

MID-WAY REGIONAL AIRPORT JOINT AIRPORT BOARD MINUTES

A regular meeting of the Mid-Way Regional Airport Joint Airport Board was held on Thursday, October 14, 2010, at 4:00 p.m., in the Administrative Conference Room, at Midlothian City Hall, 104 W Avenue E, Midlothian, Texas.

Members Present: Paula Baucum, Chairman
Gary Richter, Vice Chairman
Kent McGuire, Secretary
George Kent
Jim Polewchak
Ray Barksdale
David Box

Others Present: Andy Biery, Airport Manager
Tammy Bowen, Airport Operations
Michael Scott, Assistant City Manager, City of Waxahachie
Chris Dick, Finance Director, City of Midlothian

Opening: Vice Chairman Gary Richter called the meeting to order and Ray Barksdale gave the invocation.

Minutes:

George Kent moved to approve the Minutes of September 16, 2010 as presented; second by Jim Polewchak. All Ayes.

Board Announcements: Andy Biery introduced the newest Board member from Waxahachie, David Box.

Financial Report: Andy Biery told the Board that the financial report is the summary for fiscal year ending Sept 30, 2010. There are still two or three transactions to occur. There will be an additional income credit of approximately \$4,100 in RAMP reimbursements, and an additional expense to accrue as payment for facilities to the Cities of Waxahachie and Midlothian. Right now, there is a positive variance of \$126,000 but the total expenses still needing to come out, totals close to \$110,000. This will leave approximately \$16,000 to contribute to our 2011 reserve account.

Managers Report: Andy Biery reported:

- a) Airport Operations: There were no accidents or incidents reported during the period. There were several inquiries and additions to the waiting list. We expect two vacancies during the coming month, with placements. Jet fuel sales were notably higher this month, with good transient traffic, in spite of runway condition / length.
- b) Ramp Sweeping: The City of Waxahachie has resumed sweeping/vacuuming our hangar and ramp areas. The debris has been noticeably reduced. The City has agreed to sweep every week through the remainder of the construction period.
- c) Runway Extension: Phase 4 is expected to be complete as early as tomorrow. They will be ready to move into the next phase starting Monday, October 18th. A potential change for Phase five is on the agenda for consideration.
- d) Terminal Building Renovation: The contractor has received all of the bids for architectural services, which is the final step needed to conclude contract negotiations with TxDOT.
- e) Hangar Leases: We have received back all of the leases sent out, but one. This tenant has indicated that he would be sending his back soon. The remaining leases to be sent out are on the agenda for discussion.

- f) **Area Fuel Price Comparison:** Andy included a fuel price comparison of the local Airports as requested by the Board at the last meeting.

Ken Lantz, Southern Star Aviation, registered to speak regarding the Area Fuel Price Comparison. Ken wanted to know the motivation for the comparison. Ken said that it was indicated that there have been some complaints about their fuel prices, but that he was not aware of any specific complaints. Ken wanted to reiterate that there are a lot of factors that drives the fuel cost. Paula Baucum told Mr. Lantz that she gets comments, both positive and negative, regarding hangar rent, fuel prices and glider operations. Paula said that she asked for the comparisons just so that the Board can be armed with the appropriate information.

Phasing plan Change for Runway Construction: Andy Biery told the Board that the contractor and KSA have requested to change Phases 5 and 6 by combining them into one single phase. Andy said that he has discussed the proposed change with the tenants that operate large aircraft, notified all tenants of the proposed change, and has received no objections to date. Jonathan Farmer with KSA said that if they combine the phases, the project can be completed by the end of the year opposed to February 2011. Jonathan said that as it is now, we would have 3,000 feet of runway available during phase 5 for 60 days, and using the taxiway as a runway during phase 6 for about 45 days. Combining Phase 5 and 6 would shut down the runway and we would be using the taxiway (4150x40) as a runway during the duration of the project. Jonathan said that this would allow them to finish before the Super Bowl and avoid weather conditions during that season. The Board applauded Steve Williams of Williams Consultants and KSA for a good job.

Jim Polewchak moved to approve the change to Phases 5 and 6 for runway construction; second by Ray Bardsdale. All Ayes.

Bill Fuller, Hangar #1, registered to speak regarding the proposed designated outdoor maintenance area. Mr. Fuller said that he was concerned about the designated area being on the grass and felt that it could be a safety issue.

Ken Lantz, Southern Star Aviation, registered to speak, had concerns about the possibility of the outdoor maintenance area being designated on the ramp. Mr. Lantz felt that there could be some liability issues and that the area should be somewhere where it isn't as visual when people fly in.

Policy for Outdoor Maintenance Area: Andy Biery said that because the fire department does not allow extensive maintenance in the T-hangars, the statement of policy being presented provides an area outdoors to allow owners to maintain their aircraft in accordance with FAA and Fire Code Standards. Andy told the Board that the policy would satisfy the request made by TxDOT resulting from Part 13 compliant. After a lengthy discussion on this item, the Board was in agreement that the designated area should be paved. The Board agreed that the verbage on the policy was fine with the exception that the verbage regarding wet weather conditions be removed. The Board asked that Andy work with the FBO to come up with a hard surface maintenance area.

Gary Richter moved to approve the policy for the Outdoor Maintenance Area with the exception that the verbage regarding wet weather conditions be removed ; second by George Kent. All Ayes.

Policy for Fire Extinguisher Certification: Andy Biery said that per the guidance of TXDOT Aviation resulting from Part 13 complaint, the policy presented clarifies the ability of any tenants who choose to opt out of the airport provided extinguisher certification, may at their option have it done by a certified vendor of their choice. Andy told the Board that once the policy is approved, it will be distributed to all tenants now, and again sometime before the certifications are due.

Gary Richter moved to approve the policy for the Fire Extinguisher Certification as presented; second by David Box. All Ayes.

Policy for Fuel Flowage Fees for Government Non-profit Organizations:

George Kent moved to approve the policy for Fuel Flowage Fees for Government Non-profit Organizations as presented; second by Ray Barksdale. All Ayes.

Individual Leases/Compliance with Hangars #3, 4, 6, 11, 13, 14 and 51: Andy Biery told the Board that these hangars have not yet to date been provided the option of executing the newly adopted lease for various reasons. Most of them are aircraft that have not flown in several years, some of which have received notice before. A letter was sent to those last November, encouraging them to get their airplanes flying in order to maintain their leases. Several of them have made significant progress since that time. Paula Baucum reminded the Board that both of the Cities have indicated that they would like to see airworthy aircraft in the hangars, which are producing income to the Cities and FBO. TxDOT indicated in a recent meeting that public money is invested in the runways, taxiways and ramp, to the extent that the FAA and TxDOT give preference to airworthy airplanes. Paula said that both TxDOT and the Cities have the responsibility to the taxpayers, and the Board is charged to implement that as well. Andy explained each individual case, what actions have been taken and what response has been received as a result.

Bill Fuller, Hangar #1, registered to speak. Mr. Fuller told the Board that he was there to represent the tenants in hangar #6, 11, 13 and 14 because they are his customers and some of them have maintenance contracts with them. Mr. Fuller explained the circumstances with each aircraft.

Bill Harber, 506 Allen Avenue, Duncanville, Tx, Hanger #4, registered to speak regarding his lease. Mr. Harber explained to the Board that he was not interested in signing the new lease because he did not agree with verbage relating to contractual landlord's lien, Airport's right to inspect the leased premises and lease termination by Airport Manager.

After lengthy discussion regarding Mr. Harber's lease, the Board agreed that the lease should remain as is and that Mr. Harber must sign a new lease in order to remain on the property. Paula told Mr. Harber that he still has the opportunity and the right to request a formal agenda action item to discuss his lease at the next Board meeting.

Paula Baucum suggested that all of the hangar leases be reviewed two years from the date that the amended leases were finalized.

Charles Crist, 1903 Alexander Dr, Waxahachie, Texas, Hangar #11, registered to speak regarding his hangar lease. Mr. Crist wanted the Board to know that he has aircraft records/documents showing that his plane is airworthy. The Board told Mr. Crist that he would need to meet with Andy Biery, so that he can review his records. Mr. Crist agreed to meet with Andy and one of the Board members on Monday.

Public Comments: There were no more public comments.

Adjournment: There being no further business,

Gary Richter moved to adjourn; second by Jim Polewchak. All Ayes.

A handwritten signature in black ink, appearing to read "Gary Richter", with a long horizontal line extending to the right.