

**Commonwealth Of Massachusetts
MARTHA'S VINEYARD AIRPORT COMMISSION
LAND USE SUBCOMMITTEE MINUTES**

February 3, 2022, 3:00PM - Via Zoom

Notice of Such Meeting Has Been Posted as Required by Law

Present:

Subcommittee: Chair – Geoffrey Wheeler, Don Ogilvie, Norm Werthwein, Kristin Zern

Airport Staff: Kevin Brennan, Airport Properties Manager (recorder); Edward Christofono, Financial Controller; Geoffrey Freeman, Airport Director.

Public Signed in via Zoom: None

I. CALL TO ORDER by Vice-Chairperson Don Ogilvie – 15:09hrs.

II. APPROVED MINUTES: FROM THE DECEMBER 2, 2021 MEETING

MOTION: Mr. Werthwein

SECOND: Ms. Zern

VOTE: Mr. Werthwein-AYE, Ms. Zern-AYE, Mr. Ogilvie-AYE, 3-0-0, unanimously approved.

III. PUBLIC COMMENTS: No members of the public present

IV. STAFF REPORTS

a. Property Manager's Report: Mr. Brennan reported there were now 69 lease and agreement holders and 88 subtenants with 41 MVAC-approved subleases. 2 Lease Default letters were sent within the last 2 weeks.

b. LUS Chairman's Report: No Report.

V. OLD BUSINESS

a. Update on Proposed Airport Business Park Expansion Process with MVC – Mr. Brennan reported that the MVAC and MVC Rules and Regulations document amendments were approved by the MVC at their December 9, 2021 meeting. Brennan reported that Nitsch Engineering had now moved the scheduled metes and bounds work required before the RFP's are issued to January 24, 2022. A second day required has not yet been scheduled.

b. Update – Tenants With No Lease, Tenants With No Certificate of Insurance – Mr. Brennan had distributed a document entitled MVAC Lease Status Update. He asked if there were any questions. Mr. Werthwein asked what the implications of lease non-compliance are to our tenants. Mr. Brennan explained that each lease contains a section, usually entitled DEFAULT AND TERMINATION, which describes **Events of Default, Termination, Personal Property, Termination by the Commission, and Remedies Cumulative**. There were no other questions. The Lease of one tenant who recently received a default notification states: "the Commission ...may relet all or any

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of it to others....The Commission at any time....may terminate Tenant's rights under this Lease, and the Commission may re-enter and take possession of the Premises and cancel all rights and privileges granted to the Tenant in this lease....."

VI. NEW BUSINESS - None

VII. ITEMS NOT REASONABLY ANTICIPATED BY CHAIR – None.

VIII. Next meeting – 3:00PM, Thursday, March 3, 2022.

IX. ADJOURNMENT

MOTION: Ms. Zern to adjourn at 3:21PM

SECOND: Mr. Werthwein

DISCUSSION: none.

VOTE: Mr. Werthwein–AYE, Ms. Zern-AYE, Mr. Ogilvie-AYE. 3-0-0 unanimously approved.