

**Commonwealth Of Massachusetts
County Of Dukes County, S.S.
MARTHA'S VINEYARD AIRPORT COMMISSION MEETING**

July 2, 2008 5:30PM

Martha's Vineyard Airport

Notice of Such Meeting having been Posted as Required by Law.

Present: Airport Commissioners: Chair Frank Gildea,
Fred Condon, John Coskie,
Norman Perry, Connie Teixeira

Airport Staff: Sean Flynn - Manager,
Deborah Potter - Assistant Manager,
Elaine Graves – Financial Clerk
Kim Elias – Admin. Assistant

Others: Connie McHugh – Tennis Center
Candie Nichols – Tennis Center
MVTV – Gimili Glavin
Marni Lipke - Recorder

1. Call to Order

The meeting was called to order at 5:34PM. The new Administrative Assistant Kim Elias was introduced and welcomed.

3. Vineyard Tennis Center Request (Vote)

In the process of re-financing the Vineyard Tennis Center's lease and attendant documents were reviewed and amended for consistency (see documents on file and below: Tasks). The original lease was signed by County Manager Winn Davis, and would now need to be transferred to the Airport as the proper authority. At the recommendation of the Land Use Subcommittee:

• MR. JOHN COSKIE MOVED TO APPROVE THE REQUEST FROM VINEYARD TENNIS CENTER FOR THE

- STOCK TRANSFER

- THIRD AMENDMENT TO LEASE AND CONSENT DOCUMENT,

- LEASEHOLD MORTGAGE AND SECURITY AGREEMENT,

- COLLATERAL ASSIGNMENT OF LEASES AND RENTS, AND

- UCC FINANCING STATEMENT,

WITH THE FOLLOWING CONDITIONS:

- THE MARTHA'S VINEYARD AIRPORT COMMISSION'S APPROVAL IN CONTINGENT UPON THE COUNTY MANAGER ACCEPTING THE THIRD AMENDMENT TO LEASE AND CONSENT DOCUMENT AS PRESENTED,

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- VINEYARD TENNIS CENTER MUST PROVIDE A SIGNED STATEMENT FROM THE EDGARTOWN NATIONAL BANK ACKNOWLEDGING THAT VINEYARD TENNIS CENTER DOES NOT HAVE A SEPARATE LEASE FOR THE NEIGHBORING PARKING AREA WITH THE AIRPORT COMMISSION; MS. CONNIE TEIXEIRA SECONDED; MOTION PASSED: 4 AYES, 0 NAYS, 1 ABSTENTION – MR. FRED CONDON.

4. Old Business

• Hangar Lease Renewal

The leases had been printed and were being reviewed by the Vineyard Aircraft Hangars lawyer. Hopefully they would be ready for Martha's Vineyard Airport Commission (MVAC) vote at the next meeting.

• Tenant Lease & Regulation Enforcement Policy (in Process)

The scoping meeting with VHB Engineering out of Watertown, MA on the comprehensive policy and regulation work took place as scheduled. It was a high level informative meeting and the work (which was likely to be a lengthy process) should help the Airport standardize policy, maintain compliance and optimize revenues.

• EMS Response to MVY (in Process) (See 3/19/08 Minutes p.3-4 #6.)

West Tisbury Police Chief Toomey has been advocating for the more efficient process and has made good progress. The new dispatch policy should be in place in time for the July 4th weekend.

• GAAP Resports

Despite continuing attempts by Mr. Coskie, Mr. Flynn and Dukes County Treasurer Noreen Flanders Auditor Jim Powers of Sullivan & Powers has been unresponsive (see below: Tasks).

• Airport Manager Sean Flynn would meet with Ms. Flanders this week in regards to the new format for the Airport budget. She was mapping the chart of accounts and Mr. Flynn was fairly confident the system would be in place for the next budget.

5. New Business

• Oakmont/CHALON LLC Correspondence (See documents on file.)

To the disappointment of the Management and MVAC Oakmont has decided not to proceed with hangar. The other proposals will be re-reviewed at the next Land Use Subcommittee meeting however it was likely that the Airport has lost a year's revenue, as well as delaying the construction of the much needed hangar.

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6. Airport Manager's Update

- There was a computer/credit card glitch at the Airport starting Monday, June 30th having to do with a switch in credit card company software and Airport difficulties in updating the system to compatibility; unfortunately the back up system failed as well due to lack of necessary equipment. A review of the software was scheduled for July 14th and the contingency equipment was now in place.
- Fiscal Year 2008 (FY08) was being closed out. The Airport sold about 10% more jet fuel than FY07 and about \$8,000 less avgas (see below: Tasks). The instigation of new ramp/landing fees seemed about equivalent with no real downturns. Management was watching air traffic and the economy carefully.
- Mr. Flynn and Assistant Airport Manager Ms. Deborah Potter would be in Washington July 15-18 for a Federal Aviation Administration (FAA) meeting with other regional airport management on aviation issues surrounding the proposed windfarm in Nantucket Sound. The Airport had no stance pro or con the proposal and was interested solely in aviation issues having to do with VFR flight restrictions and narrowing the approach corridor on cloudy days. Other possible issues possible effects on DMV / VOR intersections and primary radar. Management would advocate for FAA due diligence on the issues.
- Mr. Flynn and Ms. Potter were also hoping to meet with the FAA on its recent legal opinion (see 6/24/08 Regular and Executive Session Minutes).

Management would be available as always through cell phone, and email and left behind a capable staff. In view of their absence the July 16, 2008 MVAC meeting was likely to be canceled.

7. Adjournment

MR. CONDON MOVED TO ADJOURN AT 6:51PM; MS. TEIXEIRA SECONDED; MOTION PASSED UNANIMOUSLY: 5 AYES, 0 NAYS, 0 ABSTENTIONS.

Appendix A: Tasks

- Ms. Potter – get original signed ENB notice from Vineyard Tennis Center
- Mr. Flynn – send Vineyard Tennis Center documents to County Manager on 7/3/08.
- Mr. Flynn – draft letter to Dukes County documenting attempts to contact Auditor.
- Mr. Flynn – draft an analysis of fuel revenue rise.

continued >

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Appendix A: Tasks (continued)

August Agenda

- 4/29/08, 5/7/08, 6/18/08 & Exec. Sess. 6/24/08 & Exec. Sess, 7/2/08 Minutes
- Monthly statistics report

From previous meetings or ongoing

- Review of EdMar Sightseeing
- Sean - Ask MVTV re: standing order and bill for CD/DVD of MVAC meetings.
- Inform Commissioners when background information is available at the Airport.
 - It is the responsibility of the Commissioners to view background information once it has been made available.
- Lease renewals 6 mos. to 1 year before lease ends.
- Require a deposit if tenant has repeated lease violations
- Facilitate a Tenant's Association

Appendix B: Documents on file:

- Agenda 7/2/08
- Sign-in Sheet 7/2/08
- MV Airport Staff Summary re: Request Approval for Stock Transfer, Third Amendment to Lease and Consent Document, Leasehold Mortgage and Security Agreement, and Collateral Assignment of Leases and Rents 7/2/08
 - Edg. National Bank letter re: Vineyard Tennis Center 7/2/08
 - Vineyard Tennis Center, Inc Unanimous Written Consent of the Board of Directors in Lieu of Special Meeting
 - Stock Assignment 4/08
 - MVAC approval of stock transfer
 - Vineyard Tennis Center, Inc. Certificate of Vote (2 p.)
 - Third Amendment to Lease and Consent Document (17 p.)
 - Collateral Assignment of Leases and Rents (5 p.)
 - UCC Financing Statement
- Oakmont Corp. Facsimile re: Chalon LLC (Oakmont Corp.) Martha's Vineyard Airport Lease and Development of Southeast Ramp Lot 3 6/24/08

These Minutes approved as written December 17, 2008