and asked if this was rent. Ms. Connor noted they were prior lessees of this property, and this was rental income. Ms. Dameron noted this report is cumulative and Ms. Connor explained they were keeping up with the revenues from the beginning; this report can be modified to show only more current transactions. Mr. Harville asked if Axxor was still active and Ms. Connor noted that Axxor's lease terminates on August 31, 2012.

Mr. Snead asked Ms. Dameron was it possible to have a report that showed only the current expenditures, and especially income. Ms. Dameron noted they could provide a monthly report that showed more detail.

Mr. Harville **moved** to approve the Financial Report as of July 31, 2012. The Motion was **seconded** by Mr. Snead and approved by the following vote:

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

6A. and B. CLOSED SESSION

Chairman Saunders noted that during closed session all matters discussed will involve receiving advice from legal counsel, and as such all communications during the closed session shall be considered attorney-client privileged.

At 12:22 p.m., Mr. Harville **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 (the "Virginia Code"), for discussion or consideration of the acquisition of real property for the public purpose of enhancing the economic base of the Authority's member localities, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Authority; and as permitted by Section 2.2-3711(A)(7), for consultation with the Authority's legal counsel, Clement & Wheatley, and briefings by the Authority staff or consultants pertaining to probable contract litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the Authority. "Probable litigation" means litigation on which the Authority and its legal counsel have a reasonable basis to believe will be commenced against a known party.

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

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

Mr. Harville **moved** to make a correction, and noted that under Item A there was another Code Section which he would like included in his Closed Meeting motion:

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As permitted by Section 2.2-3711(A)(5) of the Code of Virginia, 1950, as amended, for discussion concerning a prospective business where no previous announcement has been made of the business' interest in locating its manufacturing and/or assembly facilities in Pittsylvania County, Virginia;

Mr. Harville asked that this item be included in his motion. Mr. Snead, as second, agreed to include this item in his **second** of the original motion.

The **addition to the motion** was carried by the following vote:

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

Mr. King noted that upon **Motion** by Mr. Harville and **second** by Mr. Snead, and by unanimous vote at 1:00 p.m., the Authority returned to open meeting.

Mr. Harville **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 and Shanks (4)
NAY: None (0)

COMMUNICATIONS

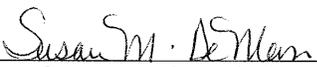
Mr. Harville questioned if the demolition of the buildings was complete. Corrie Teague noted that the Cane Creek House has not been completed, but the contractor has until the 24th to finish everything.

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Mr. Harville noted that in reference to Kenneth Martin from VDOT and the Cane Creek Center, Mr. Martin told Mr. Harville that he spoke with Ric Drazenovich, and that things are working well with VDOT looking after that. VDOT is also going to try to do some spraying along the guardrails to prevent the growth of grass to keep it looking good.

MEETING ADJOURNED AT 1:04 P.M.


Chairman


Secretary to the Authority