

PENINSULA AIRPORT COMMISSION

MINUTES

March 23, 2017

PRESIDED: George Wallace

The regularly scheduled meeting of the Peninsula Airport Commission was held on Thursday, March 23, 2017 at 8:00 a.m. in the Airport Banquet Room at the Newport News/Williamsburg International Airport.

Commissioners present were:

Rob Coleman, Aubrey Fitzgerald, Steve Mallon, Sharon Scott and George Wallace.

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

Interim Legal Counsel

Mr. James S. McNider, III

Executive Assistant

Ms. Rhonda Wissinger

Public in Attendance

Ron Marker-VDOT

David Crotts-VDOT

Brad Gales-VDOT

Viveca Munger-Assistant to James McNider

COMMENTS FROM THE PUBLIC

There were no comments from the public.

Chairman Wallace introduced Mr. James S. McNider, III. Mr. McNider will be the interim Legal Counsel for the Peninsula Airport Commission. Chairman Wallace welcomed Mr. McNider to the Peninsula Airport Commission.

ASSISTANT EXECUTIVE DIRECTOR

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

- An unusual Incident occurred yesterday when one of our maintenance workers was patrolling the normal perimeter of the runway and found what looked like a parachute and a 6x6 inch box. The maintenance worker followed normal protocols and notified our Department of Public Safety. Our Department of Public Safety contacted the City of Newport News and the EOD team came out to investigate. Upon investigation, they realized it was a NOAA weather balloon and the box was their data that was collected. There was no impact to air traffic and everything continued to operate as normal.
- Consolidated Security Checkpoint- tomorrow morning the white walls in the atrium will come down. This is not the final phase of the Consolidated Security Checkpoint, but we are hoping to have the final phase completed by March 31st. The area where the TSA equipment is located will still be walled off but passengers will continue to go through the checkpoint just as they do today. There has been a small delay due to the placement of electrical boxes. The electrical boxes are not matching up to where the TSA equipment will go and we are working through this issue to get it resolved. We are hoping to have the entire checkpoint open by March 31st but will keep everyone updated.

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 February were increased by 2.6%. We will have increased seat capacity for the summer months. Delta Airlines reported they will be bringing in 737's for the month of July and American Airlines will have larger CR9's going to Charlotte for the month of April and will increase seat capacity by 4%. Norfolk International Airport numbers for February increased by 1.89% and Richmond International airport had not yet reported their numbers.
- Continuing to work with Ms. Cheaney and her team to monitor the

checkpoint openings. She will continue to inform the public what is going on with the construction and what they can expect when they arrive at the airport.

DIRECTOR OF FINANCE & ADMINISTRATION

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

- Towne Bank signature cards- Ms. Ford has new Towne Bank signature cards for the Commissioners to sign so they can sign checks for the Peninsula Airport Commission.

Ms. Ford reported the Airport's revenues were 1.6% better than budget and 3.5% above February 2016. Our expenditures for February 2017 totaled .4% below budget and 12.9% above February 2016. Ms. Ford also reported that Mr. Wanner, Interim Executive Director included detailed income in the financial packet. Ms. Ford is working on the budget and will present it at the April meeting.

VDOT ASSURANCE AND COMPLIANCE OFFICE UPDATE

Mr. Bradley Gales, Director of Assurance and Compliance Office with the Virginia Department of Transportation gave the following update of the ongoing State audit:

- Bank Records-Mr. Gales stated that PAC has taken actions to get the State authorization to see the bank records needed to complete the audit. The bank was given what they needed from the PAC to authorize access to the State but access has still not been granted to the State yet. Mr. Gales stated that was a critical piece of information that they needed. Mr. Sanford Wanner, Interim Executive Director, stated that Mr. Gales informed him that the bank acknowledged the request but has not supplied any of the requested information. Mr. Gales also reported that the bank asked for them to send the specific information that they needed for the audit and VDOT put together item by item what they needed and sent it over to the bank's legal counsel. The State has not heard anything back from the bank yet.
- Identifying Documents- Mr. Gales stated that they were identifying documents that had not been heard of before to verify their authenticity.
- Access to PAC member emails, specifically, Mr. Ken Spirito, former Executive Director- Mr. Gales reported that they needed access to Mr. Spirito's email since he was involved with the loan and this would be a critical component to the Audit. The PAC has had some problems accessing Mr. Spirito's email since it is from a couple of years ago. The PAC is working with their IT company to get the emails extracted and to the State as quickly as possible. It has

been a technological issue but will be resolved.

- Interviews-Mr. Gales has started interviews and did three interviews yesterday and will have interviews today and through next week. They are reaching out to other members and have about ten to fifteen interviews that have not been set up yet.

Mr. Gales thanked Chairman Wallace for getting formal authorization from the bank so that they will be able to access their records. He stated he had been asking for this for some time and Chairman Wallace was able to grant access for them. He also stated there has been a lot of reports in the media but they are trying to establish the facts and understand what really happened. He reported they are working as quickly and as hard as they can. They will also be reaching out to former PeopleExpress Executives to get information from them as well.

Commissioner Coleman asked when we could expect to have Mr. Spirito's emails to the State and Ms. Cheaney, Assistant Executive Director, reported that we were able to present all emails and documents to legal counsel and Mr. Sanford Wanner, Interim Executive Director, said that we should be able to get the information to the auditors today.

Chairman Wallace told Mr. Gales that the PAC didn't want to withhold anything and Mr. Gales said that actions have been taken but they don't have the information needed yet. However, Chairman Wallace and Mr. Sanford Wanner, Interim Executive Director, have initiated the actions needed by the PAC and have given them access to the bank records and access to CPA which is something they had been asking for. Chairman Wallace thanked Mr. Gales.

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:

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. Specifically, to discuss the contract of any employee of the Commission.

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, to consult with counsel regarding ongoing litigation and related matters.

Commissioner Steve Mallon made the motion, seconded by Commissioner Rob Coleman to hold a closed meeting.

Voting yes were:

Rob Coleman, Aubrey Fitzgerald, Steve Mallon, Sharon Scott and George Wallace.

The Commission entered into a Closed Meeting at 8:24 a.m. and reconvened in Open meeting at 9:36 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, Aubrey Fitzgerald, Steve Mallon (limited to time present in closed session), Sharon Scott and George Wallace.

CONTRACT RATIFICATION-SANFORD B. WANNER/PAC

Mr. Aubrey Fitzgerald made the motion to ratify Mr. Sanford B. Wanner, Interim Executive Director's contract as presented.

RESOLVED, that the Peninsula Airport Commission ratify Mr. Sanford B. Wanner, Interim Executive Director's contract as presented.

Commissioner Aubrey Fitzgerald made the motion to ratify Mr. Sanford B. Wanner, Interim Executive Director's contract as presented and Commissioner Steve Mallon seconded the motion.

Voting yes were:

Rob Coleman, Aubrey Fitzgerald, Steve Mallon, Sharon Scott and George Wallace

INTERIM EXECUTIVE DIRECTOR 'S REPORT

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

Mr. Sanford Wanner thanked the Commission for the opportunity to manage the affairs of the airport while the Executive Director is on administrative leave. In his first two weeks Mr. Wanner has:

- Contacted Elite Airways to let them know how much we are looking forward to their arrival and how much they will be an asset to the airport and to the community.
- Met with Atlantic Aviation regarding the development of an additional hangar.
- Continuing to work with Mr. Gales and auditors from VDOT
- Initiated weekly staff meetings with Direct Reports and

Supervisors.

- RFP for legal services- Mr. Wanner is in the process of developing the Request for Proposals for legal services. We have engaged Mr. McNider as legal counsel on an emergency procurement in order to be responsive to Judge Mills's requirement.

Mr. Wanner presented two resolutions of acknowledgment that the Department of Public Safety Chief of Police Position changed from a Full Time position to a Part Time position. On February 4, 2013 Todd Rittenhouse was hired into a part-time position as the Chief of Police. His predecessor held this position as a full-time employee, however it was determined to change this position to part-time based on the following factors:

1. The size of the department
2. The experience of those in the department. (DCJS certified officers)
3. The volume of tasks for this position. (This position oversaw the fire department when it was full time.)

VRS (Virginia Retirement System) has requested that the Peninsula Airport Commission acknowledge and certify that the Chief of Police position is a part time position not eligible for VRS benefits, and that Todd Rittenhouse shall work and be paid for no more than thirty-two (32) hours in any regular work week. If he or anyone in this position routinely works more than thirty-two (32) hours in a regular work week on average, then the position may be considered full-time by VRS. If VRS considers the position to be full-time, the Peninsula Airport Commission must report the employee as an active member to the VRS, and all required contributions must be paid by both the employee and employer. There is no budget impact.

There are two resolutions for action. The first resolution is drafted by the VRS legal counsel and could not be modified. The second resolution is drafted to reflect the authority to hire and fire employees of the Airport, and to determine full-time and part-time status of employee positions resides with the Executive Director based on operational needs.

Mr. Wanner, Interim Executive Director, recommends approving the resolutions authorizing the Chair and Vice Chair of the Peninsula Airport Commission to sign the resolutions acknowledging that the Department of Public Safety Chief of Police position is a part-time position.

Commissioner Sharon Scott stated that she does have an issue with a Part-Time Chief of Police with a Full-Time staff and would like to talk more about this at another meeting.

Ms. Cheaney, Assistant Executive Director, stated that our most qualified employees for this position have been VRS retired employees. Mr. Sanford Wanner, Interim Executive Director, stated that this is prevalent in many Virginia towns. The town of West Point for example has a part-time Chief of Police that is a retired VRS Employee.

Commissioner Rob Coleman recommended that we look at the salary for this position as it is low and that we also look at making this a full-time position.

RESOLVED, that the Peninsula Airport Commission approve the resolutions authorizing the Chair and Vice Chair of the Peninsula Airport Commission to sign the resolutions acknowledging that the Department of Public Safety Chief of Police position is a part-time position.

Commissioner Aubrey Fitzgerald made the motion to approve the resolutions authorizing the Chair and Vice Chair of the Peninsula Airport Commission to sign the resolutions acknowledging that the Department of Public Safety Chief of Police position is a part-time position. Commissioner Rob Coleman seconded the motion.

Voting yes were:

Rob Coleman, Aubrey Fitzgerald, Sharon Scott (voting yes, but would like to reserve the option to revisit this at a later date) and George Wallace

Voting no was:

Steve Mallon

Commissioner Scott asked Mr. Sanford Wanner to see the contract with legal counsel and Mr. Wanner will send it to her. She also asked Mr. Wanner to send the Commission a weekly update of important things happening at the airport.

Mr. Sandy Wanner, Interim Executive Director, recommends adding to future agenda items "Commission Requests and Directives".

ADJOURNED

There being no further business, the meeting was adjourned at 9:54 a.m.

RESOLVED, that the Peninsula Airport Commission meeting be adjourned.

Commissioner Aubrey Fitzgerald made the motion to adjourn the meeting and Commissioner Rob Coleman seconded the motion.

Voting yes were:

Rob Coleman, Aubrey Fitzgerald, Steve Mallon, Sharon Scott and George Wallace

NEXT MEETING

The next meeting of the Peninsula Airport Commission will be held on Thursday, April 27, 2017 at 8:00 a.m. in the Banquet Room.