



Eastern Carolina Council

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April 26, 2021

Mr. Patrick Joyce, Chairman
Carteret County-Beaufort Airport Authority
180 Airport Road
Beaufort, NC 28516

Re: Professional Management Agreement: 04-79-07440 Airport Hanger

Dear Mr. Joyce:

This is in response to your letter of March 9, 2021. As you are aware, the Carteret-Beaufort Airport Authority Board ("Airport Authority Board") terminated the referenced contract based on inaccurate information that the Eastern Carolina Council of Governments ("ECC") failed to timely and satisfactorily submit grant information to the EDA. Thus, there were no justifiable grounds for termination.

Accordingly, please be advised that the Board of the ECC discussed this matter on March 11, 2021, and will only agree to a potential resolution of this matter which includes a written acknowledgement from the Airport Authority Board that the ECC timely and satisfactorily performed all duties under the agreement, and the contract was therefore terminated without cause, as the allegation that the ECC had not timely submitted grant information was inaccurate. We would also ask that a statement acknowledging this be made in open session of the next meeting of the Airport Authority Board. The ECC would also request that the Airport Authority compensate the ECC not only for time spent in the amount of \$13,000.00, but for legal fees involved in the handling of this contractual dispute in the amount of \$3,000.00. Therefore, in order to resolve the matter, the ECC will accept a written acknowledgment as stated above, a public statement as stated above, and the fee of \$16,000.00.

Please advise as to the Airport Authority Board's position on these conditions, and if the Airport Authority Board is in agreement with same, please forward a revised agreement reflecting these terms for my review and execution.

Thank you in advance for your consideration of these matters. I look forward to hearing from you.

Best regards,

Katie S. Bordeaux

Katie S. Bordeaux

Eastern Carolina Council of Governments

CC: ECC President James V. Bender Jr.
ECC Board Member Robert William Cavanaugh



Carteret County-Beaufort Airport Authority
180 Airport Road
Beaufort, North Carolina 28516

April 15, 2021

Attn: Katie Bordeaux
Eastern Carolina Council of Government
Executive Director
PO Box 1717
New Bern, NC 28563

It is the understanding of the Carteret County-Beaufort Airport Authority Board that an agreement has been accepted by your Board of Directors to resolve all claims and issues between the Carteret County-Beaufort Airport Authority and the Eastern Carolina Council of Government for payment in the sum of \$16,000.00.

The Carteret County-Beaufort Airport Authority acknowledges that the Eastern Carolina Council of Government (ECCOG) timely and satisfactorily performed all duties under their agreement and the contract was terminated based upon incomplete information.

The Airport Authority Board further understands that, in return for the payment of \$16,000.00, that you and your organization, the ECCOG, do hereby release the Airport Authority and its Board and management team from any further claims and closes any and all contractual arrangements with the Airport Authority.

Please sign this letter indicating your acceptance of these terms.

An Airport Authority Check in the amount of \$16,000.00 will be given to you upon receipt of the signed copy of this agreement.

Thank you,

Patrick Joyce
Chairman
Carteret County-Beaufort Airport Authority

The ECCOG accepts the payment of \$16,000.00 and shall consider all debts paid and shall release the Carteret County-Beaufort Airport Authority from all contractual agreements.

Katie Bordeaux, Executive Director, ECCOG

Date

CARTERET COUNTY-BEAUFORT AIRPORT AUTHORITY MINUTES

Special Called Meeting

April 14, 2021

Video Conference Call

Members Present:

Jon Brearey, Bob Coles, Scott Evans, Tom Higgins, Chairman Pat Joyce and WF Parker were present. A quorum was established. Others present were Jesse Vinson, Airport Manager, Jay Talbert and Randy Fender, Talbert and Bright, and members of the public.

Call to Order:

Chairman Pat Joyce called the meeting to order at 6:15 p.m. and led the meeting attendees in the Pledge of Allegiance.

Approval of Agenda:

The agenda was reviewed. *Resolved, Mr. Higgins made a motion to approve the agenda as presented, while Dr. Coles seconded the motion.* The motion was unanimously carried.

New Business:

Airfield Vault Electrical Utilities Contract Award

Mr. Fender reviewed the contract award recommendation provided in the agenda packet. Bids were received on Friday, April 9, 2021 for the Airfield Vault Electrical Utilities project at Michael J. Smith Field. Four bids were received. The low bidder for the project was Rifenburg Construction, Inc. with a bid price of \$213,380.00. In reviewing Rifenburg Construction's bid proposal, no errors were found in the bid form. Based on the information provided, Talbert & Bright recommend award of the Airfield Vault Electrical Utilities project to Rifenburg Construction, Inc. for \$213,380.00. The contract award is pending EDA approval.

Resolved, Mr. Parker made a motion to award the Airfield Vault Electrical Utilities Contract to Rifenburg Construction, Inc. in the amount of \$213,380.00 pending final approval from the EDA, while Mr. Brearey seconded the motion. The motion was unanimously carried.

Additional Business:

Hangar Signage Request

Mr. Brearey asked the Board to consider a request from hangar occupant, Mr. Jeff Deaton, to place signage on the hangar. The image had been shared amongst the board members. Dr. Coles believes that our airport rules and regulations state that any signage must be reviewed and approved by the airport authority. This discussion and provisional authority will give the board a basis for future sign discussions.

Resolved, Dr. Coles made a motion to approve the signage on the hangar that Mr. Deaton occupies, pending its compliance with current rules and regulations, while Mr. Higgins seconded the motion. Mr. Parker was opposed. The motion was carried.

Closed Session:

Resolved, Mr. Higgins made a motion to enter into a Closed Session for purpose of discussing confidential information, legal matters, personnel and contract negotiations as permitted by NCGS 143-318.11(a)(1), (3), (5) and (6), while Mr. Brearey seconded the motion. The motion was unanimously carried.

Chairman Joyce noted that an action item will take place following Closed Session, but no action will be taken during Closed Session.

Dr. Coles made a motion to return to Regular Session, while Mr. Brearey seconded the motion. The motion was unanimously carried.

Additional Business:

Eastern Carolina Council of Government

Mr. Brearey made a motion to proceed with compensation of the Eastern Carolina Council of Government for grant administrative duties. The Board acknowledged that the Eastern Carolina Council of Government timely and satisfactorily performed all duties under their agreement and the contract was terminated based upon incomplete information. Mr. Parker seconded the motion. The motion unanimously carried.

Short-term Hangar Arrangement

The board authorized Mr. Vinson to work with the FBO for use of the maintenance hangar on a month-to-month basis.

Hearing no further discussion, Mr. Brearey made a motion to adjourn, while Mr. Higgins seconded the motion. The motion was unanimously carried.

Respectfully Submitted,

Jesse Vinson

Interim Airport Manager / Secretary to the Board

Minutes prepared by:
Kristen Janes