

PENINSULA AIRPORT COMMISSION

MINUTES

October 26, 2017

PRESIDED: George Wallace

The regularly scheduled meeting of the Peninsula Airport Commission was held on Thursday, October 26, 2017 at 8:00 a.m. in the Airport Commission Room at the Newport News/Williamsburg International Airport.

Commissioners present were:

Rob Coleman, Walter Jubien, Jr., Steve Mallon, Sharon Scott, George Wallace and David Wasson.

Interim Executive Director

Mr. Sanford Wanner

Assistant Executive Director

Ms. Melissa Cheaney

Director of Air Service, Marketing and P.R.

Ms. Jessica Wharton

Director, Finance and Administration

Ms. Renee Ford

Legal Counsel

Mr. James S. McNider, III

Mr. Walter D. Kelley, Jr.

Executive Assistant

Ms. Rhonda Wissinger

Public in Attendance

Felix Simmons- Private Citizen/Taxi Driver

Larry Ramsey-Hourigan Construction

Jeffrey D. Wassmer-York County

Jeff Tarkington-Talbert & Bright

Rob Evans-Department of Conservation

Nick Patterson-RS&H

Dave Ress-The Daily Press

Chairman Wallace introduced Mr. Jeff Wassmer, Vice Chairman of York County Board of Supervisors. Later in the meeting, we will be discussing a resolution reflecting the County of York's desire to participate in the Peninsula Airport Commission. Mr. Wassmer is the York County representative selected to serve on the Peninsula Airport Commission once the County is approved to participate.

COMMENTS FROM THE PUBLIC

Mr. Felix Simmons, private citizen and taxi driver, spoke before the Commission about his concerns that the airport has negative signage, for example there are no signs saying Welcome upon entering or Thank You upon leaving. He also suggested some of the current signs we have in place, such as no parking in cross walk could be worded differently to sound more positive. He was also concerned that the changing room for babies is also an area used as the janitor's closet. Mr. Simmons also mentioned that the restaurant is past security so taxi drivers and visitors not flying are not able to go through security to get a cup of coffee or biscuit. There has been a leak in the ceiling that hasn't been completely fixed yet and he feels this should be taken care of. Chairman Wallace thanked Mr. Simmons for addressing the Commission.

Mr. Larry Ramsey, Hourigan Construction stated he was following up with the Commission regarding the \$25,000 re-imbusement he felt they were owed. Commissioner Mallon reported that there would be a discussion with legal counsel in closed session and Chairman Wallace said we will get back to him.

APPROVAL OF MINUTES OF COMMISSION MEETING HELD SEPTEMBER 28, 2017 AND OCTOBER 13, 2017

RESOLVED, that the Peninsula Airport Commission approve the minutes of the Commission meetings held September 28, 2017 and October 13, 2017

Commissioner Rob Coleman made the motion to adopt the September 28, 2017 and October 13, 2017 minutes and Commissioner David Wasson seconded the motion.

Voting yes were:

Robert Coleman, Walter Jubien, Jr., Steve Mallon, George Wallace and David Wasson.

PRESENTATION TO SANFORD B. WANNER

Chairman Wallace presented a plaque to Mr. Wanner recognizing him for serving as the Interim Executive Director for the period of March-October 2017. He also presented Mr. Wanner with an Air Force One Model thanking him for his service. Mr. Wanner stated that today is his last meeting after serving 8 months as the Interim Executive Director and in the 55 years as a public service officer this has been his hardest challenge yet. He is prepared to assist the new Executive Director with his transition as needed. The new Executive Director will find the support of his staff and

local government institutions as he moves the airport forward.

ASSISTANT EXECUTIVE DIRECTOR

Ms. Cheaney, Assistant Executive Director, gave the following report:

Ms. Cheaney stated that we received a letter from Mr. Rob Evans from the Department of Conservation and Recreation asking the Airport Commission if they would be willing to work with them toward a potential purchase of land that falls under the jurisdiction of the Airport Commission. Ms. Cheaney reported that there were 200 acres of land located between Denbigh Blvd. and Oriana Blvd that the airport had started a study of the sale of this land about 2 years ago. This property was no longer depicted for use and the FAA has agreed with this as well. The process to start the release of land requires an environmental assessment to be done. Talbert and Bright researched the type of wetlands we had and the Department of Historical Resources determined that there may be historical artifacts on this property and that an archeological study for additional research would need to be done and the cost of that would be about \$150,000 to complete. In the Interim, Rob Evans, from the Department of Conservation and Recreation reached out to us to say they would be interested in purchasing this land and would like a letter stating that the PAC would consider the purchase of the land. There would be no commitment from the PAC other than saying it would be willing to consider the sale of this property.

Mr. Evans stated that the goal would be to preserve the natural history of this land as it has very rare wetlands and the tracts under discussion fall within the Yorktown Civil War Battlefield Study Area. These areas have also been identified a Potential National Registry Area due to their historic significance. If the land is purchased, it would be purchased at fair market value. The land would be preserved and would come into State ownership. Commissioner Coleman asked how long this process would take. Mr. Evans stated it would depend upon funding availability. Could be 3-4 months or take a maximum of one year, as their plan is to receive grant funding for the project. Mr. Wanner, Interim Executive Director, stated this is timely with the membership of York County at some point coming onto the Commission. Mr. Wassmer asked what was driving the November 6th deadline and Mr. Evans responded that the cost would be around \$5 Million and that they would be using grant funding. The grant funding did not come often and the opportunity for a grant is available now but may not be available later. Commissioner Mallon stated that the action being requested is non-binding and he felt it would be alright to send a letter as long as we are not under any legal obligation. That we are willing to listen to negotiations but not willing to say yes.

(Commissioner Scott arrived at 8:25 a.m.)

DIRECTOR OF AIR SERVICE, MARKETING AND PUBLIC RELATIONS

Ms. Jessica Wharton, Director of Air Service, Marketing and Public Relations, gave the following report:

- Passenger numbers for the month of September were decreased by just over 10%. There were 15 cancellations due to weather and there is also a natural decrease in passenger numbers after Labor Day. Richmond passenger numbers were decreased 1% for the month and Norfolk passenger numbers were increased by .6%.
- Block Leave- December 20th begins a grand exodus of Ft. Eustis Soldiers leaving home for the Holidays from the transportation school. The soldiers will be located in Concourse A and will be at the airport all day. The USO will feed them all day and the airport provides electrical outlets for them and rents extra couches and recliners. The media may be out to cover this event as well.
- Fire Training- a media advisory went out stating that we would be conducting fire training and if you see flames, it is safe. This training is in coordination with the City of Newport News. Ms. Cheaney stated that the training has been held all week and the State has a simulator that simulates an airplane fuselage that the firefighters enter into. Firefighters have different scenarios they go through and this is a requirement by the FAA.

Commissioner Coleman asked if we had heard anything from Elite Airways and if we were in communication with them. Mr. Wanner stated that yes we have been in contact with them and they knew about the new Executive Director starting. Commissioner Mallon said the Air Service Development Committee is moving forward with them and they are not talking about it because it is falling under Economic Development.

DIRECTOR OF FINANCE & ADMINISTRATION

Ms. Renee Ford, Director of Finance & Administration gave the following report:

Ms. Ford reported that we recognized our first loss of the year. This was due to passenger count numbers being down and affected our rental car revenue and parking lot revenue. In addition, we had legal fees that impacted us this month.

Ms. Ford reported the Airport's revenues were 5.8% below September 2016. Our expenditures for September 2017 totaled 10.2% more than budget and 16.2% above September 2017.

Overall, we are doing well with the Restaurant, we are breaking even. They have cut back on operations to coincide with passenger traffic. We are in the process of getting the ABC license and this should help with attracting customers.

The Annual Audit is moving slower than we'd like. The lead auditor has dealt with some personal issues and we have not been able to meet the City deadline of November 13th. We are working on it and hoping to get a draft to the City next week. The last of November will probably be when we get the Audit to them. There is also a State

Deadline to be met.

RESOLUTION ON YORK COUNTY PARTICIPATION IN THE COMMISSION

Commissioner Mallon stated that the County of York by resolution on October 3, 2017 declared a need for participation in the Commission and may participate therein if the terms of its participation be approved by the Commission, together with the consent of the governing bodies of the participating subdivisions as spelled out in the Acts of Assembly.

RESOLVED, that the Peninsula Airport Commission this 26th day of October 2017, now supports the participation of the County of York and hereby directs its Executive Director to confer with the City Managers and City Attorneys of Newport News and Hampton to obtain the direction and consent of their Cities to admit the County of York as a full member of the Peninsula Airport Commission, so that all terms of participation may be established by the Commission and the Cities. (The full resolution is attached).

Commissioner Mallon made the motion and Commissioner Rob Coleman seconded the motion.

Voting yes were:

Robert Coleman, Walter Jubien, Jr., Steve Mallon, Sharon Scott, George Wallace and David Wasson

Mr. Wanner reported that he had contacted the City Managers of the 2 jurisdictions and they know this is written and the rules are as spelled out in the Acts of Assembly. Also the other 2 jurisdictions will be taking their resolutions to their Cities to be voted on. The City of Williamsburg will be voting on November 9th and James City County will be voting on November 14th.

CLOSED MEETING

BE IT RESOLVED, that the Commission enter into a Closed Meeting pursuant to the Virginia Freedom of Information Act; Section 2.2-3711.A. pertaining to:

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.

Specifically, the closed meeting shall be held to discuss legal issues relating to the VDOT audit, the People Express Airlines, Inc. loan, Atlantic Aviation, Avis leases/concession agreements, Hourigan Construction and FAA Audit.

Commissioner Steve Mallon made the motion, seconded by Commissioner Walter

Jubien, Jr. to hold a closed meeting.

Voting yes were:

Rob Coleman, Walter Jubien, Jr., Steve Mallon, Sharon Scott, George Wallace and David Wasson.

The Commission entered into a Closed Meeting at 8:53 a.m. and reconvened in Open meeting at 11:10 a.m. Upon reconvening, it was

RESOLVED, that to the best of the Commission's knowledge, only public business matters lawfully exempt from open meeting requirements, and only such public business matters as were identified in the motion by which the Closed Meeting was convened, were heard, discussed or considered in Closed Meeting.

Voting yes were:

Rob Coleman, Walter Jubien, Jr., Steve Mallon, Sharon Scott, George Wallace and David Wasson.

RESOLVED, that pursuant to Virginia Code section 2.2-4344.A(2) permitting the retention of legal services without competition, T.J. Roskelley, Esquire and the law firm of Anderson & Kreiger shall be and hereby are retained as SPECIAL COUNSEL to the PENINSULA AIRPORT COMMISSION, and the Executive Director is empowered to issue a purchase order/contract at a rate of \$450/hour, for an amount not to exceed \$30,000.

Commissioner Steve Mallon made the motion and Commissioner Rob Coleman seconded the motion.

Voting yes were:

Robert Coleman, Walter Jubien, Jr., Steve Mallon, Sharon Scott, George Wallace and David Wasson

Commissioner Scott wanted the record to show she is voting yes and does support this decision, however, she is concerned about the cost.

Chairman Wallace wanted the record to show that he offered Ms. Scott to present an alternative and no alternative was presented. Ms. Scott stated she didn't know anything about it until today. Chairman Wallace stated she did know.

Commissioner Wasson also wanted to put on record that he would like to read ahead on any and all things to be discussed at the meetings.

INTERIM EXECUTIVE DIRECTOR 'S REPORT

Mr. Sanford Wanner, Interim Executive Director, gave the following report:

NOVEMBER REGULAR MEETING DATE CHANGE BY RESOLUTION DUE TO THE THANKSGIVING HOLIDAY

Mr. Wanner reported that due to the November meeting falling on the Thanksgiving Holiday, we need a motion to change the regular meeting date to Friday, November 17, 2017 at 8:00 a.m.

RESOLVED, that the Peninsula Airport Commission approve the change of the date of the regular November 2017 meeting to Friday, November 17, 2017 at 8:00 a.m.

Commissioner Rob Coleman made the motion to change the date of the regular November meeting to Friday, November 17, 2017 and Commissioner Walter Jubien, Jr. seconded the motion.

Voting yes were:

Robert Coleman, Walter Jubien, Jr., Steve Mallon, Sharon Scott, George Wallace and David Wasson.

Commissioner Scott stated that she did let the Commission know she would be out of town during this meeting.

LETTER TO THE VIRGINIA DEPARTMENT OF CONSERVATION AND RECREATION

RESOLVED, that the Peninsula Airport Commission authorize the Executive Director to send a letter stating the PAC agrees to consider the sale of approximately 200 acres of land with parcel identifiers as follows: 02314A, 029-1A (portion), and 029-2 (portion), subject to the completion of all due diligence by all interested parties to specifically include the Department of Conservation and Recreation and PAC in cooperation with Newport News Waterworks and York County and a final approval by PAC.

Commissioner Mallon stated the motion should also be subject to the PAC receiving a purchase and sale agreement from the Department of Conservation and Recreation.

Commissioner Rob Coleman made the motion and Commissioner Walter Jubien, Jr. seconded the motion.

Voting yes were:

Robert Coleman, Walter Jubien, Jr., Steve Mallon, Sharon Scott, George Wallace and David Wasson.

Commissioner Scott had a conversation with someone who would like to hold a concert here in one of our hangars. Mr. Wanner asked Ms. Scott to have them contact Ms. Wharton, Marketing and Public Relations Director.

Commissioner Scott had received a complaint about excessive noise late at night around the airport, between 8:00-10:00 p.m. and wanted to know if the time could be changed for this excessive noise. Mr. Wanner stated it could be from ATAC and that he will find out and get back to her.

Commissioner Scott also received a complaint that there was something confederate on our marquee, she was not sure what it is, but would like for us to look at it and modify it.

ADJOURNED

There being no further business, the meeting was adjourned at 11:24 a.m.

NEXT MEETING

The next regular meeting of the Peninsula Airport Commission will be held on Thursday, November 17, 2017 at 8:00 a.m. in the Commission Room.

**RESOLUTION
A RESOLUTION ON COUNTY OF YORK
PARTICIPATION IN THE PENINSULA AIRPORT COMMISSION**

WHEREAS, the 1946 Acts of Assembly, Chapter 22, as amended (the "Charter"), creating the Peninsula Airport Commission provided for participation by the Counties of York and James City and the City of Williamsburg in the Peninsula Airport Commission (the "Commission");

WHEREAS, in accordance with the Charter, § 1-A, the County of York by resolution on October 3, 2017 declared a need for participation in the Commission and may participate therein if the terms of its participation be approved by the Commission, together with the consent of the governing bodies of the participating political subdivisions;

WHEREAS, the Commission wishes to obtain the consent of the Cities of Newport News and Hampton and to adopt the terms of participation in coordination with its constituent Cities;

WHEREAS, the Commission has an especially direct connection with the County of York inasmuch as part of the airport sponsored by the Commission is located within the boundaries of the County;

NOW, THEREFORE, BE IT RESOLVED, the Peninsula Airport Commission, this 26th day of October, 2017, now supports the participation of the County of York and hereby directs its Executive Director to confer with the City Managers and City Attorneys of Newport News and Hampton to obtain the direction and consent of their Cities to admit the County of York as a full member of the Peninsula Airport Commission, so that all terms of participation may be established by the Commission and the Cities.

Adopted this 26th day of October, 2017

IN WITNESS WHEREOF, the Commission by motion made and adopted on October 26, 2017 has caused this Resolution to be executed on its behalf by the Chairman as of this day.

Executed this 26th day of October, 2017.

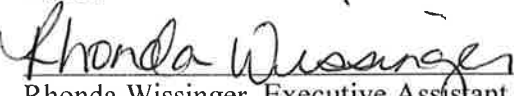
PENINSULA AIRPORT COMMISSION


George Wallace, Chairman

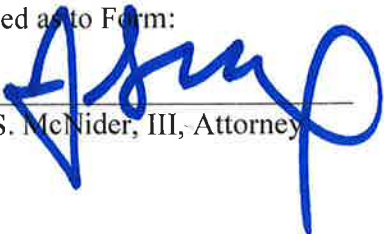
SANFORD B. WANNER


Interim Executive Director

Attest:


Rhonda Wissinger, Executive Assistant

Approved as to Form:


James S. McNider, III, Attorney