

Peninsula Airport Commission

Board of Commissioners Meeting Minutes

September 21, 2023, 8:00 a.m.

Commissioners in Attendance:

Chair, Lindsey Carney Smith
Vice Chair, Thomas Garner
Treasurer, James “Jay” Joseph
Secretary, Dr. McKinley Price
Assistant Secretary, John Lawson

Staff Members in Attendance:

Interim Executive Director, John Borden
Office Manager, Barbara Rumsey
Director of Finance, Mark Adams
Commission Clerk, Patricia Speno
Facility Director, Bill LaManque

Public Officials Present:

Assistant City Manager of Newport News, Ralph “Bo” Clayton

Counsel:

Counsel, L. Scott Seymour

Public Attendees:

Mr. Fabio Bendana, Passero Associates
Mr. John Murray, Hampton University
Mr. Orestes Gooden, Hampton University
Mr. David Hause, Kiln Creek HOA
Ms. Jacqueline Wade, Hero’s Lounge Volunteer Manager

Chair Smith called the meeting to order at 8:00 a.m.

Chair Smith welcomed Mr. John Lawson to the Peninsula Airport Commission as our newly appointed Commissioner.

Approval of Minutes: Commissioner Dr. Price moved to accept the August 24, 2023 meeting minutes. Commissioner Joseph seconded the motion. **The minutes were approved unanimously.**

Public Comment: No public comment

Finance and Audit Committee Report: Commissioner Joseph reported that the committee did not meet but there was a discussion on Monday with Ms. Rumsey, Mr. Adams, and Mr. Borden. It was a

very brief meeting, and the financial results are included in the board packet. Commissioner Joseph added an additional item which is that the staff requests action on the Truist bank account.

Chair Smith clarified and gave background information for the new Commissioners and the public stating there are funds in Truist bank that the Commission discussed in previous months, of moving to Towne Bank. It was the desire of some of the Board to move funds from one particular Truist account to Towne Bank. The accounts have been opened but no funds have been transferred. Chair Smith said she would like to open it up to the floor for discussion.

Commissioner Joseph added that he is on the record stating that it is not necessary, we do not need to do it, and if we do want to open up different relationships, we should go through the procurement process.

Commissioner Dr. Price asked if an official vote is required, and Chair Smith answered it was the consensus of the board at the time it was discussed, and with the seat vacancies, it did not happen. Chair Smith stated we should put it to a vote.

Move funds from Truist to Towne. A motion was made by Commissioner Dr. Price to transfer the funds. Commissioner Garner seconded the motion. Voice vote by roll call: Chair Smith-Abstained, Commissioner Joseph- No, Commissioner Garner-Yes, Commissioner Dr. Price-Yes, Commissioner Lawson – Abstained. **The motion passed.**

Chair Smith added she had a question pertaining to our expenses being higher than budgeted, with regard to utilities, repairs, and maintenance. Part of the explanation for utilities was the seasonal temperature deviation. Chair Smith stated that there was not much of a deviation between last summer and this summer and asked for additional clarification or explanation.

Mr. Adams reported that the budget was not seasonally adjusted, and it is difficult to make seasonal adjustments for the budget because rates have changed. He stated we could expect a lower utility budget in the cooler months. Chair Smith asked if we could come closer to the target by adding an adjustment in the next budget period, knowing there could be an increase in rates. Chair Smith also asked about the repairs and maintenance, stating it too, was higher than budgeted.

Mr. Borden stated we had roof repairs and parking lot expenses. Chair Smith reported that she feels it would be helpful to have a committee to assist staff with capital asset assessment and capital asset condition reports. She stated we need to plan for this and budget for this so we are not getting hit with \$40,000.00 off budget for the month.

Planning and Development Committee Report: Chair Smith reported that the Planning and Development Committee did not meet although Commissioner Garner and Chair Smith spoke. Commissioner Garner and Mr. Borden did meet. Those items will be addressed today in closed session with regard to perspective business or industry.

Executive Director Report : Mr. Borden introduced Fabio Bendana from Passero Associates to give an update on the Master Plan.

Mr. Bendana offered an update on what has been done so far and what we will be working on in the next period. He reported they had the kickoff meeting with the FAA, the State, and the airport. The Field Inventory is complete, and the aerial imagery has been scheduled. The FAA has approved the flyover. Historical facts about the airport were gathered which will be the introduction to the Master Plan. The catchment area is completed and will be the base for the forecasting, which is the next step. Mr. Bendana reported they had an initial meeting with the Public Outreach consultant that will be managing the website. The website should be up and running before the next meeting with the FAA in early December. Mr. Bendana reported they were anxious to see the regional study and see what the recommendations are and how they can be incorporated into the Master Plan. There is a desire to compress the schedule and when we have the meeting with the FAA, we will mention this and give them the reasons and hopefully this will be approved. Mr. Bendana added that he believes this is in everyone's best interest to finish the project earlier than 25 months.

Commissioner Smith asked at what stage, in this schedule that we have been presented, would the regional study feedback be required? When would you need this information? Mr. Bendana and Mr. Borden responded it is needed before we have the ALP put together. Mr. Bendana added before the Public Outreach that people will have a lot of questions. Chair Smith thanked Mr. Bendana and said they could get initial data, not the final report, before the December public comment or work session.

Mr. Borden reported on the Vice President's visit. The mayor was in attendance as well.

5K on the Runway went very well with over 590 runners. We will have the final numbers by next month's meeting, and we will be donating the proceeds to Dream Catchers.

Mr. Borden reported there is a conference next week with UAV. Mr. Bill LaManque and Mr. Borden will be attending the conferences. Mr. Borden reported that Mr. Bendana is also here because of the third round of the BIL, which is the competitive terminal bid process, and we can try to get more funding to fix the roof, bathrooms, and stairwells. We will be piecing that together next week.

Mr. Joseph asked Mr. Borden how many rounds there are of this competitive funding for small airports and how much money?

Mr. Borden replied with five rounds, and we were not awarded in the first two rounds. It is \$100,000,000.00 for small airports such as ours. Commissioner Joseph asked if any Virginia airports have gotten awards in the last two rounds. Mr. Borden responded with the last two rounds, Norfolk, and Richmond were awarded. Commissioner Joseph asked if there was any feedback on our application. Mr. Borden responded we were told in the first round that our project was not ready. We were also told that some of these projects are actually funded by diverse sources, and they are using the BIL, that way they can save their PFC funds or their state entitlement money. Some of these projects were actually started before they got their approval. They have one source of funding already and are using BIL as a backup. Commissioner Joseph asked what the deadline for this application is. Mr. Borden responded October 16th. Commissioner Joseph stated that we need to strategize on how to win this as it is new money, and it is competitive.

Old Business:

The Chair asked Mr. Seymour to provide an easement update. Mr. Seymour reported that City Engineering has signed off by email on the no conflict between HRSD and VNG and we are waiting for

their confirmation letter back which we expect at any time. This will allow us to close on the HRSD easement. With respect to the MOU on parking, we have a draft from the City Attorney's office of Newport News. Chair Smith stated that the city did send an MOU to Mr. Borden, me and Mr. Seymour. Mr. Seymour reviewed it and provided his legal provisions regarding it. Chair Smith provided the MOU trajectory and stated the city would make progress payments on the project during the time of the construction. Upon substantial completion, the PAC would then reimburse the city. Chair Smith asked Commissioner Garner if he had any questions to put forth.

Commissioner Garner reported he spoke with Mr. Clayton, Assistant City Manager, regarding the curb and guttering. Mr. Clayton reported he was going to have the Engineering staff take a look to see if the curb and guttering is necessary. If not, it would take considerable cost away from the project. Chair Smith suggested that we allow our legal counsel to send back the legal revisions, leaving a place for the dollar amount in the event we can reduce the amount.

Chair Smith asked Mr. Bill LaManque if he had the opportunity to talk to the rental car companies making it easier for customers to pick up their rental cars. Mr. LaManque responded that the car companies do have that in place. However, the issue is a lack of inventory, and the premium vehicles are sent back out as soon as they are returned. Any deviation in time can break down the system and unfortunately, the passengers can be without their requested car.

New Business: Chair Smith asked Commissioner Dr. Price to join the Finance and Audit Committee. Chair Smith stated we face challenges due to failing infrastructure and facilities, therefore we form a Facilities Committee to aid our Interim Director and his team and give guidance regarding our priorities in our next round of funding. Chair Smith asked Commissioners Garner and Lawson to serve on the facility committee.

Chair Smith stated that the bylaws will come before the board for amendment with regard to changing the date of the meetings. We will need a resolution for next month's meeting to be changed to the 3rd Thursday of the month.

Resolution: We resolve that the Peninsula Airport Commission approve and adopt a Resolution changing the October meeting from October 26 to October 19, 2023. A motion was made by Commissioner Garner to accept the resolution. The motion was seconded by Commissioner Joseph. Voice vote by roll call: Chair Smith – For, Commissioner Joseph – For, Commissioner Dr. Price – For, Commissioner Garner-For, Commissioner Lawson – For. **The motion passed unanimously.**

Closed Session: Counsel Scott Seymour asked the board if they would be discussing real estate and Chair Smith replied yes. Mr. Seymour stated the agenda would need to be modified to incorporate the agenda we are going in under A (1), A (3) and A (5).

At this time the Chair will accept a motion to move that the Peninsula Airport Commission convene in closed session pursuant to the Virginia code section 2.2-3711.A.(1): for the assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees, or employees of the Commission regarding various employee matters of the Commission and A(3) regarding discussion and consideration and acquisition of real property for public purpose where the disposition of publicly held real property where the discussion in open meeting would adversely affect the Commission's bargaining position or negotiating strategy and A (5) regarding the

discussion or concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business or industry's interest in locating or expanding its facilities in the community regarding expansion of aviation services and other business opportunities.

Closed Session. A motion was made by Commissioner Dr. Price and seconded by Commissioner Garner. A roll call vote was taken. Chair Smith – For, Commissioner Joseph – For, Dr. Price -For, Commissioner Garner-For, Commissioner Lawson-For. **The motion passed unanimously.**

Closed session began at 8:37 a.m.

Attorney Seymour read the following: "To conclude the closed session meeting and return to the open meeting and that prior to a roll call vote, the Commissioners of the Peninsula Airport Commission shall certify that to the best of their knowledge (i) only such public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act, and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened, were heard, discussed or considered in the meeting by the members of the Commission.

Any member of the Commission who believes that there was a departure from the requirements just stated must state prior to the roll call vote and indicate the substance of the departure that, in such Commissioner's judgment has taken place.

If there are no such statements of departure, if we could please have a motion and second to end and certify the closed session and return to open meeting."

Open Session. A motion was made by Commissioner Garner and seconded by Commissioner Dr. Price. A roll call vote was taken. Chair Smith – Yes, Commissioner Joseph – Yes, Commissioner Dr. Price– Yes, Commissioner Garner- Yes, Commissioner Lawson – Yes. **The motion passed unanimously.**
The meeting resumed in open session at 9:20 a.m.

Chair Smith asked if there was any other business to come before the commission.

There was none.

There being no further business to come before the commission, the **meeting adjourned at 9:21 a.m.**