

**BIG BEAR AIRPORT DISTRICT
BOARD OF DIRECTORS
REGULAR MEETING
JANUARY 6, 2010**

1. **CALL TO ORDER:** President Thorne Waymire called to order the Regular Meeting of the Big Bear Airport District Board of Directors on January 6, 2010 at 2:30 p.m.
2. **PLEDGE OF ALLEGIANCE**
3. **DIRECTORS PRESENT:** Thorne Waymire, Jay Obernolte, Julie Smith, Gloria Greene, Chuck Knight

DIRECTORS ABSENT: None

OTHERS PRESENT: James C. Gwaltney, General Manager
Nancy Jones, Board Secretary
Elizabeth Martyn, Attorney

4. **AGENDA APPROVAL:** Motion to approve the January 6, 2010 agenda by Vice-President Obernolte. The motion was seconded by Director Greene and passed as follows:

AYES: Waymire, Obernolte, Smith, Greene and Knight

NOES: None

ABSENT: None

ABSTAIN: None

George Berge asked if there was a new policy for receiving agenda packets since the packets were not available on the previous Friday as was past practice.

Manager Gwaltney explained we had technical difficulties sending out the agenda this month due to our internet provider only allowing 30 MB of material to be sent out at a time and the packet was 35 MB. We were made aware on Monday that our recipients did not receive the packets. Next we attempted to break it down into smaller sections but still had problems. We then worked with our web host who was able to post the agenda and supporting documents on our web site. The Attorney indicated that her office had split the documents and emailed them in three attachments.

5. **APPROVAL OF MEETING MINUTES**

5.1 Minutes of November 7, 2009 – Director Greene objected to the structure of the motion in Old Business to approve Mr. Gwaltney's contract. She would like to see the motion clarified to say if it was Contract A or Contract B. She

also questioned the wording “approval” and Counsel suggested changing the wording to “implementation.” Motion to approve the minutes of November 7, 2009 with the change from approval to implementation, in addition to adding whether it was Contract A or Contract B by Director Smith. The motion was seconded by Director Knight and passed as follows:

AYES: Waymire, Smith, Greene and Knight
NOES: None
ABSENT: None
ABSTAIN: Obernolte

It will be clarified at the February 3, 2010 Regular Board Meeting if Manager Gwaltney’s contract is A or B.

5.2. Minutes of December 2, 2009 - Director Knight made a correction to the spelling of “public” in Item 15. Corrections from Director Smith: Page 3 “CalPers calculates and determines our” instead of the existing part of the sentence. Page 4, 6.a. delete “to” in the last sentence. Page 5, 8.c. remove “security vendors.” Motion to approve the minutes of December 2, 2009 as amended by Vice-President Obernolte. The motion was seconded by Director Greene and passed as follows:

AYES: Waymire, Obernolte, Smith, Greene and Knight
NOES: None
ABSENT: None
ABSTAIN: None

6. REORGANIZATION OF THE BOARD OF DIRECTORS

George Berge made a statement giving his support for Jay Obernolte as President expressing his hope that the Board will base their decision for Vice-President on who would best represent the public’s interest and who has the best track record for attending meetings. He then gave his support to Gloria Greene for Vice-President.

6.1. Nominations for President of the Board: President Waymire opened nominations for President of the Board by nominating Director Julie Smith for President. Director Greene nominated Vice-President Obernolte for President which was seconded by Director Knight and Director Smith and passed as follows:

AYES: Obernolte, Smith, Greene and Knight
NOES: Waymire
ABSENT: None
ABSTAIN: None

President Obernolte asked counsel, Elizabeth Martyn, since Director Smith was nominated for President didn't they have to vote on that nomination. Ms. Martyn responded that Director Smith's second for President Obernolte took her name out of the nomination. Director Smith clarified this was her intent.

6.2. President Obernolte assumed the duty of presiding officer and opened nominations for Vice-President of the Board by nominating Director Smith for Vice-President. Director Knight seconded the nomination and the vote passed as follows:

AYES: Waymire, Obernolte, Smith, and Knight

NOES: Greene

ABSENT: None

ABSTAIN: None

6.3. President Obernolte changed the Terminal Building Ad Hoc to a standing committee and then appointed the following standing committees:

Terminal Building Committee:

Chair: Thorne Waymire

Member: Gloria Greene

Airport Development Committee:

Chair: Chuck Knight

Member: Thorne Waymire

Personnel Committee:

Chair: Julie Smith

Member: Jay Obernolte

Lease Committee:

Chair: Gloria Greene

Member: Jay Obernolte

Finance Committee:

Chair: Julie Smith

Member: Gloria Greene

Security and Safety Committee:

Chair: Chuck Knight

Member: Jay Obernolte

Motion by Director Waymire to confirm the committees as presented by President Obernolte, seconded by Director Knight and passed as follows:

AYES: Obernolte, Smith, Greene, Knight and Waymire

NOES: None

ABSENT: None
ABSTAIN: None

6.4. President Obernolte nominated Director Greene to continue as representative for the San Bernardino County Association of Special Districts, seconded by Director Waymire and passed as follows:

AYES: Obernolte, Smith, Greene, Knight and Waymire
NOES: None
ABSENT: None
ABSTAIN: None

Manager Gwaltney recommended establishing scheduled dates and times for all standing committee meetings. President Obernolte agreed and requested all committees meet once a month. Manager Gwaltney will contact each committee chair approximately three days ahead of the agenda posting date for any requests.

6.5. See 6.3.

- 7. PUBLIC COMMENTS:** Marge McDonald stated she had been contacted by public citizens expressing their concerns with issues in regard to the airport. She requested the Board work together as a team to make the valley proud of the airport. She also suggested the directors adopt a dress code. Director Obernolte responded to Ms. Mc Donald's concerns by expressing his confidence in the new manager. He also stated he has flown all over the world and our airport is one of the nicest, best maintained airports anywhere. He attributes this to the airport staff. President Obernolte requested the dress code suggestion by Ms. Mc Donald be put on the February agenda for discussion.

Former director Gary Steube spoke of his support on the hiring of the new airport manager. He also requested the Board strictly enforce the three-minute rule during public comments. President Obernolte replied our policy states the presiding officer has the discretion to extend the three-minute rule unless the majority of the other board members object. Unless someone is abusing the privilege he would rather take the time to hear what they have to say.

Pat Miller congratulated the Board for the nomination of Jay Obernolte as President expressing that he does the job professionally.

George Berge expressed his concerns over what he perceived as Brown Act violations during the hiring process for the airport manager. He stated his complaint is that he tried for months by communication with the former manager to bring this to the attention of the Board so that they could resolve the problems. He went on to thank President Obernolte for spending time with him upon his return so he could express his concerns and said he calls Director Greene on occasion to bend her ear. He thanked Betsy Martyn, airport

counsel, for having spent a lot of time corresponding to him regarding some of his current concerns. He then expressed his displeasure on the difficulty he had trying to put items on the agenda. President Obernolte responded the airport makes every attempt to comply with the Brown Act. He stated he is aware of the supposed violations Mr. Berge was discussing and the ones he knows about were all vetted with Airport's counsel. He agreed there were some things that should have been done differently, like the noticing of the October 16, 2009 agenda, but Ms. Martyn gave us corrective action which we followed. President Obernolte stated the Airport's policy on adding agenda items is any Board member may request an item to be placed on the agenda; the General Manager may put items on the agenda that are pertinent to Airport operations; members of the public, in the section of every meeting in which we ask for public suggestions for future agenda items may speak up at that time and ask that an item be put on the agenda. If any of the directors or manager agrees that would be something the board needs to talk about it will be put on the agenda. He suggested Mr. Berge take the podium for Item 13 which is future agenda items. President Obernolte agreed with Mr. Berge that there is a restriction in the Director's Policy Manual against talking about current employees in the public comments section. He stated he is not sure whether or not this is something that is allowed under public law and asked for this to be put on the February agenda for discussion.

8. MANAGER'S REPORT:

8.1. Update on grading and utility plan: Manager Gwaltney stated he has the information Bill Douglas requested regarding the grading and utility plans and that Mr. Douglas can review them at his convenience

8.2. Accounting firm bids; consider approval of Shawn Washington's contract: Manager Gwaltney reported the accounting firm quote requested by the Board is in their agenda packet. The bid was for \$45,335 for three years compared to Shawn Washington's bid of \$46,700, also for three years. Manager Gwaltney recommended the Board approve the original submittal from Mr. Washington's firm. President Obernolte asked Ms. Martyn to confirm that since this is a directed award are we not required to take the lowest bid. She confirmed this stating it is considered professional services. Motion to accept Shawn Washington's proposal for 2010, 2011, and 2012 not to exceed \$46,700, including the authority for the general manager to proceed forward with the contract by Director Greene. Seconded by Director Knight and passed as follows:

AYES: Obernolte, Smith, Greene, Knight and Waymire

NOES: None

ABSENT: None

ABSTAIN: None

8.3. Jet A pump/hose: Manager Gwaltney stated we are unable to find a vendor who will give us a written bid for the pump/hose. He said Ryan Goss determined there are only two vendors in California who are licensed to do work on above ground tanks. We will continue to proceed with this but will only put it on February's agenda if there has been some progress.

8.4. Information on future board workshop: Manager Gwaltney reported speaking with a facilitator and got some figures on the cost for a two-day workshop which is \$8,000. Pine Summit charges \$100.00 for a conference room and \$10.00 per person for meals. He will continue discussions with other facilitators to determine if he can find someone who meets our requirements at a lower cost.

President Obernolte declared a seven minute recess at 4:00 p.m. and called the meeting back in session at 4:07 p.m.

8.5. Aircraft and hangar insurance compliance methods: Mr. Gwaltney reported speaking with SDRMA and Ms. Martyn about insurance requirements for aircraft and hangar tenants. He asked them if the insurance requirements were legally necessary. Both reported by law insurance is not required, however, to relieve the airport of potential liability they strongly recommend the airport continue to require all hangar tenants to have insurance on the aircraft, naming the airport district as additional insured. After discussion, President Obernolte suggested asking the Lease Committee, in conjunction with staff, to come up with a policy recommendation for consequences when a tenant violates the insurance requirement and/or has a non-flyable aircraft, with recourse steps and bring back the recommendation to the Board for discussion.

8.6. Board meeting minutes: Manager Gwaltney stated in speaking with the directors he felt they would rather see minutes reflecting actions taken at meetings than verbatim. President Obernolte concurred.

8.7. Southwest Chapter AAAE Short Course: Motion to approve Manager Gwaltney's attendance at the Southwest Chapter AAAE Airport Management Short Course in Monterey, Ca., January 23-27, 2010 by Director Smith. Seconded by Director Waymire and passed as follows:

AYES: Obernolte, Smith, Greene, Knight and Waymire

NOES: None

ABSENT: None

ABSTAIN: None

8.8. AAAE Safety and Operations Specialist School: Manager Gwaltney informed the Board he would like to attend the AAAE Basic Airport Safety and Operations Specialist School in Arlington, Va., March 28-31, 2010.

He received approval from the Board and will put this on the February agenda for a motion.

9. NEW BUSINESS

9.1. Resolution 2010-1: Ms. Martyn stated Director Greene requested today's date be on this resolution, although was effective by Board action on August 10, 2009. The resolution number will be changed from 2009-5 to 2010-1. Motion to approve the resolution 2010-1 as amended by President Obernolte. Seconded by Director Waymire and passed as follows:

AYES: Obernolte, Smith, Greene, Knight and Waymire
NOES: None
ABSENT: None
ABSTAIN: None

9.2. Resolution 2010-2: The resolution will be changed to read 2010-2. After discussion the wording "cost to the airport, as shown on Exhibit A, plus \$.35 per gallon" will be added and the resolution will be brought back to the February meeting for approval.

9.3. Establish duties, responsibilities and guidelines for standing committees: Ms. Martyn stated most districts have a description of what the duties of standing committees are and has samples she brought with her. President Obernolte asked that each standing committee, as part of their first agenda, adopt a statement defining the role of the committee. These will be included in a policy manual revision to be voted on at a later meeting.

9.4. Motions to be included in the Director's and personnel policy manuals: Manager Gwaltney reported he and the Board Secretary will take the next month to examine the Personnel Policy manual line by line and compare it to the minutes from meetings in 2009. We will then provide to the Board an amended Personnel Policy, Director's Policy manual and a draft of an operations manual. President Obernolte requested any suggested revisions to the manuals be clearly delineated, also that the Board receives the revisions well ahead of the scheduled Board meeting. Manager Gwaltney assured him this would be done, and also that he will give the suggested revisions to the appropriate committees.

9.5. Legal representation at future board meetings: After discussion President Obernolte suggested having the Manager responsible for initially determining whether or not he recommends counsel be at the upcoming meeting.

10. STANDING COMMITTEE REPORTS

10.1. Finance Committee: President Obernolte reported the

Finance Committee met and went over all financials which are in good order. The fuel policy was also discussed at that time.

10.2. Lease Committee: Director Greene reported Manager Gwaltney informed her that the airport is attempting to implement the improvements requested by Rick Herrick of KBHR. The Lease Committee would like to meet with Mr. Herrick and Manager Gwaltney to discuss drafting a new contract as the current contract does not provide for tenant payment of the electricity used by the tenant.

10.3. Personnel Committee: Vice-President Smith reported the Personnel Committee met on December 8, 2009 and discussed the various job descriptions for the maintenance positions. They are working on those, as well as coming up with a consistent hourly wage for all the positions that exist. They will then bring this back to the Board for approval.

10.4. Airport Development Committee: No Report

10.5. Safety and Security Committee: Director Greene reported the Committee met in Closed Session to discuss AQMD issues. She reported Mr. Gwaltney will be drafting a letter to the three security companies with specific requirements for security at the airport.

11. BIG BEAR AIRPORT PILOTS ASSOCIATION: Ken Campbell, president of the Pilots Association reported the group had a fly-out on New Year's Day to Jean, NV. and Tuesday, January 12, 2010, will be their next association meeting. The next quarterly board meeting will be held on Wednesday, January 13, 2010.

12. CIVIL AIR PATROL: Steve Baker reported the CAP building received telephone, cable and internet service last week. Next will be installing the fire alarm system through All Protection Alarm. They will soon be having fund raisers to help pay for the lighting in the building. Their CAP meetings are held on the 2nd and 4th Thursday of the month at 7:00 p.m. and invited all to attend. Marge McDonald stated the CAP building will be used by many agencies in the valley. She has spoken with the general manager at CSD and in this year's budget they will include funds to be donated to CAP for their electric, gas and water. She also asked Fire Chief Jeff Willis to speak to the other six boards in the valley in the hopes that they, too, will budget funds to the Civil Air Patrol. She asked the airport board to also consider this when putting together our budget. She would like to see each of the valley agencies donate \$1200 per year. Ms. Martyn suggested including this in the next fiscal year budget as a proposal for discussion at that time.

13. FUTURE AGENDA ITEMS: Consideration of dress code for Directors at board meetings; reconsider revised Resolution 2010-2; President Obernolte read a list of agenda requests from George Berge - Brown Act review from September 2009 to December 2009; use of public funds; General Manager Gwaltney - personnel complaint, paid time off; discretionary spending; background of public sector experience.

President Obernolte asked Mr. Berge if he had any more requests for agenda items. Mr. Berge stated most of his concerns were not relevant anymore as they were resolved in today's meeting. He stated he would like the opportunity to discuss concerns of the Brown Act that he felt occurred between September 2009 to December 2009. He said other items could be condensed into a review of the General Manager's contract and a policy that describes discretionary spending policy.

After discussion Board consensus was to have only one public comment section at the end of future meetings.

14. NEXT MEETING DATE: February 3, 2010

15. PUBLIC COMMENTS: Marge McDonald commended the Board for a very good meeting and feels it is the best she has been to in a long time. Bobby Clark, Vice-President of the Senior Citizen's of Big Bear Valley, thanked the airport for allowing them to store some insulation materials for them.

16. DIRECTORS COMMENTS: Director Greene thanked the public for their attendance, participation and support.

President Obernolte stated if a tenant or member of the community has a concern and would like to have it placed on the next month's agenda he/she can address a letter to the Board of Directors and either mail it or bring it to the airport and it will be then delivered to the Board. The Directors email addresses are also available on our website – www.bigbearcityairport.com.

Director Smith stated we are working towards running the district better and appreciated the support received today on some of the improvements that have already been made.

19. ADJOURN: 6:00 p.m. The Directors enjoyed cake celebrating the District's 30th anniversary followed by the closed session.

17. ANNOUNCE AND ADJOURN TO CLOSED SESSION WITH LEGAL COUNSEL at 6:20 p.m. pursuant to Government Code Section 54956.9 (a) – Wang/Evergreen v. BBAD.

18. REPORTABLE ACTION: None

Jay Obernolte, President
Board of Directors

ATTEST:

Nancy Jones
Board Secretary