

Airport Authority Meeting Minutes

Meeting: Regular

Date: January 6, 2016

Time: 1:00 p.m.

Location: 2828 Hwy 231 North Airport Terminal Building

Members Present:

Jim Henderson	X	Councilmember Henry Feldhaus	X
Michael Young	X	Asst. Airport Manager Kevin Esyter	X
Eric Cazort	X	City Attorney Ginger B. Shofner	X
Allen Pitner (in at 1:15 p.m.)	X	City Manager Jay Johnson	X
Airport Manager Justin Heid	X	City Treasurer Jamey Owen	X
		City Recorder Shanna Boyette	X

Agenda Items:

Airport Manager's/Maint. Report	X
Financial Summary	X
Draft Rules & Regulations	X
Existing & New Leases	X

Chairman Jim Henderson called the meeting to order at 1:08 p.m. A sign-in sheet was provided for all those attending the meeting. The first item of business was approval of the Agenda. Airport Manager Heid requested that the matter of tie down fees be added to the Agenda. Member Young made a motion to approve the Agenda, seconded by Member Cazort, and carried unanimously upon oral vote. Member Young then made a motion to adopt the Agenda as amended. The motion was seconded by Member Cazort and carried unanimously upon oral vote. Chairman Henderson confirmed that all members received a copy of the minutes from the December 3, 2015 meeting and called for any corrections at this time. Hearing none, Member Young made a motion to approve the minutes as submitted, seconded by Member Cazort and carried unanimously upon oral vote.

The next item on the Agenda were the Airport Manager, Maintenance, and Financial Reports. It was reported that the Santa Fly-In Event was a great success. In addition it was reported that a new financial summary will be present each month in a report format to Board members. The report was reviewed and it was recognized that the Airport was within budget for the year. It was further noted that the financials captured on the report are a "snap shot" only at the time the report is created. There being no further business, Member Young made a motion to approve all reports as submitted, seconded by Member Cazort, and carried unanimously upon oral vote.

Items of Old Business were then in order.

The first being discussion of draft rules and regulations. There was an inquiry on follow up for the removal of language requesting additionally insured on tenants using 3rd party individual/businesses as discussed at the previous meeting in December. After lengthy discussion among Board Members, staff, and City Attorney it was recommended to insert language that it is the responsibility of the tenants to make certain that they are using properly licensed and insured individual/businesses of which all present

agreed. It was further discussed that this could be inserted in Section 7.15.1 of the Rules & Regulations, but after additional discussion of leases and the indemnification language being included in lease document the final decision was to remove all 3rd party language from the Rules and Regulations Document.

It was noted that the allowable 25 gallon container in hangars still needs to be inserted into the document. There was brief discussion on 7.4 Storage & Hangar Areas. The Board was also updated on the issue of Abandoned Aircraft with notification given that a pre-filed bill has been sent to State Representative Pat Marsh.

The next item on the Agenda was review and discussion of Existing & New Leases. City Attorney Shofner provided history to the Board members of previous meetings with the Airport Manager and the City Treasurer on this issue. The Board members were presented a Community Hangar Lease Draft for review and discussion. The Airport Manager would like to format the document with an application layout at the top of the document to include contact information, tail number, and also recommended that all the owners whom have interest in the plane be listed for contacting purposes. The Board agreed with the decision of formatting and including all plane owners on the lease. At this time Member Pitner left the meeting at 2:03 p.m., but a quorum was still present to conduct business. It was further reported that the asset list differs from the numbering system in the lease. The City Treasurer and Airport Manager will streamline a numbering system.

In regards to lease payments it was recommended that one (1) month's rent deposit be provided upon signing lease. This provision is in line with "basic lease law" and would further exclude existing tenants. The last sentence of this section will be moved into a new section and reference new TCA laws.

In Section 3 it was recommended that the last sentence "Rental rates are subject to change after the initial term thirty (30) days advance written notice." be changed to sixty (60) days of which the Board agreed.

There were no changes to section 5 of the document.

In Section 6 language will be added pertaining to Federal Aviation Laws, Rules, & Regulations and it was recommended cancellation should be immediately upon a Safety Violation not five (5) days as currently listed in the existing lease of which the Board agreed.

There was discussion among the Board to add language on late payment violation/termination language. The City Attorney can draft and present back to the Board for review.

In Section 7 there was discussion on waiting list vs. preference of person(s) buying the plane from the existing tenant. Both options were discussed including waiting list, and sale of plane contingent on getting hangar- local based precedence. Attorney Shofner will remove the last sentence of this section, "Sale of lessee's aircraft does not mean associated hangar space of the lessee is included with the sale of the aircraft": The Board agreed with current tenant choice as first option and then waiting list. This would be strictly applicable to Community Hangar. There was additional discussion of required based aircraft for renting six (6) months and one (1) day current language and airworthy aircraft. It was recommendation by Councilmember Feldhaus of unworthy aircraft after one year lease can be reviewed by Airport Board and could be grounds for termination of which the Board agreed.

Section 8 recommendations included that brakes have to be unlocked and chocked for towing purposes of which the Board agreed.

In Section 9 it was first discussed to remove both the first and second sentences: "Lessee may move its own aircraft in and out of hangar if access is not obstructed by another aircraft. Lessee may not move another Lessee's Aircraft" After discussion final decision was to change to "Lessee may not move its own aircraft in and out of hangar unsupervised by Airport Personnel. It was further recommended to add language that applicable call out fees may apply.

Section 10 included notation that federal guidelines will be added.

Sections 11-15 will remain the same.

There was inquiry to Board members if they would like to designate Airport Manager as signatory on behalf of the Board on Standard Leases; noting that changes would come before the Board. The Board agreed and Attorney Shofner will revise and come back to the Board. Hearing no further discussion, Member Young made a motion to allow Airport Manager to sign on behalf of the Airport Authority Board on Standard Leases. The motion was seconded by Eric Cazort and carried unanimously upon oral vote.

The next item on the Agenda was the added item of Tie down fees. Airport Manager Heid noted the new fee structure of \$30.00 monthly fee. It was staff recommendation to include on the overnight patrons list as follows to include a waiver provision: "Aircraft parked on the "T" will be charged a \$30.00 monthly tie-down fee beginning two (2) weeks from arrival. This fee is waived if sales exceed \$30.00 in that month. The above signature acknowledges agreement to this policy." After brief discussion, Member Young made a motion to accept tie down fee policy language to be added to overnight patron list. The motion was seconded by Member Cazort and carried unanimously in oral vote.

Additional discussion ensued on Smith abandoned aircraft at the airport, the loss of revenue as a result and, moving such type aircraft to tie-down. Attorney Shofner suggested a letter could be prepared that would include that the lease is over one year past due and the letter could include money due as well as the intent of the aircraft being moved. There being no further discussion, Member Young made a motion to authorize a letter be sent to Mr. Todd Smith for payment in rears on lease, for renewal of signed lease and to include a six (6) month deposit otherwise the lease is terminated. The motion was seconded by Member Cazort and carried unanimously upon oral vote.

There being no further business, Member Young made a motion to adjourn, seconded by Member Cazort, and carried unanimously upon oral vote. The meeting adjourned at 3:28 p.m.

APPROVED:



Jim Henderson, Chairman

ATTEST:

