

EASTERN WV REGIONAL AIRPORT AUTHORITY MEETING MINUTES  
FOR TUESDAY- SEPTEMBER 11, 2012

Members Present: Rick Wachtel, Col. Jim Reuss, Hunter Wilson, Steve Cox and Rich Talbott

Also present: Bill Walkup, Joyce McDonald, Tom McKenzie, George Smith, Ron Porterfield, Bob Bayes, Mike Folk, Major Tony Henry, Col. John McCullough, and Elaine Mauck

Rick Wachtel, Chairman, brought the meeting to order at 8:00 a.m. in the airport terminal conference room on the second floor.

The members were sent meeting minutes from the previous meeting prior to this meeting for their review.

Rich Talbott asked if tapes of the meetings are kept for legal purposes or be used in case of a legal question. Rick Wachtel stated that the minutes are the official record for the Airport Authority so everyone needs to look closely at the meeting minutes.

Col. Jim Reuss made a motion to approve the Airport Authority meeting minutes as written and submitted for August 7, 2012 with Steve Cox giving a second. All were in favor. The motion did carry.

Joyce McDonald gave the operating fund report of \$ 1,032.33.

1<sup>st</sup> Item on the Agenda: Petitions from Citizens

No one signed on the sheet for speaking.

Rich Talbott asked if the others got an email from Mr. Larry Kump who wanted it to be read at this time. Rich Talbott read the email that as a citizen and delegate of the 2<sup>nd</sup> District of West Virginia Larry Kump wanted this email read in his absence. It stated that 'Government always should be accountable, transparent and accessible to its citizens. To that end, I request that EWVRAA revisit and reconsider its decision and action to evening meetings.' Rich stated that he would also like to have that item put back on the agenda.

2<sup>nd</sup> Item on the Agenda: Airport Improvement Program Projects

Bill Walkup stated that he received all verbal information from FAA pertaining to the Noise Study. Rick stated, at this time, that the grant was announced by Senators Manchin, and Rockefeller and Congresswoman Shelly Moore Capito that the Airport Authority received a \$ 72,000.00 grant for a Noise Study for the C-17. The money is in place and Rick talked with Matt DiGuilian at the FAA Airports Field Office and he was in agreement that we don't have to perform the study until we are 100% sure that the C-17 will arrive at the airport. We don't want to waste taxpayers dollars on this study until the C-17 is here at the airport. The Grant is in place but the actual work will not be performed until the aircraft are in place at Martinsburg. Rich Talbott asked if the Noise Study for the C-5 has ceased. Rick and Bill Walkup confirmed that that grant has stopped.

3<sup>rd</sup> Item on the Agenda: Aircraft Hangar Construction Funding & Study

Rick Wachtel stated that Bill Walkup has been working on many aspects of hangar construction. The EWVRAA got the ruling that these hangars are subject to Davis Bacon Wages which will increase the cost 35 to 40 percent. The City, County and Airport Authority attorneys all agree that we have to abide by the Davis Bacon Wages because we are a public entity. Bill Walkup sent an email from Chapman Technical Group which quoted breakdown on the cost for hangar construction.

3<sup>rd</sup> Item on the Agenda: continued

The total cost included infrastructure such as taxiways, aprons and asphalt, the hangar construction, electrical cost, site work and miscellaneous items was \$ 460,000.00. This did include the Davis Bacon wages. He got a quote from the WV Development office on wage rates for various different construction jobs. Rich Talbott stated that he was not convinced about the attorney's rulings on the wage rates. He talked with Philippe about their hangar construction and they did not use the wage rates. He is skeptical that for instance if the Airport Authority uses its own money that it borrowed and not federal funds, do we have to pay the wage rates. The three attorneys that Rick stated said yes we do. But Rich would like another ruling and exhaust all avenues to ask this question and see if we really have to use Davis Bacon. Rick asked the question - Who do we ask? Rich said that he will work on an answer to that question.

4<sup>th</sup> Item on the Agenda: Proposed Budget for Fiscal Year 2012-2013

The proposed budget was sent to the members prior to this meeting for their review. The proposed income decreased from \$ 236,100.00 to 186,928.00. If the Airport Authority got additional funds from the Berkeley County Council and from the Howard T hangars the income could increase this fiscal year to \$ 235,200.00. The proposed expenses decreased from \$ 253,900.00 to \$235,200.00. The Berkeley County Council budget item was only \$ 15,000.00 because the Airport Authority has not received any confirmation about the additional \$ 22,500.00. The subject of representation for the money was discussed but there was no clear answer about the additional \$ 22,500.00 for the Airport Authority. Rick explained the process on how the Sino Swearingen maintenance fee came about which was not negotiations the Airport Authority would have made. Steve Cox made a motion to approve as submitted the Proposed Budget for Fiscal year 2012 - 2013 with Col. Jim Reuss giving a second. All were in favor. The motion was carried. Rich Talbott pointed out that the employees had a decrease in pay and have not received an increase for several years.

OTHER BUSINESS:

Bill Walkup has not received any word on funding for a regulator. No one (which includes FAA and the ANG) will not commit to any funding until the regulator breaks.

Col. John McCullough was present at the meeting to offer his services to the local pilots should they have any questions about the Air National Guard safety or flying procedures. Bill Walkup suggested that maybe he could have a meeting with the FBO employees and the local pilots to brief everyone on communication with the Air National Guard pertaining to ground safety and flying procedures of the guard. He gave his number so that if anyone has any questions, please feel free to call him. Major Henry briefed everyone that August 17<sup>th</sup> was the completion date for the taxiway A construction. It is fully open to everyone.

The Air Show will be this weekend on September 15<sup>th</sup> and 16<sup>th</sup> at the Air National Guard. There will be no practice show on Friday. This side of the field will be open during the Air Show times.

Rich Talbott wants to revisit the evening meeting times and to have more frequent meetings until the bank account is in better shape. He would like it to be on the agenda for next month.

Rick stated that there is a question of re-consideration that he needs to check the rules to see if a re-consideration requires 2/3s vote. He would also like to re-look at the Air Guard lease and how it came about to only be getting \$ 1.00 per year from the Guard. He understands that there is a clause in that agreement that the Airport can cancel the lease. He would like to discuss further how the Airport Authority lost this funding. Rick stated that the Airport Authority can discuss it any time but the reality is that that clause would put the 167<sup>th</sup> in a precarious position and could put many jobs in jeopardy at the Guard. Rick gave some history about how this lease was executed. Rick stated that it can be put on the agenda but feels it may be a very dangerous situation to act further on this item. The Airport Authority does not think it was fair what happened with the Guard Lease but it is something that is being done at every airport in the nation that has joint use documents up for renewal. This is due to reductions to the Department of Defense.

Rich stated that he would like to know who is where and who owns what and what are the terms of these tenant leases and the situation with the tenants on the airport. Rick stated that all of the board members are familiar with all of that information and that all of the leases are public documents and can be reviewed at any time.

The next meeting will be on October 2, 2012 at 8:00 a.m. in the airport conference room.

Col. Jim Reuss made a motion to adjourn the meeting with Hunter Wilson giving a second. All were in favor. The motion was carried.

The meeting was adjourned at 8:50 a.m...