

# Peninsula Airport Commission

## Board of Commissioners Special Meeting Minutes

February 13, 2023, 8:00 a.m.

### **Commissioners in Attendance:**

Chair, Lindsey Carney-Smith  
Treasurer, James “Jay” Joseph  
Assistant Treasurer, Jennifer Smith  
Secretary, Sharon Scott (arrived 8:03 a.m.)  
Assistant Secretary, Thomas “Tommy” Garner

### **Staff Members in Attendance:**

Executive Director, Michael Giardino  
Executive Assistant, Jamie O’Brien

### **Public Attendees:**

Counsel, L. Scott Seymour  
Counsel, Neil Talegaonkar  
Peter Dujardin (Daily Press)  
Janet Roach (News 13 Now)  
Adrian Guerra (News 13 Now)

Chair Carney Smith called the meeting to order at 8:02 a.m. Jamie O’Brien called roll. All were present for the roll call except Ms. Scott.

Chair Carney Smith asked to go into closed session. Attorney Scott Seymour read the following, “The Chair will now entertain a motion to move the Commissioners of the Peninsula Airport Commission convene in closed session meaning pursuant to Virginia code section 2.2.3711 A1 Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees, or employees of any public body.

Mr. Seymour asked for a motion. Commissioner Garner made the motion to go into closed session; Commissioner J. Smith seconded the motion. Voice vote by roll call: Chair Carney Smith - YES, Mr. Joseph – YES, Mr. Garner – YES, Ms. J. Smith – YES, Ms. Scott - YES. Motion passed unanimously.

Closed session began at 8:03 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 so 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." The Commission certified that no departures were raised.

A motion to reconvene was made by Mr. Garner and seconded by Ms. J. Smith. Voice vote by roll call: Chair Carney Smith - YES, Mr. Joseph – YES, Mr. Garner – YES, Ms. J. Smith – YES, Ms. Scott - YES. Motion passed unanimously.

Open session resumed at 8:25 a.m.

Attorney Seymour stated that there is one matter of business to come before the open session. The Chair will entertain if it is the Commission's direction, the following resolutions:

*RESOLVED, that the Executive Director is employed by the Peninsula Airport Commission to oversee and continue the growth and development of the PAC and the Newport News-Williamsburg International Airport, and his duties and responsibilities as the Executive Director of the Peninsula Airport Commission, include, but are not limited to meeting the performance standards established annually by the PAC; and be it further*

*RESOLVED, that the Commissioners of the Peninsula Airport Commission deem it to be in the best interest of the Peninsula Airport Commission to terminate the employment and related Employment Agreement of the Executive Director; and be it further*

*RESOLVED, that the Peninsula Airport Commission shall provide notice of the termination of the Employment Agreement entered into between the Peninsula Airport Commission and the Executive Director, dated October 13, 2017 pursuant to Section 3. of said Employment Agreement as provided therein, and the Executive Director shall be removed from such position effective immediately; and be it further*

*RESOLVED, that the Chair of the Peninsula Airport Commission, is, authorized, empowered and directed, for and on behalf of the Peninsula Airport Commission, to execute and deliver all such notices and to take such further acts and actions as she, in her judgment, may deem necessary, advisable or appropriate in order to carry out the purpose and intent of the foregoing resolution and the matters contemplated therein.*

The motion was made by Mr. Garner and seconded by Ms. Scott. Voice vote by roll call: Chair Carney Smith - YES, Mr. Joseph – NO, Mr. Garner – YES, Ms. J. Smith – YES, Ms. Scott - YES. Motion passed 4 to 1 in favor of the resolution.

Chair Carney-Smith the meeting adjourned at 8:28 a.m.