

VIRGINIA HIGHLANDS AIRPORT AUTHORITY

REGULAR MEETING

**Members Present:** Stephen Lowe  
Edward "Earl" Maine  
Gary Cutlip  
John White  
Frank Buchanan, III  
David G. Anderson

**Absent:** David Matlock

**Guest Present:** See Attachment

The Virginia Highlands Airport Authority Board of Directors met on Monday, May 13, 2013 at 6:00 P.M. in Conference Room "A" of the Terminal Building. Mr. Lowe, Chairman, determined that a quorum of the Board was present and called the meeting to order. Also present were Mickey Hines, Airport Manager, Jim Elliott, Airport Attorney, Kristy Miller, Airport Secretary and Amber Miller, Assistant Secretary.

Mr. Lowe called for approval of the Minutes of the Regular Meeting of April 08, 2013.

Mr. Buchanan moved to approve the Minutes of April 08, 2013. Mr. Maine seconded the motion. The motion carried unanimously.

Mr. Lowe called for Public Comments.

The following people addressed the Board:  
Mr. David Jones

Mr. Lowe called for the Financial Report.

Mr. Anderson gave the Financial Report.

Mr. Lowe called for the Manager's Report.

Mr. Hines gave the Manager's Report.

Discussion ensued.

Mr. Lowe called for the Operations Committee Report.

Mr. Maine stated that the Operations Committee had not met.

Mr. Lowe asked the Operations Committee to meet to review the 2013-2014 Budget.

Mr. Lowe called for the Development Committee Report.

Mr. Buchanan stated that the Development Committee had met.

Mr. Buchanan stated that the Development Committee did not take a vote but had come to a consensus that the rental rates not be raised this year.

Mr. Lowe called for Unfinished Business.

Mr. Lowe stated that the additions to the By-Laws need to be considered.

Mr. Maine stated that on page 1 of the Proposed additions to the By-Laws, section 11.1.1 paragraph b., that "Upon prior to and upon adjournment..." should read "Prior to and upon adjournment..."

Mr. Maine moved to accept the additions to the By-Laws as amended. Mr. Anderson seconded. The motion carried unanimously.

Mr. Lowe called for New Business.

Mr. White stated that he was approached by Mr. Bails about organizing an Airshow in its entirety here at the Airport.

Discussion ensued.

Mr. White presented the Board with the possibility of having an Aviation Expo here at the Airport.

Discussion ensued.

Mr. White asked the Board to consider an amendment to By-Laws to allow Members who cannot attend meeting or is sick to vote via Facetime or the provided I-pads.

Mr. Lowe stated that there is a law against this and asked Mr. Elliott to explain. Mr. Elliott stated that the Code of Virginia Sections 2.2-3708 and 2.2-3708.1 deals with electronic communication. There is an exception 3708.1, that you can if there is an emergency that calls you away and prevents you from attending the meeting. Code of Virginia 2.2-3708.1 states "If, on the day of a meeting, a member of the public body holding the meeting notifies the chair of the public body that such member is unable to attend the meeting due to an emergency and identifies with specificity the nature of the emergency, and the public body holding the meeting (a) approves such member's participation by a majority vote of the members present and (b) records in its minutes the specific nature of the emergency and the remote location from which the member participated."

Mr. White gave the Board an update on fuel purchase incentives for patrons and operators based at Virginia Highlands Airport.

Discussion ensued.

Mr. White presented the Board with the idea of installing an underground fueling system at the Virginia State Police ramp.

Discussion ensued.

Mr. White presented the Board with information on a standalone self-fueling station.

Discussion ensued.

Mr. Lowe stated that the Board needed to consider a Resolution to the Board of Directors in regards to surveying services for land acquisitions.

Discussion ensued.

Mr. Maine moved to accept the Resolution in regards to surveying services for land acquisitions. Mr. Buchanan seconded. The motion carried unanimously.

Mr. Hines stated that some changes have been made to the contract with Davenport and Company, that needs to be approved by the Board.

Discussion ensued.

Mr. Maine moved to accept changes made to the contract with Davenport and Company. Mr. Anderson seconded. The motion carried unanimously.

Mr. Anderson moved to adjourn. Mr. Buchanan seconded. The motion carried unanimously. The meeting adjourned at 7:13 P.M.



David Matlock, Secretary



Stephen Lowe, Chairman

Additions to the By-Laws Virginia Highlands Airport Authority

ARTICLE XI – AIRPORT PROPERTY AND FACILITIES

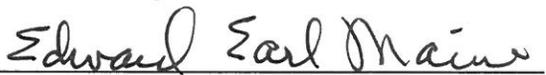
11.1 Custody and Control of Airport Properties and Facilities

11.1.1 The Virginia Highlands Airport Authority (hereinafter the Authority) hereby vests the day-to-day authorization over and control of the Virginia Highlands Airport (hereinafter the Airport) buildings, properties, facilities and equipment and Airport employees using same, and the responsibilities of various officials and employees for maintaining control over areas assigned to them and maintaining a proper working environment as follows:

- a. The buildings and associated grounds of the Airport, located at 18521 Lee Highway, Abingdon, VA 24212 and associated buildings and grounds shall be under the control of the Authority or the Airport Manager, or their designee.
- b. When the Authority is engaged in an official meeting, the Airport buildings and associated grounds are under the control of the Chairman of the Airport Authority or Acting Chairman or his designee for the orderly conduct of the meeting. Prior to and upon adjournment of an official meeting, control and regulation are returned to the Airport Manager or Acting Manager or his designee.
- c. When the Authority is not engaged in an official meeting, subject to the further provisions herein, the buildings and associated grounds are under the control of the Airport Manager or Acting Airport Manager or his designee for the orderly conduct of the Airport's business.
- d. Because of the unique relationships which exists between the Authority, the Authority's Administrative Staff and the Authority's employees, each staff employee and each airport employee shall be responsible for controlling the office area or work-station which is specifically assigned to him/her and support staff and is permitted and directed to take appropriate steps to maintain the security of the office area, work area and Airport grounds and to maintain an appropriate working environment and shall be responsible for control of their respective areas and appropriate security associated therewith.
- e. When the Airport is open during normal business hours the Airport Manager is in control of the buildings and associated grounds (subject to the provisions contained in the previous paragraph); however, in the absence of an express statement to the contrary, Airport administrative employees are delegated the authority and responsibility to control and manage their employees, equipment and office areas and grounds occupied by or assigned to them and to their employees.

- f. In the absence of an express written statement of policy by the Authority the Airport Manager or his/her designee is delegated responsibility and authority to control and manage the Airport support staff, airport equipment, airport grounds and facilities and security.
- 11.1.2 Any Airport employee so empowered by the Article may take lawful action to cause the removal of any person disrupting the conduct of Airport business in his/her assigned office or work area. Consent or direction of the Airport Manager, Acting Airport Manager or Authority Chairman is not required for such lawful action to be taken. If such action is taken, the individual taking the action shall immediately document same in writing and advise the Airport Manager, Acting Manager, and/or Authority Chairman.
- 11.1.3 Airport buildings, facilities and properties owned by businesses or corporations, but located on Airport property through lease agreements or the other special arrangements, shall be for the purposes of the Article considered under the control of those officers, organizations, agencies and individuals. Nothing herein shall prohibit the development of similar policies by those individuals in charge of such buildings. The Airport Manager, Acting Airport Manager, or Authority Chairman shall not exercise day-to-day authority and control over same, but may act in an emergency or other circumstance to protect the orderly conduct of Airport business if no other responsible official or employee is in charge.

*Adopted at the regular meeting of the Board of Directors of the Virginia Highlands Airport Authority the 13<sup>th</sup> day of May, 2013, a quorum present and voting.*

  
Edward Earl Main  
*Assistant Secretary*

RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
VIRGINIA HIGHLANDS AIRPORT AUTHORITY

re  
SURVEYING SERVICES

May 13, 2013

WHEREAS, in order to proceed toward the acquisition of properties for the extension of Runway 6, the Authority will have to provide metes and bounds surveys of the boundaries the real estate to be purchased, and

WHEREAS, the Virginia Public Procurement Act (Procurement Act) requires that surveying services agreements be procured through the process of Competitive Negotiation, but

WHEREAS, the Procurement Act also provides that where only one source is practicably available, the contract may be negotiated and awarded without competitive bidding, and

WHEREAS, Addison Surveyors had earlier surveyed most of the boundaries of the real estate needed for extension of Runway 6 for other purposes, and it would be wasteful to seek competitive bids at this time due to the cost of most of the surveying having been incurred on an earlier project, so that no competitor could negotiate at a reasonable level to perform the services without repeating work already performed by Addison Surveyors, it is therefore

RESOLVED, that the General Manager of the Airport negotiate with Addison Surveyors for limited surveying services for the remaining work necessary for extending offers of purchase to the landowners whose properties will be essential to the expansion of Runway 6, and award the contract for limited surveying services upon receiving confirmation from the FAA that it will fund the initial expenses for the expansion project, and it is

FURTHER RESOLVED, that a copy of this resolution be posted as a notice on the Virginia Department of General Services central electronic procurement website and the website of the Authority as soon hereafter as practicable.

Approved by the Board of Directors, Virginia Highlands Airport Authority

May 13, 2013

Signed: Edward S. Main Secretary