

**VIRGINIA HIGHLANDS AIRPORT AUTHORITY  
SPECIAL CALLED MEETING**

**Members Present:** Mark Nelson  
Kenny Hobbs  
Frank Buchanan  
Stephen Lowe  
David Matlock (Arrived Late)  
Marty Large  
Anthony Lambert

The Virginia Highlands Airport Authority met on Wednesday, July 8, 2009, at 5:30 P.M. in Conference Room "A" of the Terminal Building. Mr. Nelson, Chairman, determined that a quorum of the Board was present and called the meeting to order. Also present were Mr. Mickey Hines, Airport Manager, and Ms. Ruth Denton Canter, Airport Secretary.

Mr. Nelson called for a motion to enter Closed Session.

Mr. Lowe moved that the Virginia Highlands Airport Authority conduct a Closed Session pursuant to Code of Virginia section 2.2-3711 for the purpose of discussion of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body. Mr. Hobbs seconded the motion and the motion carried unanimously.

Mr. Nelson stated that they were now back in Regular Session.

Mr. Nelson took a roll call vote to determine that no matter was discussed in Closed Session other than that that was included in the motion to go into Closed Session and no other votes were taken within Closed Session other than to vote to go out of Closed Session.

Mark Nelson - I so certify.  
Stephen Lowe - I so certify.  
Kenney Hobbs - I so certify.  
Marty Large. - I so certify.  
Frank Buchanan - I so certify.  
David Matlock - I so certify.  
Anthony Lambert - I so certify.

Mr. Large moved to authorize the Airport Manager to approach the FAA and the VHR to amend the MOA as presented to the Virginia Highlands Airport Authority. Specifically, Page 3, Roman Numeral Number I, Paragraph A, Sub Paragraph 1, should indicate that the authority shall offer to purchase the property at fair market value, by inserting language as defined by either the Code of Federal

Regulations (CFRs) or the Grant Procurement Act. The new language would provide that the appraiser who would be doing the appraisal would be a certified appraiser. Likewise, in Paragraph Roman Numeral Number I, Paragraph A, Sub Paragraph 2, the language stating, "Authority shall develop a marketing plan to resell the Property" should include "at fair market value" as defined by the same language inserted in Paragraph 1. If the Memorandum of Agreement amendment is satisfactory to the other two signatories to the agreement, and the language comes back with the proposed additions, then the Airport Manager shall be authorized to endorse the MOA on behalf of the Airport Authority, and to move forward with the project. Mr. Lowe seconded the motion and the motion carried unanimously.


Mr. Lambert moved to adjourn. Mr. Lowe seconded the motion and the motion carried unanimously. The meeting adjourned at 6:00 P.M.

**\*\*\*Verbiage**

Land acquisition necessary for Airport Improvement Program (AIP)-assisted airport development or noise compatibility purposes must be accomplished in accordance with Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs (49 CFR Part 24). This is the implementing regulation for the Uniform Relocation Assistance and Real Property Acquisition Policies Act (Uniform Act). The Uniform Act is the Federal law that provides minimum real property acquisition policies and requires the uniform and equitable treatment of persons displaced as a result of a Federally assisted project. The provisions of the Uniform Act and 49 CFR part 24 apply to all AIP projects in any phase or portion of the project, e.g. the planning, design, land acquisition, or construction phases.

An AIP-assisted airport project or program cannot proceed or receive FAA approval until the airport sponsor provides assurance of conformance to the Uniform Act. Also, for development projects, the sponsor must provide assurance, satisfactory to the Secretary of the Department of Transportation, that good title is held to the landing area of the airport or that the airport will acquire the site. Land Acquisition and Relocation Assistance for Airport Improvement Program Assisted Projects (AC 150/5100-17) provides guidance to assist airport sponsors in meeting these requirements and supporting their assurances to the FAA.

The release of obligated airport property also invokes certain Federal requirements. The airport sponsor must make documentation justifying the reasons for the release available to the FAA for review and approval. If Federal funds were originally used to acquire the land, the FAA must also approve disposition of the Federal share of the sale proceeds.

  
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Kenny Hobbs, Secretary

  
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Mark Nelson, Chairman