

EASTERN WV REGIONAL AIRPORT AUTHORITY MEETING MINUTES  
FOR OCTOBER 14, 2009 – WEDNESDAY

Members Present: Rick Wachtel, Hunter Wilson, Steve Cox, Rodney Woods.  
Members Absent: Bob Burkhart and Col. Jim Reuss

Also Present: Bill Walkup, Joyce McDonald, Mike Keller, Lt. Col. Rodney Neely, Betty Howard, Dan Dulyea, Bob Mills, Russ Voelker, Kathy Brosius, Bob Butler and Jenni Vincent.

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

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

Steve Cox made a motion approve as written and submitted the September 2, 2009 meeting minutes with Hunter Wilson giving a second. All were in favor. The motion was carried.

Joyce McDonald gave the current general bank account balance of \$ 58,999.20.

1<sup>st</sup> Item on the Agenda: Petitions from Citizens  
No one signed the Petitions from Citizens sheet.

2<sup>nd</sup> Item on the Agenda: A.I.P. Project Updates  
Bill Walkup reported on the Taxiway “E” Phase III project. Panhandle Builders is the prime contractor on this project. Bill reported that this project is at 60% completion. They should be ready for asphalt next week and should be complete by mid to late November.

He also reported on the Apron/Ramp Construction Project. Jefferson Asphalt is the prime contractor on this project. This project is approximately 80% complete. This project is approximately 80% complete. Asphalt is being laid to day and should be complete by the end of November. The painting may be done in the spring.

The GPS approach project is 95% complete. We are waiting for data to be returned from FAA for installing and certifying the equipment.

The sub committee met to go over draft number 7 of the Minimum Operating Standards and the Rules and Regulations for the Airport. The committee was having a hard time defining the term “through the fence operations”. Hunter Wilson made a motion to add on page 40 at 316.A to read ‘That existing “through the fence” operators would be given no more than one year agreement upon expiration of existing lease and would allow the Airport Authority the option to purchase their contiguous property at fair market value’. The next part would read on page 40 at 316.B ‘No new “through the fence” operations will be allowed’. Steve Cox seconded the motion. All were in favor. The motion was carried.

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Bill Walkup stated that Mr. Willard will put this final draft on the airport web site at [www.wvairport.org](http://www.wvairport.org) when the final draft is complete by the end of the week for public review.

Also there will be 10 to 12 hard copies that can be picked up at the airport authority office for public review by Tuesday morning on October 20, 2009.

The members discussed a good time for a public hearing. Hunter Wilson made a motion to hold a public hearing to discuss comments from the public pertaining to the Minimum Operating Standards and the Rules and Regulations for the Airport on Tuesday December 1, 2009 at 6:00 pm in the terminal conference room on the 2<sup>nd</sup> floor. Rodney Woods seconded the motion. All were in favor. The motion was carried.

Bill stated that there is a problem with the Approach Light lane, a visual lane to the Instrument Landing System (ILS). A telecom will happen today between Bill, our engineers, the Guard representatives and FAA to discuss this obstruction problem to talk about the obstruction and who will pay for removing this obstruction. The obstruction is apparently some trees.

### 3<sup>rd</sup> Item on the Agenda: Jeff Grove Lease Renewal

Jeff Grove sent an email requesting a lease renewal for Eastern Technical Corp. to Bill Walkup which was sent to the members prior to this meeting. He was requesting that his lease agreement be renewed for another year under the same agreement and terms. The lease amount is \$ 600.00 per year. Steve Cox made a motion that due to the Minimum Operating Standards almost being complete to allow Eastern Technical Corp a six month lease agreement at the same terms and conditions for \$ 300.00 and to be reviewed again in six months when the MOS is in place. Hunter Wilson seconded the motion. All were in favor. The motion was carried.

### 4<sup>th</sup> Item on the Agenda: Audit Proposals

Joyce McDonald stated that on behalf of the Airport Authority she sent out Request for Proposals for an audit for a three year period. This would be for 2009, 2010 and 2011. The Airport Authority received two proposals, one from Tetrick & Bartlett from Clarksburg WV in the amount of \$ 13,700 for the total three years and one from Perry and Associates from Marrietta Ohio in the amount of \$18,000.00 for the total of three years. There were two firms that wrote letters to the Airport Authority stating that they could not send a proposal due to work load. They were from Jamie Davis CPA from Inwood, WV and Decker & Company of Martinsburg.

After both proposals had been graded Tetrick & Bartlett was the selected firm. Steve Cox made a motion to accept the proposal from Tetrick & Bartlett for three consecutive years in the amount of \$ 13,700.00. Rodney Woods seconded the motion. All were in favor. The motion was carried.

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Joyce stated that she would send all documentation to the State Auditor's Office for their review and approval.

5<sup>th</sup> Item on the Agenda: Tantara Communications

There is an item to vote on concerning Arcadia Aviation and Tantara Communications.

Rick stated that he called Norwood Bentley (the Berkeley County Attorney) about this vote and Steve Cox. He advised Rick that the Ethics Commission ruled some years ago on this situation, if there is a conflict and recusal by leaving the room cost a quorum then that person does not have to leave the room, they just sit in the audience and observe. Rick stated that if Steve Cox left the room for this Item on the Agenda, there would be no quorum. Steve Cox at this time excused himself and sat in the audience.

Rick stated that he received a request from Arcadia Aviation. Arcadia Aviation has tentatively agreed to lease 3 office spaces to Tantara Communications LLC in their new hangar facility. Arcadia Aviation is requesting permission to sub lease this office space to Tantara Communications which would be for probably less than a year. At this time Hunter Wilson asked Rick what Tantara Communications was or who they are. Rick explained that Tantara Communications is an extremely high tech wireless broadband corporation. They would like to do feasibility studies in the next four to six months to determine whether it would benefit them to locate at the Eastern WV Regional Airport. Hunter Wilson made a motion to allow Arcadia Aviation to sub lease office space to Tantara Communications with Rodney Woods giving a second. All were in favor. The motion was carried.

Steve Cox resumed his seat with the Airport Authority for the remainder of the meeting.

### OTHER BUSINESS:

Lt.Col. Rodney Neely had a request on behalf of the 167<sup>th</sup> AW. The Department of Defense wants to build a Joint facility to house both the 157<sup>th</sup> Army Security and the 167<sup>th</sup> AW Security. They would like both security units operating from the same building and would like permission from the Airport Authority to allow this sub lease on the Air Guard base.

Rick stated that since this is a time sensitive matter could a motion be made to add this item to the agenda for today.

Hunter Wilson made a motion to add the 167<sup>th</sup> AW Request to the Agenda with Steve Cox seconding the motion. All were in favor. The motion was carried.

Rodney Woods made a motion to grant the request to allow the 167<sup>th</sup> AW to sub lease to the DOD a joint facility to house both the 157<sup>th</sup> Army Security and the 167<sup>th</sup> AW security to be located on the guard base leased property. Steve Cox seconded the motion. All were in favor. The motion was carried.

Col. Neely also reported that Taxiway A design is 100% complete and ready to go to bid.

Rick reported that the Tiger Stimulus Grant Application with Region 9 to include a rail spur, Inland Port and Crosswind Runway should be finalized at the end of November.

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Rick Wachtel stated that he was talking with Glen Gainer the director at the State Auditors Office and told him that it cost the Airport Authority \$1,100.00 to publish the end of the year budget report in The Journal. He stated that he did not realize it could cost this much for many entities and he stated that the state code was revised some years ago to allow some entities not to require publishing but to make available the reports for public review. Mr. Gainer suggested Rick write a letter requesting that Airport Authorities also be included with those entities. Rick stated that he would write the letter.

Rick reported that at the last meeting the Airport Authority made a motion to become involved with the lawsuit between the Department of Highways and Garland Martin. It was also made part of the motion to give updated reports and fees spent on this lawsuit. Rick received an update for today's meeting from Chaz Printz (our attorney) the motion was filed to intervene with the DOH and Garland Martin and it should take about two weeks to hear the reply for this motion. The fees billed to date are \$ 600.00.

OTHER BUSINESS:

Rick reported that in bankruptcy court Judge Flatley ordered that Aviation Solutions was granted the building and land lease for the Tiger Aircraft business. Copies of the court order could be obtained at the Authority office.

The next scheduled meeting is for November 4<sup>th</sup> but Rick stated that he could not make this meeting. The members agreed to hold the meeting on Tuesday November 10, 2009 at 8:00 a.m. in the conference room.

Rodney Woods asked about the public address system for the conference room. Joyce stated that she did not have time in September to check into it and would make calls before the next meeting.

Hunter Wilson 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.