

EASTERN WV REGIONAL AIRPORT AUTHORITY MEETING
FOR TUESDAY – AUGUST 4, 2015

Members Present: Rick Wachtel, Dennis Barron, Daryl Bryarly, Steve Cox, Richard Talbott, Tana Burkhart, Dan Dulyea, Betty Gunnoe, Jason Barrett, Ken Collinson, and Maria Lorensen.

Members Absent: P J Orsini, Jared Esselman and George Cornwell

Also Present: Kin Sayre, Bill Walkup, Joyce McDonald, Tom McKenzie, John McVey, Larry Kump, Jeff Grove, Dan Lyons, Lt. Col. John Poland, Elaine Mauck and Shelton Davis.

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

Rick Wachtel introduced the newly appointed City of Martinsburg Airport Authority members. They are Ken Collinson, Jason Barrett and Betty Gunnoe. Rick Wachtel also mentioned that Jared Esselman, who is absent, was the newly appointed Jefferson County Commission Airport Authority member.

1st Item on the Agenda: June 2015 Meeting Minutes Approval

Rick Wachtel stated, that at the last meeting, there was a discrepancy with the Airport Authority June 2015 meeting minutes, pertaining to Item 10 on the Agenda. The EWVRAA June 2015 meeting minutes were tabled.

Kin Sayre, the EWVRAA attorney, stated that Joyce McDonald listened to the tape pertaining to Item 10 on the Agenda of the Airport Authority June 2015 meeting. She typed verbatim, word for word, what was said from the Airport Authority cassette tape of Item 10 on the Agenda. Ken read the typed transcript to the members and stated that the minutes were accurate.

Maria Lorensen made a motion to approve the EWVRAA June 2015 meeting minutes. Dennis Barron seconded the motion. Dan Dulyea abstained from voting because, he stated, and that he was not an Airport Authority member at that time. The motion was carried.

2nd Item on the Agenda: July 2015 Meeting Minutes Approval

Joyce sent the July 7, 2015 EWVRAA meeting minutes to the members prior to this meeting for their review. Dennis Barron stated that there were so many errors in the minutes, that he corrected the errors and sent his revised minutes to the Airport Authority members. Some of the members stated that they did not receive the revised minutes.

Steve Cox made a motion to table approving the July 7, 2015 meeting minutes, so that both sets of minutes can be reviewed by all of the Airport Authority members. Dan Dulyea seconded the motion. All were in favor. The motion was carried.

4th Item on the Agenda: Petitions from Citizens

Larry Kump presented a business marketing plan from the Eastern Panhandle Transit Authority. Each member was given a copy for their review.

3rd Item on the Agenda: June 2015 Budget Report Approval

The Airport Authority members were given the June 2015 Budget Report at the last meeting, for their review. The June beginning balance in the general account was \$ 133,603.22. The income for the month of June was \$ 30,757.92. The expenses for the month of June were \$ 18,799.46. The ending balance in the general account on June 30, 2015 was \$ 145,561.68.

3rd Item on the Agenda: continued

Joyce McDonald stated that this is also the Year End Budget Report for Fiscal Year 2014-2015. This Budget Report will be published to the public.

Steve Cox made a motion to approve the June 2015 Budget Report for the EWVRAA that will be subject to an audit. Daryl Bryarly seconded the motion. All were in favor. The motion was carried.

Bill Walkup reported that the Airport Authority will be getting a new tenant that wants three offices in the terminal. Jamie Davis, an accountant from Inwood WV, is in a moving transition and would like to rent three offices for a period of one year.

5th Item on the Agenda: Aero Smith/George Smith Presentation

Rick Wachtel reported that George Smith could like to delay his presentation until the September meeting.

6th Item on the Agenda: Airport Improvement Project Update

Bill Walkup reported that W L Contractors, who were the project contractors for the last construction project, have been working on finishing refurbishing Taxiways B and C pavements. This rehabilitation project began last fall and had a winter shut down. The pavement work is near completion. The painting will need to be done in the next 35 to 40 day period. After the painting is done, this project will be 100% complete.

Bill Walkup reported that the Electrical Project was re-advertised and had to be re-bid. The bids were received and opened on July 8, 2015. There were two bids. Rogers Electrical Contracting's bid was \$ 120,122.00 and Valentine Electric's bid was \$ 72,100.00. Valentine Electric was the apparent low bidder. The engineer, Shawn Tucker, of Chapman Technical Group, verified that all documents were in order and Valentine Electric should be awarded the Contract.

Dennis Barron made a motion to award the Electrical Rehabilitation Project Contract to Valentine Electric and to authorize the Chairman to execute all the documents pertaining to this Project to include the FAA Grant Application and the FAA Grant. Steve Cox seconded the motion. All were in favor. The motion was carried.

The FAA Grant Application funding breakdown is as follows:

FAA's share is \$ 74,074.00;

EWVRAA's share is \$ 32,000.00 and

WV Aeronautics Commission's share is \$ 8,230.00.

This is a total project in the amount of \$ \$114,304.00.

Bill Walkup stated, he wants to begin the process in advertising for a consultant engineer. This will require Airport Authority members to form pre-selection and selection committees for hiring an engineer for the future scheduled projects.

At this time, Daryl Bryarly asked about a Crosswind Runway for the Airport.

Rick Wachtel explained, that when the Air National Guard needed to expand for the C-17s, the EWVRAA had to close 17/35 Crosswind Runway. The EWVRAA was told by FAA that there would be no federal funding for another Runway at the Airport. The EWVRAA hired Chapman Technical Group to design a Crosswind Runway for the Airport. During the design stage, the EWVRAA was

seeking out all avenues for funding for this new Crosswind Runway. The EWVRAA could not find the funding to complete the Runway.

7th Item on the Agenda: Airport Attorneys Reports on Election Procedure and Voting Questions

Kin Sayre was directed to research the Election of Officers procedures at the June 2015 meeting and to research the Point of Order that was given by Dan Dulyea at the July meeting. Kin Sayre stated that he reviewed the most recent edition and/or version of the Roberts Rules of Order. He found that when contesting results of an election, the Point of Order needs to be made in a timely manner. The question is, was the Point of Order made in a timely manner. The General Rule for the Point of Order should have been made at the June 2015 meeting after the Election of Officers. Kin continued to state that there are five (5) exceptions to this rule. He then stated all 5 (five) of the exceptions and explained the exceptions.

Kin Sayre stated, that in his opinion and recommendation, the action taken by the Airport Authority in June, did not violate the fundamental principle of Parliamentary Rule, and does not meet one of the five exceptions to allow for a Point of Order not to be raised at the moment of time the breach occurred. Mr. Sayre stated, that his opinion is to define the Point of Order raised by Mr. Dulyea was untimely and therefore out of order. He understands that there are disagreements with his views, but that is his recommendation.

Richard Talbott stated, that there was no time given for nominations at the election.

Dan Dulyea stated that the Chairman had an obligation to ask for nominations under Roberts Rules of Order. He felt that process was not done at all.

Kin Sayre stated that, Mr. Talbott could have made the Point of Order at the June meeting contesting that the election was not done properly.

Dan Dulyea disagreed with Kin Sayre's opinion and stated that the election should be re-done. Discussion continued between Mr. Dulyea and Mr. Sayre.

Rick Wachtel asked the Airport Authority to vote on whether the Point of Order was made in a timely manner. The motion failed that the Point of Order was in a timely manner.

Dan Dulyea made another Point of Order. He was going to read out of the Roberts Rules of Order.

At this time, Dennis Barron stated, that the point that is missing, is that the EWVRAA did have an election. Six people voted. The five people voted yea and one voted no to the election. He stated, that if the six people who voted, felt strongly against the slate of officers, they would have voted no. Whether anyone liked the results of the election of officers, the members at that June meeting agreed, by majority, to elect the same slate of officers. He suggested changing the By Laws which may resolve this issue in the future.

8th Item on the Agenda: By-Laws Revision

Kin Sayre, distributed to each member, language for suggested changes to the EWVRAA By -Laws in Article IV Section 3 and Article V Section 2. He also stated that if the board chooses to adopt his suggested changes, they would also have to delete Article VII Section 6 which deals with one member one vote. This language would be a discrepancy with the Agreement by the City/County Ordinance.

Dan Dulyea made a motion to table the By- Law Revisions. Dennis Barron seconded the motion. All were in favor. The motion was carried.

A committee was appointed to review the current EWVRAA By - Laws. The members that volunteered for this committee were Tana Burkhart, Dan Dulyea, Dennis Barron and Richard Talbott.

9th Item on the Agenda: Audit Report Update

Joyce McDonald explained that she talked with Fred Hess from the WV State Auditor's Office. He was able to retrieve the "work papers" from Tetrick and Bartlett, pertaining to the Asset Depreciation Schedule for the audit. These "work papers" were sent to Perry & Associates. Derek Poling, of Perry & Associates, sent Joyce an email stating that he could work with those documents to complete the audit. He stated that a draft copy of the audit would be sent to the State on July 31, 2015.

10th Item on the Agenda: Development Study Update

Rick Wachtel stated that he talked with Bill Clark of Region 9 and approval for the ARC Grant for the Development Study should be in the near future.

11th Item on the Agenda: Fiscal Year 2015-2016 Proposed Budget Approval

At the last meeting, a motion was made, to revise the proposed budget to include line items for the matching funds for the development study and the electrical vault regulator.

The revised Fiscal Year 2015-2016 Proposed Budget was sent to each member prior to this meeting for their review.

Steve Cox made a motion to approve the Fiscal Year 2015-2016 Proposed Budget. Dan Dulyea seconded the motion. All were in favor. The motion was carried.

12th Item on the Agenda: Project Committees Discussion

Rick Wachtel stated that Mr. Talbott thought that appointing committees would be a good idea for the Airport Authority.

Rick Wachtel talked with P J Orsini, who volunteered to be on a committee to help with revising the website.

Rick suggested having a Technology Committee to research and work on such items as website revisions and some technology for the conference room. The members who volunteered for this committee were P J Orsini and Dan Dulyea.

Rick suggested have a T Hangar Construction committee to research the feasibility of construction for new Aircraft T Hangar storage buildings. The members who volunteered for this committee were Daryl Bryarly, Richard Talbott and Steve Cox.

Rick suggested, in the future, a Development/Marketing Committee.

Rick suggested a Finance and/or Budget Committee. The members who volunteered for this committee were Dennis Barron, Jason Barrett, Maria Lorensen and Dan Dulyea.

Rick stated, that at the last meeting, the subject of a self -service fueling station was discussed. Rick explained, that in May of 2010, the Fixed Base Operator (Arcadia Aviation), closed its doors at the airport, with very little notice, to the Airport Authority. The Airport Authority went to George Smith, who worked for Arcadia and was the FBO previously, requesting, that he start a business, to sell fuel on the airport. Mr. Smith opened Aero Smith, Incorporated. The airport never lost a day without selling fuel. The Airport Authority entered into an Agreement with Aero Smith. The Agreement has a no competition clause.

Rick Wachtel, did state, that an outside business could start a self- service fueling business. This business would have to abide by the Rules and Regulations and the Minimum Operating Standards of the Airport.

13th Item on the Agenda: BCPSSD Water Tower Lease

Rick Wachtel explained the history of the Water Tower. All of the members are in agreement that there should be a lease between the Airport Authority and the BCPSSD. Kin Sayre was authorized to speak with the attorney at the BCPSSD, to get a lease resolved for both entities.

OTHER BUSINESS

Lt. Col. Poland stated that the 167th Air Guard is fully an operational C-17 squadron.

Bill Walkup reported that his schedule has not permitted him to meet with the Musselman High School band boosters.

Rick Wachtel stated that the next Airport Authority meeting is on September 1, 2015.

Rick Wachtel suggested an Orientation meeting, for all of the Airport Authority members, at 5:00 p.m. on August 19, 2015 at the terminal conference room.

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

The meeting was adjourned at 9:05 p.m..