

BLAIR COUNTY AIRPORT AUTHORITY

REGULAR MEETING

APRIL 11, 2016

Gary Orner called the Regular Meeting of the Blair County Airport Authority to order at 6:00 PM. The meeting was held in the Blair County Airport Authority Offices at the Altoona-Blair County Airport, 310 Airport Drive, Martinsburg, PA 16662. The meeting began with the pledge of alliance to the flag of the United States of America.

Those present included BCAA board members Herbert Bolger, Thomas Hite, Gary Orner, Ben Stapelfeld, and Drew Swope. Also present were Ted Beam, Blair County Commissioners' Representative to the BCAA Board; Tracy Plessinger, BCAA Manager; David Pertile, BCAA Solicitor; Matthew Dunn, Delta Airport Consultants; Kay Stephens of the Altoona Mirror; and Gus Lesnevich, Khody Detwiler, and Attorney Matt Gieg of Gus Lesnevich, Inc.

REGULAR MEETING

Approval of Agenda

- A. Ben Stapelfeld made a motion to approve the agenda for the March 14, 2016, Regular Meeting. Martin Marasco seconded the motion. A vote was taken. All board members present voted Aye. Motion passed.

Approval of Minutes

- A. Tom Hite made a motion to approve the minutes from the March 14, 2016, Regular Meeting. Herbert Bolger seconded the motion. All board members present voted Aye. Motion passed.

Visitors

- A. Attorney Matt Gieg and Gus Lesnevich addressed the board regarding areas of concern relating to the Gus Lesnevich, Inc. lease of office space in the airport terminal. The board agreed to take Mr. Lesnevich's comments under advisement and to make his written statement a part of the permanent minutes of the meeting.
- B. David Scott, of Young, Oakes, Brown, & Co., presented the BCAA audit for the period ended December 31, 2015. Mr. Scott reported that two of three findings from previous year's audits have been corrected, leaving only one audit finding for the 2015 audit. While the airport's asset position is very strong, it continues to struggle with minimal cash flow. There are excellent control systems in place to guard against fraud and abuse and ensure compliance with all federal and state grant requirements.

Manager's Report

- A. Tracy Plessinger, BCAA Manager, reported to the board on various items. (Details contained in written "Manager's Report – April 11, 2016.")
- B. Thomas Hite made a motion to approve the Manager's Report. Herbert Bolger seconded the motion. All board members present voted Aye. Motion passed.

Engineer's Report

- A. Matthew Dunn provided a report from Delta Airport Consultants. (Detail contained in written "Project Status Report – March 2016 – Updated April 5, 2016")

- B. Ben Stapelfeld made a motion to approve the Engineer's Report. Thomas Hite seconded the motion. A vote was taken. All board members present voted Aye. Motion passed.

Board Committee Reports

- A. **Property Committee** – Drew Swope, Committee Chair, presented the report of the Property committee. Agreements have been signed with Delta Airport Consultants and Fourth River Company to resolve all Fuel Farm issues. There are motions on the agenda for approval of the DeGol Jet Center II Agreement.
- B. **Finance Committee** – Ben Stapelfeld, Committee Chair, presented financial statements for the month. A motion is included on the agenda for approval of disbursements for the month.
- C. **Marketing Committee** – Gary Orner, Committee Chair, reported that planning is continuing for the Wings of Freedom event to be held August 19-21.
- D. **Personnel Committee** – Herbert Bolger, Committee Chair, reported that the committee will be interviewing an applicant for a maintenance position. We hope to approve this hiring at the May meeting.
- E. **Communications** – Nothing to report.
- F. Drew Swope made a motion to approve the board committee reports. Thomas Hite seconded the motion. A vote was taken. All board members present voted Aye. Motion passed.

Floor Opened for Public Comment on Agenda Items

- A. Kay Stephens, of the Altoona Mirror, asked several questions relating to the settlement agreements for the fuel farm. Attorney Pertile, the board, and manager, explained the detail of the Delta, Fourth River, and DeGol agreements.

Old Business

- A. There was no old business for discussion or action.

New Business

- A. Drew Swope made a motion to approve an agreement with DeGol Jet Center II, settling all claims relating to the Fuel Farm project, and to authorize BCAA officers and employees to take all necessary actions to execute same, contingent on final review and approval by Solicitor and execution of settlement agreements by Fourth River Company and Delta Airport Consultants. Thomas Hite seconded the motion. A vote was taken. All board members present voted Aye. Motion passed.
- B. Ben Stapelfeld made a motion to accept the audit findings of the Young, Oakes, Brown & Co. audit of BCAA records for the year ending December 31, 2015. Herbert Bolger seconded the motion. A vote was taken. All board members present voted Aye. Motion passed.
- C. Drew Swope made a motion to approve agreements with Delta Airport Consultants for professional planning services to prepare environmental Categorical Exclusion (CATX) Applications for the Ground Obstacle Removal and Construct/Rehab/Acquire Hangars Projects, at a total cost of \$5,000 (\$2,500 for each project). Ben Stapelfeld seconded the motion. A vote was taken. All board members present voted Aye. Motion passed.
- D. Thomas Hite made motion to approve a contract with EnviroSAFE to act as a broker to sell the DeGol Jet A fueling system, at an asking price of \$80,000. Herbert Bolger seconded the motion. A vote was taken. All board members present voted Aye. Motion passed.

- E. Thomas Hite made a motion to table a proposed agenda motion to contract with Safe Q LLC for repairs to the FBO Fuel Farm. Ben Stapelfeld seconded the motion. A vote was taken. All board members present voted Aye. Motion passed.
- F. Ben Stapelfeld made a motion to approve the use of PFC Funds for upgrades to terminal services in an amount not to exceed \$10,000. Thomas Hite seconded the motion. A vote was taken. All board members present voted Aye. Motion passed.
- G. Ben Stapelfeld made a motion to approve payment of invoices for Airport Operations from the General Fund in the amount of \$30,421.42, \$12,475.79 of which was paid prior to the meeting; from the FAA Project Fund in the amount of \$66,681.12, which was paid prior to the meeting; from the State Project Account, \$3,760.06, which was paid prior to the meeting; and from the Local Project Account, in the amount of \$4,410.07, \$3,760.07, of which was paid prior to the meeting. Thomas Hite seconded the motion. A vote was taken. All board members present voted Aye. Motion passed.

General Public Comment

- A. Kay Stephens asked how the BCAA will pay the required settlement to DeGol Jet Center II, given our current cash flow issues. Attorney Pertile explained that the funds for payment of the DeGol Jet Center II settlement are coming from the Delta and Fourth River settlements.

Adjournment/Executive Session

- A. Thomas Hite made a motion adjourn the meeting and enter executive session for the purpose of consulting with an attorney or other professional advisor regarding information or strategy in connection with litigation or with issues on which identifiable complaints are expected to be filed, as provided in Section 708(a)(4) of the Sunshine Act. Drew Swope seconded the motion. A vote was taken. All board members present voted Aye. Motion passed.
- B. The May regular meeting of the BCAA will be held on May 3, 2016, in the Blair County Airport Authority Offices at 6:00PM.

Tracy A. Plessinger, Manager, BCAA

Approved by BCAA Board, May 23, 2016.

Mike Ritchey, Secretary, BCAA

LESNEVICH & DETWILER

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April 11, 2016

Blair County Airport Authority
310 Airport Drive - Suite 6
Martinsburg, Pennsylvania 16662

*Re: Lease between Blair County Airport Authority and
Gus R. Lesnevich, Inc. dated April 12, 2010, as amended*

1. Introduction

This evening, I would like to address the Board to clear up any misunderstandings about our current lease with the Altoona-Blair County Airport Authority and to discuss some of the serious issues that we have been experiencing. In accordance with section two (2) of our lease, our space can only be used for the operation of a Forensic Document Examination Laboratory and Office. I am in complete agreement that our leased space can only be for this purpose.

The main reason why we decided to re-locate our laboratory to the Altoona-Blair County Airport in 2010 was due to what we were informed was a safe and secure environment. As a Forensic Document Examination Laboratory, the safety and security of our evidence, work product, electronic data and clientele is critical.

2. Security Clearances and Sensitivity of Evidence

Over the years, the evidence which has been examined in our laboratory, and the work product related to these examinations, have involved two (2) United States Presidents. More specifically, I was retained by the Office of Independent Counsel, Lawrence E. Walsh, investigating President Ronald Reagan in what was referred to as the “Iran Contra Affair”. In addition, I was also retained by the Office of Independent Counsel, Kenneth Starr, investigating President Bill Clinton in what was referred to as “Whitewater”. In both of these investigations, I was cleared with the highest security clearances necessary to work on these matters. When working on matters such as these it is imperative that the integrity of any evidence and work product remains safe and secure at all times.

3. Connection to the Martinsburg Area

I would like to take a few moments to tell you about my connections to the Martinsburg area as I realize the name “Lesnevich” is not a common name to this area. A little over (forty) 40 years ago, my wife and I were married at St. John’s UCC church in Martinsburg.

My wife’s maiden name was Linda K. Ritchey. Her father, Kenneth, and his father, Oliver, built and operated Ritchey’s Dairy. She was raised in the house next door to the dairy. After the dairy was up and running, her father, Kenneth,

went back to dairy farming and his brother, Paul, came home and took over management of the dairy. Paul's son, Reid, and his son, Andrew, currently manage and operate the dairy. In 1978, my wife and I purchased her father's second farm just outside of Martinsburg; which is where we have built our home and currently reside.

4. My Professional Background

From 1962 to 1972, I served in the United States Army; first, as a Military Policeman in South Korea and Brooklyn and then as an accredited criminal investigator in Germany. When I returned home from Germany, I was assigned to the US Army Criminal Investigation Laboratory (CID), where I completed a two (2) year training program in the field of Questioned Documents. In 1970, I volunteered to fill a vacancy in a provisional crime laboratory located in South Vietnam. Upon completion of my tours in Vietnam, our laboratory was awarded the distinguished unit citation and I was personally awarded with the Bronze Star.

After returning to the United States, I was recruited by the United States Secret Service (USSS), where I worked for eight (8) years as a Senior Forensic Document Examiner assigned to special investigations.

After I left the Secret Service in 1981, I established my own private Forensic Document Examination Laboratory just outside of Philadelphia, Pennsylvania; where I remained until re-locating to the Martinsburg area approximately twelve (12) years ago.

5. Types of Cases

Since moving our laboratory and office to the Altoona-Blair County Airport, we have been continually retained on numerous highly-publicized matters involving hundreds of billions of dollars. In addition to working cases throughout the United States we also work, and travel, extensively on a wide-variety of international matters. The evidence in all of the matters we are involved with, as well as our work product and electronic data, are maintained and housed in our laboratory located here at the Altoona-Blair County Airport.

For your reference, on the following pages I have listed several highly-publicized civil matters in which our office has been retained. In addition to civil matters such as these, our office is also contracted with numerous law enforcement agencies, including: the Pennsylvania Office of Attorney General, the Manhattan District Attorney's Office and the Orange County District Attorney's Office in New York; to perform forensic document examination services on a wide variety of criminal matters including numerous fraud and forgery issues, threatening letters and homicides.

(1) Estate of Teddy Wang (Hong Kong, China)

-I was retained by counsel representing the family of prominent Chinese businessman, Mr. Teddy Wang, in a multi-billion dollar estate litigation.

(2) Estate of Badri “Arkady” Patarkatsishvili (Tbilisi, Republic of Georgia)

-Our office was retained by Lord Peter Goldsmith (who served as the United Kingdom’s Attorney General from 2001-2007 under Prime Minister Tony Blair) representing the family of Mr. Badri Patarkatsishvili in a multi- billion dollar estate litigation. At the time of his death Mr. Patarkatsishvili was known as the wealthiest man in Georgia with a net worth exceeding \$12 Billion Dollars (USD). In addition, Mr. Patarkatsishvili was also a longtime associate and business partner of the Russian tycoon Boris Berezovsky and current Russian president Vladimir Putin.

(3) AlGosaibi vs. Maan Al Sanea(Al Khobar, Saudi Arabia)

-Our office was retained by counsel representing Maan Al Sanea in a matter involving multi billion-dollar fraud claims in multiple jurisdictions with connections to over 100 international banking institutions originating out of Saudi Arabia. The total amount at issue in this matter exceeded \$22 Billion Dollars (USD).

(4) Paul D. Ceglia v. Mark Elliot Zuckerberg and Facebook Inc.

-Our office was retained by counsel representing Mark Zuckerberg and Facebook in a breach of contract action. The total amount at issue in this matter exceeded \$83 Billion Dollars (USD).

- (5) *Chevron v. Donziger, et. al., (SDNY); Aguinda v. Chevron (Lago Agrio, Ecuador); Chevron v. Republic of Ecuador (The Hague, Netherlands)*

-Our office was retained by counsel representing Chevron Oil Company in a multi-billion dollar environmental lawsuit originating out of Lago Agrio, Ecuador. The total amount at issue in this matter exceeded \$118 Billion Dollars (USD).

6. Expanding the Profession

Although I have had a number of highlights throughout my career, I am most pleased to have had the opportunity to train and mentor numerous individuals entering the field of Forensic Document Examination; in both the government setting, when I was with the Secret Service, and also in private practice. Khody Detwiler, who is with me tonight, is one of the individuals whom I have trained and am especially proud of. Khody was born and raised here in Martinsburg area, and is a graduate of Penn State University with a bachelor's degree in criminal justice. He has traveled with me, and on his own, examining evidence and testifying as a forensic expert throughout the United States, Europe, South America and in the Middle East.

Another individual whom I have trained and am very proud of is my son, Robert Lesnevich. Robert is currently the Director of the IRS Crime Laboratory located just outside of Washington D.C.

7. **Current Issues**

The main reason that I am here tonight is to address some of the serious issues and concerns that I have with respect to our leased space; and to also explain why our laboratory and office needs to be located in a safe and secure environment.

As you should be aware, we have had suffered significant damage to a piece of equipment which is necessary to conduct certain specialized examinations including electronic signature analysis and non-destructive ink and paper analysis. Both of these types of examinations are highly specialized and there are only a select few private Forensic Document Examination Laboratories in the world which are equipped to handle these types of examinations. Without our equipment being operational and reliable we cannot conduct these specialized examinations; which undoubtedly could causes a serious financial burden on our business. The damage to this piece of equipment occurred last November and was caused by a broken window that was reported in May of 2015. This window was not fixed until January 2016; approximately 8 months after it was initially reported to the authority.

Aside from the issue of damaged equipment, the most urgent and alarming issue we have, and will continue to have, is a leaking roof. This problem alone creates an enormous risk of damage to our equipment, work product and electronic data; and could ultimately destroy our business and reputation.

As you may know, I have personally paid to have your roof inspected by an independent roofing contractor. It is my understanding that his report, together with all of the accompanying images, was submitted to your solicitor on March 7th when he meet with our attorney.

8. Conclusion

Based upon the issues that I have pointed out tonight, I am respectfully requesting that you to allow us to terminate our lease; as our leased premises (in its current state) is clearly not suitable, safe, or secure by any standards to be used as a Forensic Document Examination Laboratory. As mentioned before, the safety and security of our evidence, work product, electronic data and clientele are critical. The issues that I have touched on tonight are unacceptable, and clearly make it impossible for us to conduct our business under the professional standards that we are required to abide by.