



Virginia Aviation Board  
Meeting Minutes

The Virginia Aviation Board held a meeting on Thursday, February 20, 2014, at the Double Tree Hotel Richmond Airport, 5501 Eubank Road, Sandston, VA 23250. The meeting was broadcast through video streaming, and the video is available through the Virginia Department of Aviation's website, [www.doav.virginia.gov](http://www.doav.virginia.gov).

MEMBERS

John V. Mazza, Jr., Chairman	Present
Charles M. Quillin, Region 1	Present
Robert H. Hahn, Jr., Region 2	Present
Alex N. Vogel, Region 3	Absent
Thomas E. Inman, Region 4	Present
David L. Young, Region 5	Present
William E. Coburn., Region 6	Present
Cheryl P. McLeskey, Region 7	Present

OTHER ATTENDEES

Terry J. Page	FAA Washington Airports District Office (ADO)
Lori L. Pound	Office of the Attorney General
Randall P. Burdette	Virginia Department of Aviation

Virginia Department of Aviation (DOAV) staff, state government representatives, federal government representatives, airport sponsors and managers, consultants, engineers, business owners, and city and county representatives were also present.

1. Call to Order

John V. Mazza, Jr.  
Chairman

The chairman called the meeting to order at 10:00 a.m.

2. Review and approve minutes for November meeting

John V. Mazza, Jr.  
Chairman

The November 21, 2013, meeting minutes were approved with no changes.

3. Reports/Announcements:

a. DOAV Report

Randall Burdette  
DOAV

Mr. Burdette updated the board and attendees on aviation issues and activities across the Commonwealth. The presentation topics included the Small Community Airport Access Program; turf runway initiative;

legislative issues, noting ten House Bills, three House Joint Resolutions, and two budget amendments; and upcoming events in the Commonwealth.

Cherry Evans, DOAV Communication and Education Division Director, provided an update on aviation and space education. She spoke on the 2014 International Art Contest, 2014 scholarship and grant opportunities, museum aviation offerings, the 2014 Summer Transportation Institute Program, Women Can Fly events being held in May and June, the Aviation and Space Workforce Implementation Plan, activities promoted through the National Coalition for Aviation and Space Education, and new initiatives and partnerships for DOAV.

Chris Cartwright and Brian Hough with the Liberty University School of Aeronautics gave a presentation on the industry-wide pilot shortage and programs the school is developing to meet this challenge. One of the school's goals is to make flight instruction more available at the high school level so pilots can advance to commercial ratings faster. The representatives also discussed opportunities through grants, scholarships, veterans benefit programs, and affiliate partnerships with established flight schools and regional airlines.

Steve Harris, DOAV Flight Operations and Safety Division Director, provided an update on aviation safety. Only one accident had occurred since the last board meeting. Mr. Harris announced that Aviation Safety Week will be presented by DOAV and the AOPA Air Safety Institute the week of April 28. He invited everyone to attend the open house DOVA is hosting April 30 at the Aviation Hangar. The Virginia Seaplane Association will be hosting several events in the spring. Details of the upcoming events may be found online on DOVA's website.

Copies of the presentations are available upon request.

b. FAA Report

Terry J. Page  
FAA WADO

Mr. Page reviewed the Airport Improvement Program (AIP) status in 2014. He shared that for Virginia \$71.8 million in AIP funding were secured through grants in Fiscal Year 2013 and \$90 million is projected for Fiscal Year 2014. Mr. Page reminded attendees that there will be no new requests for discretionary funds accepted for Fiscal Year 2014 and sponsors should be holding CIP meetings with DOAV and his office as the ADO will finalize Fiscal Year 2015-2017 ACIPs by the end of May. Mr. Page encouraged everyone to attend the annual airport conference at Hershey to be held March 3-5.

c. Richmond FSDO Report

Duane Hunter  
FSDO

Mr. Hunter provided an update on ongoing and upcoming certification work being handled by the FSDO. He encouraged sponsors and others to contact the office with any concerns or questions.

d. VAOC Report

Todd D. Shiller  
VAOC

Mr. Shiller discussed the success of VAOC Legislative Day with the General Assembly. Members visited with 45 legislators. He announced that the VAOC Spring Workshop will be held April 23-24 in Staunton and the Virginia Aviation Conference is scheduled August 12-15 in Virginia Beach.

4. Old Business

Airport Licensing Review

P. Clifford Burnette  
DOAV

Mr. Burnette thanked Vernon Carter, Chad Weaver, Alton Jordan, and Susan Simmers, all with DOAV, for their hard work preparing the airport licensing information for the board meeting. Mr. Burnette provided a presentation on airport licensing and facilitated sponsor reports on the status of plans to mitigate non-compliant conditions at their airports. Mr. Burnette's presentation included background on the regulation

revisions that became effective November 2013, the implementation status of the new regulations, and future enforcement of the regulations. He also reviewed the minimum requirements for standard and Day/VFR licenses and the new waiver process in the regulations, stressing the considerations for granting waivers and the constraints of a waiver. Mr. Burnette discussed the grandfather clause remaining in the regulations and identified airports that still have a “grandfathered” status for specific minimum requirements.

For each airport issued a conditional license in November 2013, an overview was given of the non-compliant requirement that lead to the issuance of a conditional license, the sponsor’s mitigation plan, and the status of the mitigation plan. Graphics were provided for each airport detailing the non-compliant conditions. The graphics, as well as mitigation plan and status highlights, were provided to the board members for review prior to the meeting. Sponsor representatives spoke to the status of their mitigation work. A summary of the sponsor reports and board recommendations is provided below.

### Region 1

#### Grundy Municipal Airport

No representative from the Town of Grundy was present at the meeting. Mr. Burnette reported that Mr. Keen with the town provided DOAV with photos showing completed tree cutting. DOAV felt the issue had been resolved and will again inspect the airport. The board passed a motion made by Mr. Quillin to recommend continuance of the existing conditional license with the expectation that the mitigation work will be completed before May 19, and, if it is not completed, a Day/VFR license should be issued.

### Region 2

#### Bridgewater Airpark

Mr. William O’Brien, representing Dynamic Aviation, asked to wait for the credit line discussion to add any comments needed. The board passed a motion made by Mr. Hahn to recommend continuance of the existing conditional license with the expectation that the mitigation work will be completed before May 19, and, if it is not completed, a Day/VFR license should be issued.

#### Eagles Nest Airport

Mr. John Trissell, Airport Manager, reported that the bad weather had delayed vegetation cutting. The work was expected to begin the following week. The board passed a motion made by Mr. Hahn to recommend continuance of the existing conditional license with the expectation that the mitigation work will be completed before May 19, and, if it is not completed, a Day/VFR license should be issued.

#### Front Royal - Warren County Airport

Mr. Robert Childress, Deputy County Administrator for Warren County, talked about the county’s ongoing project for property acquisition, which it hopes to complete by this spring or summer, and obstruction removal. The county can move into the obstruction removal once property interest is secured. The FAA representatives present confirmed that the project is in the federal program. The board passed a motion made by Mr. Hahn to extend the existing conditional license for one year.

#### New Market Airport

Mr. Burnette spoke of the constraints facing the sponsor of a privately-owned, public-use airport, including limited project eligibility and the inability to condemn property. Mr. Robert Thomas with New Market Aeronautics, LLC discussed the cost issues to move the fence and replace the t-hangar door supports; it would not be economically feasible for this work to be done. Mr. Thomas asked for a waiver for those items. Mr. Burnette clarified that the sponsor would still need to paint hold markings. The board passed a motion made by Mr. Hahn to issue a seven-year waiver for the requirements impacted by the fence and door supports.

### Region 3

#### Shannon Airport

Ms. Billie Toombs with AIRe Shannon Inc. said the hold lines will be painted as soon as the weather gets warmer. The board passed a motion made by Ms. McLeskey to recommend continuance of the existing

conditional license with the expectation that the mitigation work will be completed before May 19, and, if it is not completed, a Day/VFR license should be issued.

#### Region 4

##### Lake Anna Airport

Mr. Hank Rempe with Mile High Charters LLC had been working for a while with the property owner to obtain permission to cut a tree. A contractor had been selected for the work, but the bad weather held up the work. Mr. Rempe anticipated that the work would be done the following week. The board passed a motion made by Mr. Inman to recommend continuance of the existing conditional license with the expectation that the mitigation work will be completed before May 19, and, if it is not completed, a Day/VFR license should be issued.

#### Region 5

##### Crewe Municipal Airport

No representative from the Town of Crewe was present at the meeting. Mr. Burnette noted that the airport could not qualify for a Day/VFR license under current conditions. If the threshold would be displaced 500 feet, then the criteria for a Day/VFR license could be met. It was noted also that the airport is operated by the town but located in the county, and the county is not enforcing its zoning ordinance. The board passed a motion made by Mr. Young to recommend continuance of the existing conditional license with the expectation that the trees will be cut or the displaced threshold will be in place by May 19, and, if one of these actions is not completed, the sponsor will be in jeopardy of having its public-use license revoked.

During the discussion on the airport, Mr. Inman raised questions about filing an instrument flight plan into an airport licensed as Day/VFR and what limitations the restricted Day/VFR license would have on access to an airport. Mr. Burnette replied that staff had looked at the issues and summarized the information on a handout provided to the board members. Airports that would have raised minimums if their licenses were changed to Day/VFR were identified on the handout.

##### Falwell Airport

No representative from Falwell Aviation Partners Limited Partnership was present at the meeting. Mr. Burnette shared that the sponsor had requested a waiver for the taxiway, commenting that the request could meet the waiver criteria for topography and financial burden. The board passed a motion made by Mr. Young to issue a seven-year waiver for the requirement impacted by the taxiway/driveway facility.

##### Smith Mountain Lake Airport

Mr. Moe Bazazan with Smith Mountain Lake Airport LLC reported that a NOTAM had been issued for Day/VFR operations and the apron markings will be painted by May 19. The board passed a motion made by Mr. Young to recommend continuance of the existing conditional license with the expectation that the mitigation work will be completed before May 19, and, if it is not completed, a Day/VFR license should be issued.

#### Region 6

##### Lake County Regional Airport

No representative from the Lake Country Airport Commission was present at the meeting. Mr. Coburn shared that the commission chair had contacted him on the issue. The commission is working on the obstruction removal, but it needs more time beyond May 19. The commission would like to keep its conditional license until the work can be completed. The board passed a motion made by Mr. Coburn to recommend continuance of the existing conditional license with the expectation that the mitigation work will be completed before May 19, and, if it is not completed, a Day/VFR license should be issued.

##### Lawrenceville-Brunswick Municipal Airport

Dr. Charlette Woolridge, County Administrator for Brunswick County, reported that the county was working with a surveyor and property owners regarding tree removal. The county asked for an extension until July, 31 to finish the mitigation plan. The board passed a motion made by Mr. Coburn to recommend continuance

of the existing conditional license until August 12, and, if it is not completed, a Day/VFR license should be issued.

#### Lunenburg County Airport

Ms. Tracy Gee, County Administrator for Lunenburg County, reported that more trees need to be cut than originally thought. The county is working to install noise abatement signing at the airport so the affected landowner will resume talks with the county. The board passed a motion made by Mr. Coburn to recommend continuance of the existing conditional license until August 12, and, if it is not completed, a Day/VFR license should be issued.

#### Region 7

##### Williamsburg-Jamestown Airport

Mr. Larry Waltrip with Williamsburg-Jamestown Airport, Inc. offered comments. Regarding the displacement of the threshold to mitigate off-airport tree obstructions for Runway 31, he said that he was not sure if the displaced threshold would have much affect for operations. The board passed a motion made by Ms. McLeskey to recommend continuance of the existing conditional license with the expectation that the mitigation work will be completed before May 19, and, if it is not completed, a Day/VFR license should be issued.

In closing, Mr. Burnette thanked the sponsors who had been working with DOAV to mitigate non-compliant conditions. For those airports not meeting the new standard license requirements and reverting to a Day/VFR license, DOAV will continue to work with the sponsors so they will qualify for a standard license. Mr. Burdette thanked the Virginia Airport Operators Council for help developing the new minimum requirements, the board for its diligence working through the new processes, and the sponsors who attended the meeting and provided information on their mitigation progress.

Copies of the presentation and handout are available upon request.

#### 5. New Business

##### a. Bridgewater Airport Update - Letter of Credit

Lori L. Pound  
OAG

Ms. Pound presented a request from Dynamic Aviation, sponsor of Bridgewater Air Park, that it be allowed to use an irrevocable letter of credit, in lieu of a credit line deed of trust, as surety for the board's investment in the facility.

Current board policy requires the use of a credit line deed of trust to protect the public investment in privately-owned airports. This instrument places a lien on property and identifies the state as a creditor to receive payment in the event the sponsor is unable to comply with the terms of grant agreements with the department. In 2001, a \$100,000 credit line deed of trust was executed by the sponsor, but it was not recorded in the clerk's office in Rockingham. As such, the Commonwealth's interest in the real property is not recognized.

Due to the lack of existing equity in the property comprising Bridgewater Air Park, Dynamic Aviation formally requested that it be allowed to use an irrevocable letter of credit to secure the state's investment. An irrevocable letter of credit would function much the same way as a credit line deed of trust, except instead of the state foreclosing on the property to recoup its investment, the lender behind the irrevocable letter of credit would pay the state in the event Dynamic Aviation failed to fulfill its obligations to the Commonwealth. As this would be a departure from policy, the board would need to vote on the use of the irrevocable letter of credit. If the board voted to allow the letter of credit, Ms. Pound would conduct a review of the irrevocable letter of credit from the lending institution and request a change in the letter's language referencing the use of Virginia law instead of that for Pennsylvania.

Mr. William O'Brien, representing Dynamic Aviation, provided some information on the situation the sponsor is facing. Dynamic Aviation has been working for years to get trees cleared. The trees are on

property owned by the Town of Bridgewater, and the town is not willing to enforce its own overlay zoning. Mr. O'Brien provided additional information on the irrevocable letter of credit Dynamic Aviation seeks. An irrevocable letter of credit would be issued by PNC Bank for one year, with an automatic renewal. If PNC does not renew the letter, the state can demand repayment of its investment in the airport. This would improve the state's position, allowing immediate payment instead of having to deal with the disposition of land. Dynamic Aviation also asks the board to consider the use of the letter of credit as a future policy change.

Mr. Mazza asked Peter D'Alema with the Virginia Resources Authority (VRA) to provide some insight on the use of an irrevocable letter of credit. Mr. D'Alema said the authority makes loans to private entities under one of its programs and has found that the letter of credit is one of the easiest methods to secure the loans. The VRA does not have to deal with the disposition of property, saving time and expense. VRA does a credit check to make sure the lending institution is established and well-funded.

Mr. Inman asked if the \$250,000 amount proposed for the letter of credit would encompass all that was needed. Ms. Pound replied that it would cover the obligations for the credit line deed of trust that was not recorded, the pending AWOS project, and the two projects for which tentative allocations have been awarded

Due to the situation the sponsor was facing with licensing and safety, the board decided to take action on the request. The board passed a motion to accept an irrevocable letter of credit, in lieu of a credit line deed of trust, as an exception to the policy stated in section 4.2.1 of the *Airport Program Manual* for the Bridgewater Air Park through its sponsor Dynamic Aviation, on forms acceptable to the Virginia Department of Aviation and the Office of the Attorney General, with the specification that PNC Bank utilize Virginia law and courts.

Mr. Mazza asked staff to look at the use of irrevocable letters of credit as a new policy.

b. Virginia Aviation Board Review  
Tentative Allocations from the Commonwealth Airport Fund

J. Michael Swain  
DOAV

Mr. Swain presented tentative allocation extension requests. Mr. Young made a motion to accept staff recommendations for the Danville Regional Airport requests, and Mr. Quillin made a motion to accept the staff recommendation for the request from the Danville Regional Airport accept staff recommendations for the Twin County Airport request. The motions were appropriately seconded. The board unanimously approved all motions.

- Danville Regional Airport: The City of Danville requested a 90-day extension of a tentative allocation for the Partial Parallel Taxiway 'A' Rehabilitation (Construction) project. This is a second extension request for the tentative allocation in the amount of \$46,161.00 that was awarded August 23, 2013. Staff recommended a 60-day extension.
- Danville Regional Airport: The City of Danville requested a 90-day extension of a tentative allocation for the Taxiway 'D' and 'E' Connectors Rehabilitation (Connectors) project. This is a second extension request for the tentative allocation in the amount of \$35,156.00 that was awarded August 23, 2013. Staff recommended a 60-day extension.
- Twin County Airport: The Twin County Airport Commission requested a 60-day extension of a tentative allocation in the amount of \$1,500.00 that was awarded November 21, 2013 for the Fueling System (Jet A) Upgrade - Water Defense System project. Staff recommended a 60-day extension.

Mr. Swain provided the quarterly reports on the effect of the increased AIP match and the reimbursed cost of site plan reviews changed by localities. To date, the increase in the state match has not adversely impacted the ability to fund projects. During the last quarter, DOAV did not reimburse any funds for site plan reviews.

Mr. Swain presented the project requests and staff recommendations. The board actions are summarized below. These results are available at [www.doav.virginia.gov](http://www.doav.virginia.gov). After the allocations were awarded, the following state discretionary funds were available:

Air Carrier/Reliever Discretionary     \$3,856,177.60  
 General Aviation Discretionary         \$1,986,330.32

Mr. Mazza complimented staff on the tremendous job it is doing moving project forward, as evidenced by the allocation dates on the program spreadsheets provided in the board package.

During the review of Region 1 requests, Mr. Inman noted that the fuel emergency cut off switch could not be seen from the aircraft fueling location. Mr. Swain responded that DOAV would work with the sponsor on placement details.

For Region 1, Mr. Coburn and Mr. Quillin made motions to accept staff recommendations for the allocation of capital funds for the Mountain Empire Airport and the Twin County Airport respectively. The motions were appropriately seconded. The board unanimously approved all motions.

Airport	Project Description	VAB Action	Amount
Mountain Empire Airport	Fueling System Upgrade - Emergency Shut-off Switch	Approved	\$800.00
Twin County Airport	Terminal Area Site Preparation (non-AIP) - INCREASE	Approved	\$36,196.00

For Region 2, Mr. Hahn made a motion to accept staff recommendations for the allocation of capital funds. The motion was appropriately seconded. The board unanimously approved all motions.

Airport	Project Description	VAB Action	Amount
Orange County Airport	Storm Water Pollution Prevention Plan (SWPPP) Update	Approved	\$4,426.00

No project requests were received for Region 3.

For Region 4, Mr. Inman made motions by airport to accept staff recommendations for the allocation of capital funds. The motions were appropriately seconded. The board unanimously approved all motions.

Airport	Project Description	VAB Action	Amount
New Kent County Airport	Fueling System Upgrade (Cathodic Protection) - MISSED OPPORTUNITY	Approved	\$2,668.00
Richmond International Airport	Airfield Signage Replacement (Design/Construction)	Approved	\$359,663.00 (D)
	Pavement Sensor System & Security Fiber Optic Upgrades (Design/Construction)	Approved	\$320,808.00 (D)
Tappahannock-Essex County Airport	Box Hangar Site Preparation (Construction)	Approved	\$45,000.00

No project requests were received for Region 5.

For Region 6, Mr. Coburn made a motion to accept staff recommendations for the allocation of capital funds. The motion was appropriately seconded. The board unanimously approved all motions.

Airport	Project Description	VAB Action	Amount
Wakefield Municipal Airport	Fueling System (Avgas) Upgrade - MISSED OPPORTUNITY	Approved	\$7,136.00

During the review of Region 7 requests, the access road project for the Williamsburg-Jamestown Airport

was discussed. Mr. Swain provided information on the need to have additional engineering services to meet the comments from the latest VDOT plan review. Mr. Mazza asked Mr. Burdette to discuss this project and related issues with the VDOT commissioner.

For Region 7, Ms. McLeskey made motions by airport to accept staff recommendations for the allocation of capital funds. The motions were appropriately seconded. The board unanimously approved all motions.

Airport	Project Description	VAB Action	Amount
Hampton Roads Executive Airport	Easement Acquisition - Runway 10 Approach (5 Pines) (AIP)	Approved	\$22,616.00
	Easement Acquisition - Runway 10 Approach (5 Pines) (non-AIP)	Approved	\$53,840.00
	Replacement Runway 10-28 - Phase 2 (Construction) - INCREASE	Approved	\$45,522.00
Middle Peninsula Regional Airport	T-Hangar Site Preparation (Environmental)	Approved	\$10,314.00
Suffolk Executive Airport	Taxiway Rehabilitation (Environmental)	Approved	\$7,520.00
Williamsburg-Jamestown Airport	Access Road Relocation / Rehabilitation (Design) - INCREASE	Approved	\$24,589.00

6. Public Comment Period

John V. Mazza, Jr.,  
Chairman

Ms. Billie Tombes introduced Luke Curtas, who is purchasing the Shannon Airport. Mr. Curtas said he is looking forward to being part of the aviation community in Virginia.

Mr. Moe Bazazan introduced himself and his wife, Penny, who have purchased the Smith Mountain Lake Airport. They too are looking forward to being part of the aviation community in Virginia and bringing improvements to the airport.

7. Board Member Comments and Reports

John V. Mazza, Jr.,  
Chairman

Mr. Inman shared information about a situation at the East Hampton Airport in New York. The locality plans to let its FAA grant obligations expire and close the airport.

8. Adjournment

John V. Mazza, Jr.,  
Chairman

The chairman adjourned the meeting at 1:36 p.m.