

# *Danville-Pittsylvania Regional Industrial Facility Authority*

## *Minutes*

*May 10, 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 Member Chairman Coy Harville and Alternate Fred Ingram.

City/County staff members attending were: Danville 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, Pittsylvania County Assistant Administrator for Planning Greg Sides, Danville Finance Director Barbara Dameron, Pittsylvania County Finance Director Kim Van Der Hyde, Danville Senior Accountant Amy Merricks Chandler, Clement and Wheatley Attorney Michael Guanzon, Clerk to the Authority Annette Crane, and Danville Executive Secretary to the City Manager Tiffany Harris.

Nancy Barbour Smith as also present.

Chairman Harville called the Meeting to order. Mr. Harville congratulated Mr. King on his recent appointment as Danville City Manager.

### **APPROVAL OF APRIL 12, 2010 MINUTES**

Upon **Motion** by Mr. Saunders and second by Mr. Ingram, Minutes of the April 12, 2010 meeting were approved as presented. Draft copies had been distributed to Authority Members prior to the meeting.

### **INCLUSION OF 240 FACTORY LANE INTO CANE CREEK CENTRE**

Mr. Sleeper recalled that there was a road planned between Lots 1 and 2 in Creek Center, but was not constructed due to other costs involved in the development of the park. It had been included in the master plan and would have cost \$525,000 to build. Attorney Michael Guanzon advised that in order to include 240 Factory Lane into Cane Creek Centre, amendments to the master plan to give road access to the requester, J. L. Prak of Cruciger L.P., were necessary and approval by 65% of surrounding property owners would have to occur. It was the consensus of RIFA members that further review was needed.

Mr. Ingram **moved to table** consideration of the inclusion of 240 Factory Lane into Cane Creek Centre. The Motion was seconded by Mr. Luther and carried unanimously.

### **COVENANTS FOR THE MEGA PARK**

Mr. Sleeper distributed the existing restrictive covants for Cane Creek to board members. He asked that RIFA members review the documents. He said since the Mega Park was different from Cane Creek, he asked that consideration be given to what kind of restrictions were necessary at Berry Hill

# *Danville-Pittsylvania Regional Industrial Facility Authority*

## *Minutes*

*May 10, 2010*

for discussion at the next meeting. The guidelines and restrictions are needed prior to a company locating there.

No action on this matter was necessary, but it was suggested that consultants might be brought in to take a look at the park

### **APPROVAL OF HUNTING LEASES FOR MEGA PARK**

Upon **Motion** by Mr. Ingram and second by Mr. Saunders, the agenda was amended to include an additional hunting club lease. The Motion carried unanimously.

Mr. Harville recalled the hunting leases were inherited when the Mega Park property was purchased. The Guilford Whitetail Management Hunting Club leased land last year and expires on May 17, 2010. Mr. Harville said that lease fee would be increased from \$2,000 to \$4,500. The Oak Hill Hunting Club also seeks to renew its lease. Both leases would expire on May 17, 2011. Should the leases need to be voided for any reason, the lease fees would be prorated. In response to Mr. Shanks, Mr. Harville advised the lessees are required to have a \$100,000 policy.

Mr. Ingram **moved** to refer the matter to legal counsel and consider formal action during the next meeting.

There was a discussion about insurance related to the leases. In response to Mr. Saunders, Attorney Guanzon said given the fact that firearms would be used, he would recommend \$1,000,000 insurance per incident with a limit of \$3,000,000 with the Authority as an additional insured.

Mr. Ingram restated his **motion** to refer the matter to legal counsel to draft the lease containing the \$1,000,000 insurance requirements with a limit of \$3,000,000 with the Authority as an additional insured and authorize the Board Chairman to execute the documents, with the Chairman having the option to adjust the lease fees. Mr. Saunders seconded the Motion.

Mr. Shanks inquired about the lease fees for the two clubs.

Mr. Ingram **amended** the motion to include lease fees for Oak Hill Hunting Club at \$4,000 annually and Guilford Whitetail Management Hunting Club at \$4,500 annually. Mr. Luther seconded the Motion. The original motion, as amended, carried unanimously.

### **EXTEND AUDIT CONTRACT WITH BROWN, EDWARDS AND COMPANY**

Danville Finance Director Barbara Dameron advised Brown, Edwards and Company had reduced its fee for 2010 to from \$18,500 to \$18,000 and \$18,750 for 2011. The contract also contains a clause to add \$1,500 should a single audit for federal grants be necessary. She said the current contract expired at the end of FY 2009 and the Request for Proposals and the procurement regulations allows RIFA to extend the contract for up to two fiscal years.

# *Danville-Pittsylvania Regional Industrial Facility Authority*

## *Minutes*

*May 10, 2010*

Mr. Ingram **moved** to extend the audit contract for FY 2010 and FY 2011. The Motion was seconded by Mr. Luther and carried unanimously.

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

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

City Manager Joe King advised that what is being proposed is that starting with the next RIFA meeting, the agendas will be placed on a new RIFA website to access the agenda material without having to email the packages. This will alleviate dealing with slow emails or not receiving an agenda because the recipients's box is full. Ms. Harris walked members and staff through the RIFA website that will be located on Danville's website. She advised the RIFA agendas and minutes would be accessible to the public from the website and would no longer be available via email. Ms. Harris distributed instructions for accessing "RIFA Members Only" content to board members. She explained the closed meeting items would not be in the regular meeting agendas, but would be in the "RIFA Members Only" access. RIFA members would access their agendas at that site. There will also be a site accessible to those staff members deemed appropriate by RIFA members. These sites require passwords to access. Should board or staff members change, passwords will be changed so that former members would not have access to the site.

Mr. Saunders asked if the County's website had the same access. Mr. King said the County did have information about RIFA on its website and the same type of access could be placed on that website as well. Mr. Harville asked Mr. Sleeper to follow up on the County's end.

Mr. Harville thanked Ms. Harris for the excellent presentation and said he thought the site would be useful in keeping the public informed about RIFA.

### **COMMUNICATIONS**

Mr. King stated staff members were working on a proposal for the Tobacco Commission and the Governor's office for the \$5,000,000 available for a Mega Park in Virginia. It is hoped RIFA will be the recipient of the funds to ensure the Mega Park is shovel-ready.

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The Meeting adjourned at 1:01 P.M.

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Chairman

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Clerk to the Authority