

**MINUTES OF THE REGULAR MEETING OF THE
BOARD OF DIRECTORS OF
THE EAST KERN AIRPORT DISTRICT
November 18, 2008**

The Board of Directors of the East Kern Airport District duly met for a Regular Meeting at the District Offices in the Administration Building at Mojave Airport, Mojave, California, at the hour of 2:00 o'clock p.m. on Tuesday, November 18, 2008.

President Balentine called the meeting to order and led those assembled in the Pledge of Allegiance.

The Clerk called the roll and the following Directors were present: Balentine, Hansen, Painter, Rutan and Walker. Also present were the District's General Manager, Stuart Witt and Deputy Counsel, Scott Nave.

President Balentine presented the Agenda and requested to add under Closed Session item "9.2A) Real Property Negotiations." Upon motion by Director Walker, seconded by Director Painter and unanimously carried, it was:

RESOLVED: That the Board find the need to take action with respect to "Real Property Negotiations" has arisen subsequent to the posting of the agenda and that agenda be approved with the addition of "Real Property Negotiations."

CONSENT CALENDAR

President Balentine presented the Consent Calendar. Upon motion by Director Painter, seconded by Director Walker and unanimously carried, Consent Calendar was approved as submitted.

3A) Minutes of Regular Meeting November 4, 2008:

RESOLVED: That the Minutes of the Regular Meeting of November 4, 2008 be approved as submitted and further reading thereof be waived.

3B) Minutes of Special Meeting November 11, 2008:

RESOLVED: That the Minutes of the Special Meeting of November 11, 2008 be approved as submitted and further reading thereof be waived.

3C) Sale of Tax-Defaulted Property:

RESOLVED: To approve consent to the sale of certain tax-defaulted properties as approved by the Kern County Board of Supervisors (Resolution #2008-535) provided that none of the properties are contiguous to the airport.

NEW BUSINESS:

DIRECTOR OF BUSINESS OPERATIONS REPORT

4A) General Fund Check Registers 11/03/08 – 11/04/08: Director Balentine disqualified himself from participating in this item due to a potential conflict of interest and turned discussion item over to Vice President Painter. Upon motion by Director Rutan, seconded by Director Walker and unanimously carried, it was:

RESOLVED: That Board approve checks on register date November 3, 2008 in the amount of \$50,841.72 and check on register date November 4, 2008 in the amount of \$1,180.00.

4B) FAA/AIP Check Register 11/03/08: Director Balentine disqualified himself from participating in this item due to a potential conflict of interest and turned discussion item over to Vice President Painter. Upon motion by Director Rutan, seconded by Director Walker and unanimously carried, it was:

RESOLVED: That Board approve checks on register date November 3, 2008 in the amount of \$71,037.45 for FAA/AIP Account.

GENERAL MANAGER'S REPORT

4A) Personal Space Flight Federation request for \$10K: General Manager discussed request from Personal Space Flight Federation (PSFF) for a one-time financial contribution. General Manager shared with Board that the District had three business failures in the last two months and all were tenants engaged in space oriented ventures. General Manager also noted that Mr. George Whitesides has been named to the new administration's transition team and is a candidate to head the President Elect's Office of Space Policy. General Manager recommended taking \$10,000 from the District's discretionary fund, which is the same amount set aside for the annual payment to the

PSFF and utilize these funds over the next sixty days for promotion of Mojave Air & Space Port to the new administration. The District would seek to fund through DARPA, Air Force and NASA projects that were lost as a result of DARPA's cancellation of funding for advanced research in the rocket based technology which had a significant impact to MA&SP. General Manager suggested that funds be taken from budgeted line item that was allocated to pay for election expenses that were not needed this year. Director Balentine asked if \$10,000.00 would be sufficient and General Manager responded that the District is competing against sites in Florida, New Mexico, Oklahoma and California that are spending huge sums of money to bring in tenants. General Manager stated that his goal is for the District to stand up and say we are doing this to save jobs for tenants that already exist here at Mojave. This would send a strong signal to Mojave's tenants that the District wants to retain their business for the long run. Upon motion by Director Walker, seconded by Director Rutan and unanimously carried, it was:

RESOLVED: That Board approve expenditure of \$10,000.00 to the Personal Space Flight Federation in support of lobbying efforts and promotion of Mojave Air and Space Port.

4B) SpaceShipOne Display Enclosure: General Manager discussed plans for providing an enclosure over the SpaceShipOne display in Legacy Park. Three estimates were proposed; option (1): metal design enclosure with glass viewing panels at a cost of \$140,000.00, option (2): metal design roof system only at a cost of \$90,000.00 and option (3): wood trusse roof system with shingled roof and skylight at a cost of \$45,000.00. General Manager recommended option (3) using the remaining \$45,281.00 from the park construction fund and finish the project next year with glass and a roll up door. Director Walker was in favor of option three as long as cameras were deployed to address security concerns. Director Walker moved to approve option 3; Director Painter raised her concern that a roof would protect the display from sun damage but not from wind and sand. Director Balentine preferred the metal roof with glass enclosure and Director Rutan agreed but noted that funds for option one were not immediately available and suggested postponing project at this time. Directors Hansen and Painter also agreed that no action be taken at this time and would like to see the display enclosed in a first class enclosure. Director Balentine stated there was a motion on the floor, motion died due to lack of second. General Manager reiterated Directors' recommendation that he

would bring item back for further discussion when funds could be made available for a metal roof and glass enclosure with a roll up door to complete the project as discussed.

4C) Review of EKAD 2008 Goals: General Manager reviewed with Board 2008 goals and stated that as they are being completed staff is developing goals for 2009. General Manager reviewed several goals on the list: cleanup of boneyard is substantially completed and will remain on the list for next year; FAA approval for an instrument approach to Runway 12/30 and 8/26 will remain as a goal for 2009 and General Manager noted that he was invited to attend the Complex Control Board meeting on December 15th and will become a non-voting member of that Board; more information on the Taxiway B Hangar Construction Project will be available in January of 2009; Joint Response Facility is ongoing and a consultant was approved by the Board to assist District in this effort. General Manager noted that staff is proactively addressing additional projects such as routine repairs and general maintenance but by giving people ownership of the goals list is an excellent way to track progress of the crew and the process is working very well.

BOARD MEMBER'S REPORT

7A) Directors: Director Hansen who coordinated the Veterans Day Ceremony on behalf of the Mojave Chamber of Commerce and Mojave VFW wanted to express her sincere thanks and appreciation to all those who participated in the event held Tuesday, November 11th by presenting plaques to the following individuals in recognition for their support: General Manager, Stuart Witt, Director of Airfield Operations, Bob Rice and Mel Langford.

CLOSED SESSION

Board adjourned to Closed Session to discuss Real Property Negotiations and Personnel. Upon motion by Director Hansen, seconded by Director Walker and unanimously carried, it was:

RESOLVED: That the Board adjourn to Closed Session.

Upon motion by Director Hansen, seconded by Director Painter and unanimously carried, it was:

RESOLVED: That the Board reconvenes to Regular Session.

CLOSED SESSION REPORT

Legal Counsel reported that in closed session the Board discussed the Mission Energy Lease and TSC Lease. The Board also discussed its right of first refusal to acquire the Sykes Hangar and gave certain direction to the General Manager. Finally, the Board conducted an evaluation of the performance of the General Manager. No other items were discussed.

ADJOURNMENT

There being no further business to come before the Board, the Chair adjourned the meeting at 4:09 p.m.

RESOLVED: That the regular meeting of November 18, 2008 be and the same is hereby adjourned.

President

ATTEST:

Secretary

(SEAL)