

Eastern WV Regional Airport Authority Meeting Minutes  
For Tuesday – July 7, 2015

Members Present: Rick Wachtel, Dennis Barron, Maria Lorensen, Steve Cox, Richard Talbott, Tana Burkhart, Daryl Bryarly, P J Orsini, and Dan Dulyea.

Member Absent: George Cornwell

Also Present: Bill Walkup, Joyce McDonald, Tom McKenzie, Kin Sayre, John McVey, Jarod Esselman, Kathy Brosius, Jeff Grove, Elaine Mauck, Larry Kump, Dan Lyons, Mike Folk, Lt. Col. Poland, Terri Reed, and Ken Brinklow.

Rick Wachtel, Chairman, brought the meeting to order at 7:00 p.m. in the Howard/Burkhart Terminal Conference room.

**1<sup>st</sup> Item on the Agenda: Introduction of Newly Appointed Members**

Rick Wachtel introduced the newly County Council appointed members to the EWVRAA. They are Tana Burkhart, P J Orsini, Dan Dulyea, Daryl Bryarly and Richard Talbott was reappointed. Rick also introduced Jarrod Esselman who is the Director of State Government Affairs for the AOPA. He offered his assistance with information to benefit the Airport.

**2<sup>nd</sup> Item on the Agenda: June 2015 Meeting Minutes Approval**

The June 2, 2015 EWVRAA meeting minutes were emailed to each member prior to this meeting for their review. Rick Wachtel asked for a motion to approve the minutes. Dennis Barron questioned the no action needed as stated in minutes on the 1<sup>st</sup> page under Aero Smith Land Lease Payment. He stated that a newly amended lease needed to be signed. Rick stated that the Lease amendment was approved and will be given to Aero Smith. Richard Talbott also noted that the minutes did not state that nominations were not made under Item 10 on page three of the minutes. There was some discrepancy about what actually was said and done. Kin Sayre, the Airport Attorney, suggested tabling this item until the tape has been listened to again. Dennis Barron made a motion to table the June 2, 2015 meeting minute's approval until the tape is listened to and verify what was said and done. Maria Lorensen seconded the motion. All were in favor. The motion was carried.

**3<sup>rd</sup> Item on the Agenda: May 2015 Budget Report Approval**

The members were given the May 2015 Budget Report at the last meeting and it was also emailed to them for their review prior to this meeting. Rick asked for a motion to approve the budget.

At this time Richard Talbott wanted to make a motion to revisit the Election. Kin Sayre read from Roberts Rules of Order pertaining to the reconsideration of a motion. Based on his finding that he read, Mr. Talbot's motion would be out of order.

At this time Dan Dulyea wanted to make a Point of Order on the Grounds of Violation on the Principles of Parliamentary Law in Roberts Rules of Order under 46 page 444 line 34 contesting an announced results of an election depending on circumstances the body may have a recount. He proceeded to read from Roberts Rules of Order on this matter. Kin Sayre was not sure what Mr. Dulyea was contesting. Dan Dulyea stated that the Chair did not allow everyone to make a nomination. One motion was made and not a nomination was made for a member at a time. You make a nomination and close the nominations and then vote on a motion. Kin Sayre suggested reviewing the tape again to see exactly how the Election was done. This will be put on next month's agenda for review.

The next item discussed was about the code of membership and voting on the Authority. Kin Sayre pointed out that the Agreement between the City and County signed on April 30, 2015 talked about this

item in this agreement which states one voting member to each \$ 5,000.00 given by each entity. This talks about votes and not members. Martinsburg City Council approved this Agreement but has not chosen new members which lets the current appointed City members could have two votes. According to this agreement the County has six votes, the City has six votes and Jefferson County has two votes. The By Laws are in contradiction with the City/County Agreement.

Dan Dulyea stated that the Agreement needs to be changed. He states that Roberts Rules of Order states one person one vote. Kin agrees that something needs to change and be clarified. Kin Sayre thinks that, in his opinion, State Statute should be the ruling, then the Agreement and then the By Laws. Rick Wachtel stated that further research needs to be done on this matter.

Richard Talbott stated that his only concern for revisiting this item is that the Election is done so that there are no violations in the procedure.

**At this time the 3<sup>rd</sup> Item on the Agenda was continued.**

Maria Lorensen had a question about the conference room rent. Bill Walkup explained that government entities are not charged for the use of the conference room. That is the majority of the entities that use that room. Joyce McDonald explained that due to no rents collected, she took this out as a line item. But recently outside entities have used and paid for the use of the conference room so it now is back in the budget. The May 1, 2015 beginning balance was \$ 156,199.33. The income for May was \$ 12,422.98 and the Expenses were \$ 35,019.19. The ending balance as of May 31, 2015 was \$ 133,603.22. Steve Cox made a motion to approve the May 2015 Budget Report to be subject to an audit with Dennis Barron giving a second. All were in favor. The motion was carried.

**4<sup>th</sup> Item on the Agenda: Petitions from Citizens**

Larry Kump suggested changing the By Laws to have Elections of Officers in July instead of June of each year. He also wanted to clarify that before a bid is advertised for a Marketing/Business Study that the Authority gather expertise from all and/or other sources in the county to see what exactly needs to go into this study. Rick Wachtel assured him that the Authority would be talking with State and Local Development Authorities for their input as well.

Terri Reed and Ken Brinklow were in attendance representing the Musselman Band Boosters. They would like to host a fly in / car show fundraising event at the Airport on September 12 or a rain date of September 12, 2015 for the band boosters. The band boosters would run the car show and provide concessions along with the Band and Color Guard unit to provide entertainment and perform at different times during the day. Rick Wachtel stated that since it isn't an item on the agenda, it can't be voted on tonight but can be put on the agenda next month. Rick Wachtel suggested they meet with the Airport Manager to work and discuss some of the details that go with an event like this.

**5<sup>th</sup> Item on the Agenda: Marketing Study Funding**

Rick Wachtel stated that on June 30<sup>th</sup> he called a Special Meeting of the Airport Authority and Bill Clark of Region 9 to authorize an increase in matching funds for an ARC and/or Federal EDA Grants which had a deadline for commitment. There as not a quorum for a Special Meeting so there could not be a vote. Rick Wachtel suggested a motion for a commitment to increase from \$ 5,000.00 to \$ 10,000.00 for an ARC Grant. Dan Dulyea made a motion to amend the budget reflecting the increase the EWVRAA commitment from \$ 5000.00 to \$ 10,000.00 for a Grant match for the Development Study. Dennis Barron seconded the motion. Rich Talbott opposed the motion. The motion carried by majority vote.

Rick Wachtel asked Joyce to amend the Proposed Budget to reflect this increase and to have it on the agenda at next month's meeting.

**6<sup>th</sup> Item on the Agenda: Airport Improvement Project Update**

Bill Walkup stated that the next airport Authority FAA project is for a new regulator and electrical system upgrade on the Runway and Taxiways. The bid opening was held on June 11, 2015. Three bids were opened. The contractors who submitted bids were Valentine Electric, Summerset Construction and Rogers Electrical Contracting. Valentine Electric was the apparent low bidder. After the engineers calculated and reviewed all of the bids, they found a mistake in Valentine Electric's bid package which made their bid over, Summerset Construction did not have a valid electrical license in WV and Rogers Electrical Contracting was over bid. The FAA approved to have another bid opening for this project which will be on July 8, 2015 at 1:30 p.m...

Bill Also stated that FAA gave the approval for the pavement correction from last year's project. W L Construction will be on the airport site within the month to complete the project.

**7<sup>th</sup> Item on the Agenda: Audit Report Update**

Joyce McDonald explained that the State Auditor's granted a final extension for the Fiscal Year 2013-2014 Audit. We still do not have work papers from the two previous auditors. Without these work papers, the current auditor cannot complete an Asset Depreciation Schedule that is part of the audit. It was suggested that the Authority call the State Auditor's office to get some guidance on this situation. Joyce has calls into the State Auditor's office to Mr. Stuart Stickel but he is on vacation for a week. She will call him again once he is back in his office for his help and guidance. The Auditor's office has given a final extension until July 31, 2015.

**OTHER BUSINESS:**

Rick Wachtel mentioned that he has intentions to have an orientation meeting with all new members once the City and Jefferson County appointees start attending meetings.

Rick Wachtel stated that the West Virginia Aviation Conference will be held at Glade Springs near Beckley on August 9<sup>th</sup> to August 13, 2015.

Rick stated that he read an article from Winchester Star that reported on the financial shortfall that has hit the Winchester Airport. He just wanted to bring it up to mention that all airports have financial issues and problems from time to time.

Rick Wachtel mentioned that a "dutch treat" dinner will be held for Hunter Wilson in appreciation for his time served on the Airport Authority. Rick will let everyone know of the date, time and place.

August 4<sup>th</sup> is the date for the next Airport Authority meeting.

Richard Talbott would like to see the By Laws on the next agenda.

He also mentioned a wish list he has and he wanted to mention two of those. One is that the Authority look into building hangars and two is to look into self-service fuel.

OTHER BUSINESS continued

Maria Lorensen asked about an update on Shentel. Bill Walkup reported that Shentel is still in the permitting stage for putting up the cell tower on the Airport property. FAA has approved the site height, but they still need some approvals from the Berkeley County Planning Commission.

A question was raised about what is the purpose of the Airport Authority.

Rick stated that the Airports purpose is to improve the economics and job creation at the airport and to improve general aviation. Also the EWVRAA works with the Development Authority in marketing the airport.

Dan Dulyea wanted clarification on his Point of Order on Elections and he wanted an answer to his Fundamental Parliamentary Laws and what Roberts Rules of Order were not followed. Kin Sayre stated that he would try to research this matter and have answers at the next meeting.

Dan Dulyea made a motion to adjourn the meeting with Steve Cox giving a second. All were in favor. The motion was carried.

The meeting was adjourned at 9:00 p.m...