

# PEACHTREE CITY AIRPORT AUTHORITY MINUTES OF MEETING

February 9, 2005

The February meeting of the Peachtree City Airport Authority was held at the Aviation Center, Peachtree City-Falcon Field Airport, on February 9, 2005, at 7:00 p.m.

Those present were Chairman Jerry Cobb; Members Doug Fisher, Matt Davis, and Rick Mendenhall; Airport Manager John Crosby; Assistant Manager Andrew Bolton; and Authority Attorney Douglas B. Warner.

## I. ANNOUNCEMENTS

Chairman Cobb welcomed everyone and started the meeting promptly at 7:00 p.m. There were no general announcements.

## II. APPROVAL OF MINUTES

A motion was made by Mr. Fisher and seconded by Mr. Davis to approve the minutes of the January 12, 2005, Regular Meeting as presented. The motion passed unanimously.

## III. REPORTS

### AIRPORT MANAGER'S REPORT February 9, 2005

Mr. Crosby gave a brief overview of events for the airport since the last meeting.

**Schedulers and Dispatch Conference** – Lynn Herrin will be attending this conference in Reno, Nevada February 13<sup>th</sup> – 15<sup>th</sup>.

**Intergovernmental Agreement with Water and Sewer Authority** – The agreement is being drafted to complete the paving of Aviation Way to the treatment plant. WSA is very anxious to begin.

**NAVAIDS Study** – The study has been completed by Prime Engineering and is ready for review by the Authority. There are several items that will

be refined before the next meeting. The airport has also received support from Senator Isakson's office for place naming.

**405 Study** – A cost estimate for the study has been submitted and is substantially higher than expected. Current estimate is approximately \$58,000, which is reimbursable through FAA and state grants.

**Rules and Regulations** – A revised copy is available for review by the Authority.

#### **IV. FINANCIAL REVIEW**

Mr. Crosby gave a brief review of the financial situation of the airport. He stated that the airport had received funds from the City for Hotel/Motel tax distribution, as well as \$25,000 from Pathways Communities for Aviation Way. Fuel sales for the month were less than budgeted. Jet sales were slightly higher than for this period in 2004. Avgas sales were lower than January 2004. Mr. Crosby stated that in discussions with other airport managers, lower fuel sales appear to be a regional problem.

#### **V. OLD AGENDA ITEMS**

None

#### **VI. NEW AGENDA ITEMS**

**05-02-01 Review and approve Collateral Assignment document regarding Airpatch and assignment of their ground lease.**

Mr. Crosby stated that this item is merely an administrative procedure to allow Airpatch Inc. to renegotiate their loan with the bank.

Mr. Warner suggested that wording of the document should ~~included that would~~ make the bank responsible for any outstanding debt owed to the airport, if the loan was in default, and to allow the Airport Authority the right of first refusal should the hangar be sold.

Mr. Fisher made a motion to approve the assignment with the changes stated by Mr. Warner. Mr. Davis seconded the motion. The motion passed 3 votes for, 0 votes against, and 1 abstention. Mr. Cobb abstained.

**05-02-02 Hear presentation from SLWH, Inc. regarding the purchase and utilization of the Hunting facility.**

Mr. Stan Smith addressed the Authority to present plans for the utilization of the Hunting facility. He stated that he was currently in his "due diligence" period and needed to discover what fees would apply for the property to have airport access. He also stated that preliminary plans for the building were to lease hangar and office space to a FAA Part 135 Charter business, and to an aircraft maintenance operation. He also stated that it was his belief that the previous airport access agreement offered to Chippewa Aerospace was a "reasonable agreement" and that any higher fees could make the property unusable for aviation use and may be sold and used as commercial or industrial use. Several other members of the audience were recognized to speak and voiced their support for SLWH and the lower access fees. Those recognized to speak and were in support of SLWH include Mr. Mike Rossetti, Mr. David Rossetti, and Ms. Susan Cates.

Ms. Fran Hess was recognized to speak as an owner of off airport property. She expressed the need to have some idea of the access fees and hoped that an agreement could be made quickly. The access fees will also determine the use of her lot and wanted to proceed quickly on construction.

Ms Karen Gess representing Legacy Aviation was recognized to speak. She asked that as an on airport tenant that all fees be made fair so that unfair competition ~~would~~<sup>not</sup> occur favoring off airport property.

Mr. Fisher stated that there was a clear need to finalize the access agreement issue since it has been a topic of discussion since the August Authority retreat.

Chairman Cobb acknowledged that an analysis of the access fees has been ongoing since August, but the process is further along than what appears. He stated that it is important to consider that the Authority in its decision must make sure it is fair to the airport, on airport tenants, and off airport owners in the application of fees. He agreed to work with the rest of the Authority to have the access fee matter solved expeditiously.

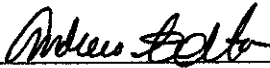
Mr. Davis stated that the Authority had agreed to a response within thirty days in the past and that time frame should be strived for again.

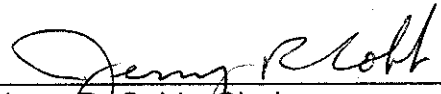
No other comments were made from the Authority or audience. No official Authority action was required and the item was considered satisfied.

## VII. EXECUTIVE SESSION

None

Regular business was concluded at approximately 8:00 p.m. Mr. Davis made a motion to adjourn. The motion was seconded by Mr. Fisher and passed unanimously.

  
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Attested by:

  
\_\_\_\_\_  
Jerry R. Cobb, Chairman

Attachment of Mr. Stan Smith's comments disputing accuracy of 2/9/05 Minutes

Reference the draft minutes to the February 9<sup>th</sup>, 2005 Authority meeting.

Item 05-02-02.

This letter is to inform you of several inaccuracies in the draft minutes of the Authority meeting of February 9<sup>th</sup>, 2005, that I request be revised prior to the Authority meeting of March 9<sup>th</sup>, 2005.

In the draft minutes you state that I said that I "needed to discover what fees would apply for the property to have airport access".

I was requested and was waiting to receive a full agreement not a fee schedule for "planning purposes". As of this date, March 7<sup>th</sup>, 2005, I still have not received such a document. Multi-million dollar business decisions are not made without all of the required information and details being in place.

The draft minutes also state "Several other members of the audience were recognized to speak and voiced their support for SLWH and the lower fees". What lower fees? This makes it sound as if I am asking for a concessionary agreement. I am not. I am asking for the Standard Access Agreement with no incentives or concessions and as far as I can tell am being denied this agreement arbitrarily.

The draft minutes also reflect that I stated, "that it was his belief that the previous airport access agreement offered to Chippewa Aerospace was a reasonable agreement".

I never said this. I in fact stated just the opposite, that the Standard Access Agreement was a good agreement and that the Authority should not have negotiated concessions with Chippewa. My position has always been that I wanted to execute the Standard Airport Access Agreement. I believe that this agreement is still a valid document that should be available for execution, as I can find no reference to the voiding of this document by the Authority in any minutes since it was last offered unmodified to Chippewa. I still do not know why this Agreement was not made available to my company just 7 months after it was called our "newly authorized agreement" by the airport manager. This is the same agreement that was created as the result of the Authority actions taken on April 19<sup>th</sup>, 2001 that was executed by Richard Bearden and offered unmodified to Jet Limo LLC and to Chippewa Aerospace prior to their request for incentives, which led to the concessionary Chippewa agreement as the result of 7 months of negotiations. I have never asked for the Chippewa Agreement. I do not even know the details of this agreement, as the airport manager would not produce a complete copy for me when I requested, stating that parts of the agreement" do not exist and did not exist because the contract or agreement was never executed. If it had been executed, we would have included these items. "The Authority voted to approve this concessionary Access Agreement for Chippewa as is memorialized in the minutes of the Authority meeting of July 14<sup>th</sup>, 2004. The body of this agreement specifically references Exhibit A, B, & C and paragraph 19 page 8 of the agreement states that "All exhibits or addenda attached hereto, listed below, or referenced herein, are made a part of this agreement". Did the Authority vote on an agreement that was incomplete? I never received a copy of the complete agreement and therefore have never been in a position to evaluate its merits. It is also clear that this agreement was offered only to Chippewa and that the Authority intended not to make this offer to anyone else. I have always understood this and have never even suggested that I wanted this agreement.

Though it would be advantageous to the Authority had I made these statements or taken this position of wanting the concessionary Chippewa agreement, the verifiable facts are I did not make the statements as reflected in the draft minutes and request that changes be made prior to the Authority meeting that are in keeping with what actually occurred.

Stan Smith

PEACHTREE CITY AIRPORT AUTHORITY

RECORD OF ATTENDANCE AS OF:

February 28, 2005

| Members             | Regular Meetings Last 12 Months | Meetings Attended | Regular Attendance % | Special Called Meetings Last 12 Months | Special Called Meetings Attended | Total Attendance % |
|---------------------|---------------------------------|-------------------|----------------------|--|----------------------------------|--------------------|
| Jerry R. Cobb       | 12                              | 12                | 100%                 | 6                                      | 6                                | 100%               |
| Matt M. Davis       | 12                              | 12                | 100%                 | 6                                      | 6                                | 100%               |
| Douglas A. Fisher   | 12                              | 9                 | 75%                  | 6                                      | 4                                | 72%                |
| Catherine M. Nelmes | 12                              | 12                | 100%                 | 6                                      | 6                                | 100%               |
| Rick P Mendenhall   | 12                              | 12                | 100%                 | 3                                      | 2                                | 93%                |

| Members            | Dates Absent | Type    |
|--------------------|--------------|---------|
| Jerry R. Cobb      |              |         |
| Matt M. Davis      |              |         |
| Douglas A. Fisher  | 4/21/2004    | Regular |
|                    | 5/19/2004    | Regular |
|                    | 8/25/2004    | Special |
|                    | 9/29/2004    | Special |
|                    | 10/19/2004   | Regular |
| Rick P. Mendenhall | 9/29/2004    | Special |

| Meeting Dates | Type     |
|---------------|----------|
| 1/12/2005     | Regular  |
| 2/9/2005      | Regular  |
| 3/10/2004     | Regular  |
| 3/24/04       | Special  |
| 4/21/2004     | Regular  |
| 5/19/04       | Regular  |
| 6/02/04       | Regular  |
| 7/14/04       | Regular  |
| 8/6&7/2004    | Workshop |
| 8/16/04       | Regular  |
| 8/25/2004     | Special  |
| 9/8/2004      | Regular  |
| 9/29/2004     | Special  |
| 10/19/04      | Regular  |
| 11/19/04      | Regular  |
| 12/08/04      | Regular  |