

MID-WAY REGIONAL AIRPORT JOINT AIRPORT BOARD MINUTES

A regular meeting of the Mid-Way Regional Airport Joint Airport Board was held on Tuesday, April 7, 2009, at 4:00 p.m. at the Mid-Way Regional Airport, 131 Airport Drive.

Members Present: Al Castleman, Chairman
Dale Stevenson, Vice Chairman
Mark Morgan, Secretary
George Kent
Aubrey Price
Glynn Hall
Paula Baucum

Others Present: Andy Biery, Airport Manager
Tammy Bowen, Airport Operations
Ray Brindle, Airport Tenant Liaison
Chris Dick, Finance Director, City of Midlothian
Ken Chambers, Councilman, City of Midlothian
Ken Lantz, FBO Partner
Dave Wheeler, FBO Partner
Vernon Mitchell, FBO Partner

Opening: Chairman Al Castleman called the meeting to order and Glynn Hall gave the invocation.

Minutes:

Dale Stevenson moved to approve the Minutes of March 3, 2009 as presented; second by George Kent. All Ayes.

Financial Report: A Financial Report was reviewed by the Board.

Manager's Report: See attached Manager's Report. Andy Biery also reported:

A problem was resolved with the fire detection system in the paint hangar. There was a faulty circuit breaker for the air compressor.

There were a couple of leak issues with Airborne Imaging's hangar that have been resolved. A door upstairs was leaking water to the first floor.

The GCO has been out for repairs. Bill Gunn, TxDOT, has approved the Airport on getting another Ground Communication Outlet since the one we currently have has never worked properly. This would be Ramp eligible.

The Airport will be rekeying the hangars. Letters will be sent out to the tenants this week.

There will be a ground lease opportunity to explore at the next Board meeting.

Debbie Standefer, CEO of the DFW Summer Balloon Classic, updated the Board on the Balloon Festival scheduled for the weekend of June 19 – 21, 2009. Debbie said that there is a small air show planned for Sunday with the Trojan Phylers (T-28s) performing and a B25 offering flights throughout the event. Debbie stated that they are looking to promote the Airport, City of Waxahachie and the City of Midlothian as well as the area nonprofit organizations.

Glider Operations: Al Castleman said that several months ago the Board approved a plan presented by Carol Walker for her glider operations. Al said that come to find out, the way that they are performing their operations may not be the way it can be done. Andy Biery said that in order for the Airport to comply with an advisory, the Airport must maintain a clear area called the object free area. There must be a total safe clear area of 250' on each side of the centerline. The problem that exists is equipment that is being staged in the object free area while other airplanes take off and land. This is a potential for an accident. Andy said that he and Carol Walker will try to draft a plan that will meet the needs of both the Airport and the glider operations. TxDOT has agreed to review the plan and give a non-binding answer on what a formal answer would be if it were submitted to the FAA. Al said that for right now the gliders will continue to operate off of the runway and that there might be times when there is a glider and/or a towing plane sitting on the runway and another airplane that is lined up to land on the runway will need to circle around one or more times until the glider and/or tow plane vacates the runway. Andy was asked by Glynn Hall if he had considered discussing the changes in procedures with the Board first. Andy said that in any issue aside from policy he would wait to discuss it in a Board meeting, but an issue that involves operating within the confines of clear procedural violation that could put the Airport, Board or Cities at risk or the safety of the public, he feels that he should take immediate action. Andy said that this is not a FAR issue, but an operation of the Airport issue. The Board discussed potential problems with the new procedure as well as possible solutions. This item was tabled until the next Board meeting.

Bids to furnish and place concrete paving for new concrete flume on South side of Airport to help with drainage:

Aubrey Price moved to approve up to \$3,900 to furnish and place concrete paving for new concrete flume on South side of Airport to help with drainage, selecting the lowest bid for the most work; second by Paula Baucum. All Aycs.

Bids for wild hog and erosion control: Andy Biery said that there is a big problem with wild hogs on Airport property. The hogs are tearing up the grounds around the Airport digging for root balls and grub worms. One problem is that they are tearing up the soil around the runway lights because of the June bugs and damaging some of the lights. There is the inability to keep the grass growing in these areas which can quickly cause erosion leading to drainage problems. Their presence on or near the runway is a hazard to the safety of flight operations. The most effective solution would be to have someone apply something that will kill the grub worms and broad leaf weeds. Andy stated that this will not get rid of all of the hogs, but it will keep them from tearing up the property. Andy said that it would also cut down on the mowing requirements. It would cost approximately \$20,000 the first year and then \$10,000 to \$15,000 annually. Tammy Bowen said that it would be Ramp eligible. In addition to spraying the property there will also be traps set out and the Game Warden, Ellis County Sheriff's department and both the Midlothian and Waxahachie police departments are aware of the problem and have permission to come out at night and hunt the hogs. Andy said that TxDOT is considering a request to pay for game fencing.

George Kent moved to approve spending up to \$20,000 to have someone spray for grub worms and broad leaf weeds; second by Dale Stevenson. All Aycs.

Ramp Projects: Andy Biery passed out a document that he has been working on, which is a five year plan that will help effectively utilize the funds that are available to the airport each year. Andy asked the Board to help identify any projects that might have merit on the airport. Andy said that one project would be a glider operations area at the Northeast end of the field outside of the OSA. The second phase would be to determine where the funding sources are and if there is money available from sources other than the local tax payers. The third phase would be to arrange the projects by priority based on the value of the project, the funding source and the timing of the funds. This would help assure that the \$100,000 Ramp grant is fully utilized. Andy said that he would send the Board the plan in PowerPoint.

Options for getting rid of the abandoned fuel truck: Andy Biery presented the Board with some options in his Manager's Report.

Mark Morgan moved to approve contacting the police department about the abandoned fuel truck and have them tow it away; second by Glynn Hall. All Ayes.

Airport Layout Plan: Andy Biery told the Board that by the next meeting he will be asking for approval to spend the money required to ask KSA Engineers to redo the Airport Layout Plan with the current improvements and identify the new needs. The last one was done in 2003. Andy stressed that this is why it is important to put together a list of every potential project that the Airport might want. Andy said that in order for the Airport to be eligible for grant funding the Layout Plan must be current.

Executive Session: Al Castleman stated that due to recent events, there is no need to go in Executive Session. In order to make sure that everything was being done right, Mr. Stout, City Attorney, was contacted and he said that the motion that was passed in February approving the changes in the FBO contract is binding and is ready to be signed.

Paula Baucum suggested organizing some workshops.

Al Castleman called TxDOT about extending the left hand turn lane to the Airport off of Hwy 287. They said that sometimes money becomes available and he will put it on his list. Ray Brindle suggested that someone from the Airport send a letter to Bill Pierce, TxDOT.

Adjournment: There being no further business,

George Kent moved to adjourn; second by Dale Stevenson. All Ayes.

**MONTH OF MARCH, 2009 MID-WAY REGIONAL AIRPORT
MONTHLY OPERATIONS AND MAINTENANCE SUMMARY REPORT**

OPERATIONS

	<u>SINGLE</u>	<u>MULTI</u>	<u>JET</u>	<u>GLIDER</u>	<u>HELICOPTER</u>	<u>TTL</u>
AC on Airport	63	15	3	7	4	92
Fuel Flow	100LL 6396	Jet 2321				

AC Incident/Accident - 0

Number of people on hangar waiting list - 29/ Number of phone inquiries for hangars - 2

Noise Complaints: One from northeast of the airfield, on the day the Trojans practiced their Aerobatics.

ADMINISTRATIVE:

Sardis Water / City of Midlothian. Spoke to superintendant of Sardis water, Public works director for City, and Don Hastings, City Manager. City of Midlothian and Sardis have agreed, that due to previously settled lawsuits regarding same subject matter, that it is in everyone's best interest to leave the water system as it exists at Midway Airport alone. The Airport is served by Fire Hydrants from two sources, and only three meters are in play. Economically, a transfer and required excavation to move the connection would not make financial sense to any party. Mr. Hastings to confirm in writing at a later date.

Runway Expansion Project: Awaiting only acquisition of 2 properties in order to go to bid.

Land acquisition: Hayes Property, WILL PROBATE process has yet to begin. Executor is named, and Scott Bryan at TxDOT is on top of it. Mr. Hayes has surviving spouse. Price was agreed to prior to his passing. No way to know whether the executor will have authority to liquidate the asset and distribute the funds per the Will, or if the heir will receive the property, and then be the party to close, or renegotiate. Condemnation is approved on Strebeck parcel. Scott Bryan at TxDOT advises 60-90 days. If progress is not made on Hayes parcel within 45-60 days, Scott Bryan advises that we will move to condemn as well.

Funding: Mr. Fulton Advised us that our project has been selected to be funded at 95% with a 5% local match, instead of previously planned 10%. This represents considerable savings for both cities. Suggestions for spending of these dollars to be presented under ALP discussions (terminal concepts and other high priority projects presented at May 2009 board meeting) (best plan is to reserve it in aviation account for upcoming capital improvement projects local 10% match)

Timeline: April 2009. Advised by Alan Schmidt at TxDOT, (project Manager) that we must have all parcels for this project to proceed to the next phase, bidding. All are necessary for Construction. We had hoped previously that we might be able to construct, and complete acquisition during construction. July 2009, go to bid. September 2009, contract awarded. October / November 2009, mobilization and earthwork to commence. February 2011, completion of Construction.

Approaches: We learned in a meeting with Dave Fulton of TxDOT on March 17th, that items hindering approval of a GPS approach to Runway 18 had been cleared, and that we would indeed have an operational southbound approach at the completion of the runway extension. We only await now to determine whether or not it will have vertical guidance component. SOP for approach designers, per Mr. Fulton, is to provide the greatest capability possible. If it is at all possible, we will have the vertical guidance at both ends, with eastern entry from the north. The approach to runway 36 is planned to have Vertical guidance, as before.

Apron Expansion: At the direction of Alan Schmidt and Steve Creamer, we submitted a letter to TxDOT on March 16th, requesting that TxDOT consider including Apron expansion in runway extension project. The project, estimated to cost \$1,500,000 is already programmed for funding at 90% 10% in 2012. There is a slight possibility that due to acceleration of some other projects funded by stimulus monies, that other programmed projects for FY2010, 2011, and 2012 may be accelerated. We don't have an answer on this yet, but will by the time construction commences. Worst case is, we will be getting the full apron expansion in 2012. We will need \$150,000 for our portion.

GLIDER OPERATIONS: Clarification of policy provided to Glider Operators, and Banner Tow operations this month. Said simply: Midway airports' landing surface consists of a single runway, paved 75' wide, with a total safe clear area of 250' each side of centerline, as marked by the hold short line on the West, and the drainage ditch/treeline on the East. Aircraft are allowed to operate anywhere on that 500' wide surface that they choose, but only one aircraft at a time is allowed to operate on it. We are not allowed to operate as if we have parallel runways, (one grass, one asphalt). There can be no equipment staged or stored within these boundaries while other aircraft are operating to take off or land, in particular if that aircraft is a certificated air carrier (FAR Part 135 Operator).

JOINT AIRPORT ZONING BOARD: Board approved with minor changes at last meeting the Zoning ordinance as written which will protect the southern approach (primary) to our airport from construction / use that would limit the utility or usefulness of the airport long term. This is a very positive, and forward looking move.

OPERATIONS: COMMENTS / BACKGROUND for AGENDA ITEMS

5) **Options Fuel truck disposal:** all efforts to reach the estate have failed.

- 1) We could spend \$4-500 obtaining a title, and once we own it, our only allowed method of disposal is City Auction. This costs us additional fees for Towing, etc. Total investment, \$600. We may not get that for it at auction, and rightfully, if we make money on it, it ought to go to Juan's' estate.
- 2) Baron has offered to Pay \$350 for the truck. We could have him make the payment directly to Juan's estate, and tow the truck away at his convenience. They may later complain that we didn't negotiate a fair price for them.
- 3) We can call the Sherriff's dept., and report the vehicle abandoned. They will tow it and dispose of it in accordance with their guidelines. The Martinez Estate will not benefit from disposal of it. ** preferred method**

6) **Sheriff Dept.** We were informed that the Ellis County Sherriff's office has been approved for a Grant to receive a New aircraft for the use of the Department. It has not been formally approved yet by the Board of Commissioners, but anticipated in the next few weeks. The airplane will be on-call 24-7, and is expected to fly approximately 30 hours per week locally assisting with chases, surveillance, and crime prevention. They have requested a hangar at the airport. One has already been offered free of charge in Hangar B4.

7) **FBO Contract:** Provided comments regarding suggestions for modifications to Board previously. Consideration should also be given to the term of the lease, as well as the consideration. Suggest a basis for incremental rent determined by the financial report of the FBO be established, or release an RFP for the operation of the FBO to evaluate the relative value of the current FBO's proposal, and the benefit to the Sponsors. The following is an excerpt from the Minimum standards for FBO operators at Midway airport:

B. An FBO shall satisfy the Lessor that it is technically and financially able to perform the services proposed. In addition, FBO's must demonstrate a continued ability to conduct business and remain financially solvent by submitting an annual balance sheet, credit references and any other proof that Lessor may require from time to time.

In each instance, the Lessor will not accept an original request to lease land area unless the proposed FBO/Operator puts forth in writing a proposal which sets forth the scope of operation proposed, including the following:

1. Services to be provided
2. Amount of land required
3. Building space to be constructed or leased
4. Number of aircraft on premises
5. Number of persons to be employed
6. Hours of operation
7. Compliance with the applicable Articles contained herein, and
8. Evidence of financial capability to perform and provide the services and facilities contemplated.

My advise to the board is this: Ask the FBO operator to provide financials for 2007 and 2008. Establish a committee, seek input from one or more of the FBO partners, to develop an incremental rent structure based on growth.

8) Airport Layout Plan (ALP)

Background: The grant Program at TXdot is administered on a 3 year Cycle, all part of the ALP 5 year plan. First, a need is identified, which must be on the ALP. Year one is the request, and approval or programming of a project for a grant. In year two, all environmental assessments and engineering is accomplished, and in year three construction begins and is funded. We are currently at year 3 stage with our runway project, (although it took longer than 3 years to get here) We currently only have one other project in the pipeline at all, which is an apron expansion, planned for 2012, which means we would get a commitment next year on it, planning in 2011, and construction in 2012. In order to develop the airport maximizing federal funding, we need to be on top of this particular item.

After Lengthy conversation with Midway Airport's assigned planner at TxDOT, (Daniel Benson) it is agreed that the next logical step in the development plan for Midway airport is to update the Airport Layout Plan, to document needs and wants in order, for the next 1-5 years. Last update was in 2003, when the runway extension was programmed for funding. I have heard conversation around the airport about needs for all sorts of things, including game fencing, a new terminal building, additional ramps, parking lots, hangars, wash racks, etc. This process is the method to get there. The purpose of this discussion is to begin to identify needs and wants of the airport and tenants, so that they can be included in the next ALP, and then become programmed for federal assistance.

With that list complete, in the meantime we can push the lower dollar projects to the RAMP program below,

9) RAMP Projects: (Routine Airport Maintenance Program repaid 50% by TxDOT)

This is \$100,000 budgeted by the airport each year, for general upkeep, grounds improvement, beautification, standard pavement maintenance, buildings maintenance, lighting systems, and minor building upgrades that serve to prolong the life of facilities. This money is to be spent, and is then re-imbursed 50% by TxDOT for all qualified projects. It renews each FISCAL year. FY 2009 to date, we have spent \$10,287 of this money. This is the most important money to spend each year, as it qualifies for 50% match, with no programming or 3-5 year cycles. We should strive to have projects planned, and scheduled to utilize the entire amount each year. This will be accomplished by ALP planning, and then notating which of the items from our priority list can be accomplished under this program. Of primary need right now is renovation of the existing Terminal building floors 1 and 2, while it is a terminal building. Now, all work to it *can* be re-imbursed under this plan. If we used the remainder of FY2009 budget, and most of FY 2010 for this purpose, we could have a like new building, able to attract and support a greater customer base, and command greater rents.

Drainage Improvement at Southern Boundary of Airfield. Request Board approval to spend approximately \$4000 to construct a new concrete downspout similar in design to two others at area where significant erosion has occurred. (RAMP)

MAINTENANCE

Performed Annual Servicing (filters and fluids) on Tractor, and replaced leaking seals on mower deck. .

Mario replaced all wiring and placed in conduit the wiring along the front fence installed for Balloon Festival. (RAMP)

Paint Awning and Trim on Terminal Building. (RAMP)

Installed Gutter System on Box Hangars to prevent water entry to building. Nay Company Installed at no labor charge, Airport to pay materials. (RAMP)

Building and installing taxiway reflector/lighting that will simulate a lit taxiway. (RAMP)

OTHER:

Tammy began billing those entities this month whose leases make them responsible for all utilities, including water. Total expenses recouped are estimated to be \$350 monthly, or a savings of \$4200 annually.

Marketing: Airport to spend \$750 to acquire detailed list of aircraft activity at local airports GKX, F41, LNC, and JWY on days of, preceding and day after Major race events at Ennis Raceway for previous 3 years. We will produce a targeted marketing piece, to attract race teams, and fans to use JWY for Race events. Intent is to get the raceway, a local hotel, local restaurant, and car rental company on board, to offer a race weekend package.

Airport Spring Cleaning: Roll-off dumpsters will be on-site in Late April, to facilitate a clean-up effort of all hangars and grounds. (approx \$600) In conjunction, we will be collecting all recyclable materials (aluminum, metals, Batteries, etc) to raise money for a tenant directed event.

Airport equipment storage: During the Clean-up effort, all equipment currently outside owned by the airport or tenants, (trailers, golf-carts, tugs, fork-lifts) will be moved to an area near our equipment shed for permanent storage, or as a last stop prior to disposal.

Tammy: Balloon Fest and Pancake Breakfast Updates.

See Attached Tenant Newsletter from Ray.

ATTACHMENTS:

FBO CONTRACT REVIEW

TENANT LETTER MARCH 2009

