

Staunton River Regional Industrial Facility Authority

Pittsylvania County, Virginia
Town of Hurt, Virginia
City of Danville, Virginia

AGENDA

January 24, 2020

12:00 P.M.

Hurt Town Hall
533 Pocket Road
Hurt, Virginia 24563

County of Pittsylvania Members

Ben L. Farmer
Tim W. Dudley
Dr. Charles H. Miller, Alternate

Town of Hurt Members

Gary Poindexter, Vice Chairman
Steve Watson
Collin Adams, Alternate

City of Danville Members

Fred O. Shanks, III
Sherman M. Saunders
J. Lee Vogler, Jr., Alternate

Staunton River Regional Industrial Facility Authority

1. MEETING CALLED TO ORDER

2. ROLL CALL

3. PUBLIC COMMENT PERIOD

Members of the public who desire to comment on a specific agenda item will be heard during this period. The Chairman/Vice Chairman of the Authority may restrict the number of speakers. Each speaker must identify themselves and state their address, and each speaker shall be limited to a total of three minutes for comments. *[Please note that the public comment period is not a question-and-answer session between the public and the Authority.]*

4. APPROVAL OF MINUTES OF THE OCTOBER 4, 2019 MEETING

5. OLD BUSINESS

Report on Status of Development of Southern Virginia Multimodal Park – Matthew Rowe, Director, Economic Development, Pittsylvania County

6. NEW BUSINESS

A. ELECTION AND APPOINTMENT OF OFFICERS FOR CALENDAR YEAR 2020 – Jennifer H. Burnett, Esq., Clement Wheatley, Legal Counsel to the Authority

1. Election of Chairman from Town of Hurt Member Locality (see Bylaws, Article VI, paragraph 1)
2. Election of Vice Chairman from City of Danville Member Locality (see Bylaws, Article VI, paragraph 4)
3. Reappointment of Secretary from the Authority's staff – Hollye M. Keesee, Executive Assistant, Pittsylvania County, Virginia
4. Reappointment of Treasurer from the Authority's staff – Kim Van Der Hyde, Director of Finance, Pittsylvania County, Virginia

B. General Expenditures Reports as of October 31, 2019, November 30, 2019 and December 31, 2019 – Kim Van Der Hyde, Director of Finance, Pittsylvania County

C. Next Meeting Date/Time/Place

7. CLOSED SESSION

[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 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) 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

- B. 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 commonly known as the Southern Virginia Multimodal Park, in Hurt, Virginia, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Authority; and
- C. As permitted by Virginia Code § 2.2-3711(A)(5) 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; and
- D. As permitted by Virginia Code §§ 2.2-3711(A)(7) and 2.2-3711(A)(8) 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, and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel.

RETURN TO OPEN SESSION

- E. Confirmation of Motion and Vote to Reconvene in Open Meeting
- F. Motion to Certify Closed Meeting

8. COMMUNICATIONS FROM:

- Authority Staff
- Authority Board Members

9. ADJOURN

STAUNTON RIVER REGIONAL INDUSTRIAL FACILITY AUTHORITY

Minutes

October 4, 2019

The regular meeting of the Staunton River Regional Industrial Facility Authority was convened at 12:00 p.m. on the above date at the County Administration Building, 1 Center Street, Chatham, VA 24531. Present were Pittsylvania County members Chairman Elton W. Blackstock and Ben Farmer and alternate Dr. Charles H. Miller. Town of Hurt members present were Vice-Chairman Gary Poindexter and Steve Watson; alternate Collin Adams was absent. City of Danville members present were Fred Shanks, and alternate Lee Vogler; Sherman Saunders was absent. There were no Town of Altavista members present.

County/Town/City staff members attending were: County Administrator David Smitherman; City Manager Ken Larking; County Director of Economic Development Matt Rowe; City Director of Economic Development Telly Tucker; County Project Manager Susan McCulloch; Secretary Hollye Keese; and Clement Wheatley Attorney Jennifer Burnett.

ROLL CALL AND CONFIRMATION OF QUORUM

Hollye Keese, Secretary, read the roll call and confirmed that a quorum was present.

PUBLIC COMMENT PERIOD

No one desired to be heard.

APPROVAL OF MINUTES OF THE June 28, 2019 MEETING

Upon **Motion** by Mr. Shanks and **seconded** by Mr. Vogler, Minutes of the June 28, 2019 Meeting were approved as presented.

WITHDRAWAL OF THE TOWN OF ALTAVISTA FROM THE AUTHORITY

A. Consideration of Resolution No. 2019-10-04-5A, approving the withdrawal by the Town of Altavista from the Authority – Matthew Rowe, Director, Economic Development, Pittsylvania County

Mr. Rowe stated that the Town of Altavista has requested to withdraw from the Staunton River Regional Industrial Facilities Authority. To accommodate their request the body must vote to approve their resignation.

Mr. Vogler **moved** to approve Resolution 2019-10-04-5A; the Motion was **seconded** by Mr. Shanks and carried by the following vote:

VOTE: 6-0

AYE: Blackstock; Farmer; Poindexter; Watson; Shanks; Vogler (6)

NAY: None (0)

OLD BUSINESS

A. Consideration of Resolution No. 2019-10-04-6A, approving that certain SVMP Development and Option Agreement by and between the Authority, as optionee, and Hurt Partners, LLC, a North Carolina limited liability company, for the Southern Virginia Multi-Modal Park in Hurt, Virginia – Matthew Rowe, Director, Economic Development, Pittsylvania County

At the last meeting, the option agreement with Hurt Partners was approved. Feedback has been received from their council and they would like to make one modification to agreement to have more flexibility around Sycamore Creek and water intake. Also, the timeline to remove silos and smokestacks from 6 months to 3 months. This would be the final document.

Mr. Poindexter **moved** to approve Resolution 2019-10-04-6A; the Motion was **seconded** by Mr. Vogler and carried by the following vote:

VOTE: 6-0

AYE: Blackstock; Farmer; Poindexter; Watson; Shanks; Vogler (6)

NAY: None (0)

NEW BUSINESS

A. Financial Status Report as of August 31, 2019 and/or September 30, 2019– Kim Van Der Hyde, Director of Finance, Pittsylvania County

Ms. Keese presented the financial reports due to Ms. Van Der Hyde's absence. There was a question asked regarding Altavista's contribution but that will be discussed with Altavista.

Mr. Shanks **moved** to accept the Treasurer's Report; the Motion was **seconded** by Mr. Vogler and unanimously approved.

B. Consideration of Resolution No. 2019-10-04-7B, approving the Authority's participation in GO Virginia as a coalition member – David M. Smitherman, County Administrator, Pittsylvania County [NO WRITTEN RESOLUTION]

Karl Stauber with GO Virginia has reached out and has asked both the Staunton River and Danville-Pittsylvania RIFA to adopt resolution in support to bring awareness and support to the group.

Mr. Farmer **moved** to approve Resolution 2019-10-04-7B; the Motion was **seconded** by Mr. Vogler and carried by the following vote:

VOTE: 6-0

AYE: Blackstock; Farmer; Poindexter; Watson; Shanks; Vogler (6)

NAY: None (0)

C. Next Meeting Date/Time/Place

The next meeting was scheduled to be held at Hurt Town Hall on January 24, 2020 at 12 p.m.

CLOSED SESSION

[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.]

At 12:17 p.m. Mr. Vogler **moved** that the meeting of the Staunton River Industrial Facility Authority be recessed in a closed meeting for the following purposes:

A. 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) 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

B. 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 commonly known as the Southern Virginia Multimodal Park, in Hurt, Virginia, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Authority.

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

VOTE: 6-0

AYE: Blackstock; Farmer; Poindexter; Watson; Shanks; Vogler (6)

NAY: None (0)

RETURN TO OPEN SESSION

C. Confirmation of Motion and Vote to Reconvene in Open Meeting

On **Motion** by Mr. Shanks and **seconded** by Mr. Poindexter and by unanimous vote at 1:04 p.m., the Authority returned to open meeting.

D. Motion to Certify Closed Meeting

Mr. Poindexter **moved** for 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: 5-0

AYE: Blackstock; Farmer; Poindexter; Watson; Shanks; (5)

NAY: None (0)

Mr. Vogler left immediately after Closed Session to a prior engagement.

COMMUNICATIONS

There were no communications by Authority Board Members or Staff.

Meeting adjourned at 1:05 p.m.

Chairman

Secretary to the Authority

DRAFT

Staunton River Regional Industrial Facility Authority
 General Expenditures for Fiscal Year 2020
 As of October 31, 2019

	Funding	Budget	Expenditures	Balance
<i>Funding</i>				
Locality Contributions:				
City of Danville	23,000.00			
Pittsylvania County	50,000.00			
Town of Altavista	23,000.00	**		
Town of Hurt	4,000.00			
Total Funding	<u>100,000.00</u>			
<i>Expense</i>				
Accounting-Audit Fees		5,200.00	-	5,200.00
Legal Fees		40,000.00	7,118.50	32,881.50
Land Option Fee		50,000.00	40,000.00	10,000.00
Postage, Mailing Service		100.00	-	100.00
Supplies		1,200.00	-	1,200.00
Meetings and Incidentals		675.00	345.92	329.08
Insurance		1,625.00	1,625.00	-
Unobligated		1,200.00	-	1,200.00
Total Expense		<u>100,000.00</u>	<u>49,089.42</u>	<u>50,910.58</u>
<i>Cash on Hand</i>				
Beginning Cash Balance				134,982.00
Add: Local Contributions received				-
Interest Earned*				9.77
Deduct: Expenses				<u>(43,066.70)</u>
Ending Cash Balance				91,925.07

**Includes September and October Interest*

***Amount not yet received*

Staunton River Regional Industrial Facility Authority
 General Expenditures for Fiscal Year 2020
 As of November 30, 2019

	<u>Funding</u>	<u>Budget</u>	<u>Expenditures</u>	<u>Balance</u>
<i>Funding</i>				
Locality Contributions:				
City of Danville	23,000.00			
Pittsylvania County	50,000.00			
Town of Altavista	23,000.00	**		
Town of Hurt	4,000.00			
Total Funding	<u>100,000.00</u>			
<i>Expense</i>				
Accounting-Audit Fees		5,200.00	-	5,200.00
Legal Fees		40,000.00	8,740.50	31,259.50
Land Option Fee		50,000.00	40,000.00	10,000.00
Postage, Mailing Service		100.00	-	100.00
Supplies		1,200.00	5.80	1,194.20
Meetings and Incidentals		675.00	345.92	329.08
Insurance		1,625.00	1,625.00	-
Unobligated		1,200.00	-	1,200.00
Total Expense		<u>100,000.00</u>	<u>50,717.22</u>	<u>49,282.78</u>
<i>Cash on Hand</i>				
Beginning Cash Balance				91,925.07
Add: Local Contributions received				-
Interest Earned				3.76
Deduct: Expenses				<u>(1,627.80)</u>
Ending Cash Balance				90,301.03

****Amount not yet received**

Staunton River Regional Industrial Facility Authority
 General Expenditures for Fiscal Year 2020
 As of December 31, 2019

	Funding	Budget	Expenditures	Balance
<i>Funding</i>				
Locality Contributions:				
City of Danville	23,000.00			
Pittsylvania County	50,000.00			
Town of Altavista	23,000.00	**		
Town of Hurt	4,000.00			
Total Funding	100,000.00			
<i>Expense</i>				
Accounting-Audit Fees		5,200.00	4,000.00	1,200.00
Legal Fees		40,000.00	9,867.50	30,132.50
Land Option Fee		50,000.00	40,000.00	10,000.00
Postage, Mailing Service		100.00	-	100.00
Supplies		1,200.00	5.80	1,194.20
Meetings and Incidentals		675.00	345.92	329.08
Insurance		1,625.00	1,625.00	-
Unobligated		1,200.00	-	1,200.00
Total Expense		100,000.00	55,844.22	44,155.78
<i>Cash on Hand</i>				
Beginning Cash Balance				90,301.03
Add: Local Contributions received				-
Interest Earned*				3.71
Deduct: Expenses				(5,127.00)
Ending Cash Balance				85,177.74

****Amount not yet received**