

Peachtree City Airport Authority (PCAA)

Thursday, March 9, 2023

Regular Meeting Minutes

Members Present: Greg Garmon – Chairman, Ken Fleming – Vice Chairman, Gary Zarlengo – Secretary/Treasurer, Max Braun - Member, Bill Beckwith - Member, Miranda Shockley - Alternate, Mark Oldenburg – Attorney, and Hope Macaluso, A.A.E. – Airport Manager

I. CALL THE MEETING TO ORDER

Greg Garmon called the meeting to order at 7:02 PM.

II. PLEDGE OF ALLEGIANCE

Greg Garmon opened the meeting to a public comment period.
No comments were made.

III. APPROVAL OF MINUTES

Ken Fleming made a motion to approve the January meeting minutes, seconded by Gary Zarlengo.

Motion carried 5/0

IV. REPORTS

Gary Zarlengo gave a finance and capital budgeting report.

- \$40,000 was generated in February for capital expenditures
- \$100,000 has been generated year to date for capital expenditures
- \$150,000 has been spent year to date of capital expenditures
- \$1.8 million dollar cash balance

Mike Melton gave an operations report.

- JetA - Sold: 27,317 ; Budget: 25,000
- AvGas - Sold: 22,533 ; Budget 19,000
- Fuel tickets for month: 1,256
- Over 90 fuel calls per day for a few days this month
- Hit a record number of 98 fuel calls in one day
- Jet operations for month: 199
- Total operations for month: 9,011
- Daily operation average: 322
- USDA made a visit. One deer and two armadillos were removed.
- Multiple aircraft had flat tires throughout the month. This was followed by a FOD inspection. Nothing was found out of the ordinary.
- CAF has postponed WWII Days. They will be doing a big event next year honoring the 80th anniversary of DDay.
- Parking lot striping will be happening in the next couple of weeks

V. FINANCIAL REVIEW

Hope Macaluso gave a finance review.

- January
 - Sold more JetA than expected
 - Sold less AvGas than expected
 - Expenses were high due to maintenance
 - Better than expected overall for the month
- February
 - A good month
 - Fuel sales were strong
 - Ahead on revenue
 - Maintenance was high due to some rented equipment and also plumbing at FLYT that will be billed back to them
 - Net income for the month is ahead by 30%
 - Net income for the year is behind by 20%
 - Capital Expenses
 - \$1,300 for a new laptop
 - \$5,040 for concrete for refueler truck parking area
 - \$3,360 fuel farm expenses
 - \$8,860 with Michael Baker for the last invoice of the crack seal and remark project design
 - \$71,928 for the reimbursement agreement with the FAA for the air traffic control sighting study
 - Grant update for the crack seal and remark of the runway and taxiway F: the contract will be sent over tomorrow
 - Application has been submitted for the two FAA supplemental funds to improve the runway and taxiway safety areas and also to expand and rehab the apron. This should be back in the next week.
 - FFC was not selected for the terminal expansion.
 - Hope was asked if there were any open projects left with W.K. Dickson. She replied that there is just one and that is for the Avigation Easement for the Hill property. The \$22,000 easement is still open with them.
 - Hope was asked if they should be alarmed that we are behind forecast for the year. Hope explained that though December was rough, we had made up for a lot in January and February and that maintenance expenses had hit us hard. She was also asked if for the remainder of the year, we would focus on more critical maintenance and she agreed we would. She also stated we would stick to the capital project list.
 - Upcoming Capital Expense:
 - FBO Hangar Doors will need major repairs on the back side. Gutter replacement quotes are being gathered as phase 1 of the project.

Greg reminded the group that the annual motion to allow management, the attorney, and the alternate to enter executive sessions needed to be made. Max Braun made a motion to allow the PCAA alternate, attorney, airport manager, and assistant airport manager to attend Executive Sessions for the 2023 calendar year, seconded by Ken Fleming.

Motion Carried 5/0

VI. AGENDA ITEMS FOR DISCUSSION

22-11-02 Discuss MOU Concerning Runway 13 Approach Slope and Landing Distance Available

Greg began by stating that Michael Baker International was present. Hope offered that they were mainly here to answer questions and that she had three printouts that they had provided.

Max Braun requested that the minutes reflect a detailed discussion of this agenda item. The reason is because a lot of the issues being faced today are because of a decision made by the airport authority in 2006. There is not a lot of insight as to why these decisions were made. Max would like to make sure that future airport authorities have insight into this discussion. He requested that any drawings or exhibits being presented be included in the minutes.

Jim Duguay, an airport planner from Michael Baker, introduced himself and stated he was the one that provided the drawings related to the RPZ (Runway Protection Zone) issue on runway 13. Hope explained that the drawings were in front of each authority member and that they would be on the screen for the audience as well. She stated that in addition to the three drawings there was a narrative that Jim would explain further on another potential scenario.

Max asked Jim to present this in layman's terms. Max explained that the original question asked was if that building was built, how much could the displaced threshold move back.

Jim said that on the Hill is the runway protection zone (RPZ). That's an area where the FAA provides guidelines for land use. Ideally, there should not be people congregating in the RPZ. A building such as this would be a bad idea for the airport to allow within an RPZ. The RPZ changes based on the minimums to the runway end and where the landing threshold is. (Jim refers to drawing FFC RW 13 RPZ ANALYSIS-EXISTING 3-8-2023-REVISED 2). A displaced threshold is what is there today. There are two RPZs, the approach RPZ and the departure RPZ. In both of the trapezoid shaped RPZ areas, you want to avoid allowing future development that creates a congregation of people. The building that is proposed is not in the current RPZ. There is a small portion of the departure RPZ that is on that property today. Ideally, you want to be sure that nothing gets built in that area.

The question is, what happens if the displaced threshold is reduced or minimums get lowered? Currently, the minimum visibility (how far the pilot has to see to land) is one and one-eighth mile. If the visibility drops to below one mile, the RPZ dimensions all get bigger. This RPZ assumes that the threshold would be as shown on the ALP, all the way to the end of the runway in the future, except for a very small 33 foot displacement (referring to drawing FFC RW 13 RPZ ANALYSIS-FUTURE ALT 1- 3-9-2023). If the minimums were lowered below one mile, the start of the RPZ would be as depicted. If the displaced threshold were moved back and the minimums were lowered below one mile, this would be the size of the RPZ. The building would be in the RPZ. Max Braun asked if this drawing depicts the future state and if this is what would happen if they were to move the threshold all the way back and reduce minimums to three-quarters of a mile. Jim replied yes but that if they moved the threshold all the way back, the RPZs size would be as shown on drawing FFC RW 13 RPZ ANALYSIS-FUTURE ALT 2- 3-8-2023-REVISED 2 as the departure RPZ. Jim said that the issue for further discussion is whether or not the authority wants to lower the minimums and eventually eliminate the displaced threshold in the future, because that will have an effect on this property.

Greg Garmon asked if we go to a mile instead of three-quarters of a mile, was there a drawing for that? Jim said that it would be what we have today- the smaller RPZ. It is when you go below one mile visibility. The step is when you decrease to seven-eighths and three-quarters mile visibility.

Greg asked why we were over one mile now? Jim said that is because of obstructions. Max stated that those were the trees on the easement we are attempting to acquire. Jim said he does not know the history of why the FAA raised the minimums. Hope Macaluso clarified that it is because of obstructions and that we had lower minimums prior to a survey that was done that identified the obstructions.

Greg asked if the displaced threshold was moved back 516 feet, the trees were cleared, and the visibility minimum was lowered to a mile, would the RPZ be clear of the building? Jim said yes. Gary asked for clarification, by “move it back” does Greg mean give up? Greg said, no it would get another 516 feet. He said we can get the full length and be able to go down to one mile visibility because the proposal has the property owner cutting the trees for us. We would go from a mile and a quarter to a mile and we get 516 feet. However, we would be stuck at a mile and can’t go below that.

Jim offered that the authority could see if the owner would adjust where the actual footprint of the building is, but we all understand that slope is the restriction here.

Bill Beckwith asked how much of the proposed building is above the RPZ. Jim said that the RPZ is just two dimensions and is a land use guideline. It is complicated that there are approach slopes here. The most critical one is the 20 to 1 approach slope, which is labeled on the drawings as the Type 4 OCS- you want to keep that clear. FAA Part 77 slopes are depicted in orange (in the drawings). The building penetrates those, but it can have hazard lighting on top for that. He emphasized that the Type 4 OCS needs to be

clear. Bill asked in that scenario, how much lower would the building have to be (Bill believes that building is 40 feet above the ground) to clear? Jim answered that there are two issues. The building just cannot be in the RPZ. If you make the RPZ bigger, it doesn't matter how tall the building is, it is a land use issue and the building needs to be out of the RPZ. It's a hazard to the public. The airspace is not as much of an issue, but it needs to be out of the RPZ.

Gary Zarlengo asked if this was an issue about safety on the ground, not so much an airplane hitting a building- although it could, but the concern is the people on the ground? Jim replied that it is protecting people. Gary Zarlengo asked if this applies to both jets and piston aircraft? Jim replied it applies to both. Gary asked from a practical sense, who would be most concerned about this? Jim replied that the more demanding the airport gets, the larger the services get, so the faster the airplanes are and at this airport you have business jets. Gary stated that it is really jet driven. Jim said that even at the smallest airport, they have an RPZ but they are much smaller, the planes are slower and have an accident history of a lot less. Gary asked if they have a lot more room to roll out with low visibility than a jet does because of approach speeds? Jim answered, yes, it is the physics of the whole thing. Jim stated that the FAA based it (the RPZ) earlier on off of airspace, but with the frequency of crashes over time that the FAA observed, they created this land use guide. Gary posed a question that he said Jim may not know the answer to, but these are FAA minimums and a lot of corporate pilots may work for organizations that have more conservative guidelines and may not allow the pilot to use the approach unless they have the minimums plus a contingency factor? Gary stated that he had flown with corporate pilots that were a lot more conservative because they don't want to lose a CEO or CFO. Greg answered that those are mainly visibility requirements and cloud clearance altitudes. Greg said he did not know of many companies that would base decision making on this kind of information. Jim noted that the minimums to the opposite end of the runway are three-quarters of a mile and 200 feet and has an ILS (instrument landing system), so most aircraft are going to use that. Hope clarified that the other end was three-quarters of a mile and 252 feet. Gary asked if that helps or aggravates the problem. Hope replied that it helps, and that the prevailing winds are for the 31 end of the runway, not the 13 end.

Max asked what the trapezoid in blue on the drawings would be if we reduced the minimums to three-quarters of a mile? We established that if it's at one mile, which is a little better than what we have today, but not as great as we have had in the past, the building doesn't impact it.

Greg asked Jim if he had a graphic for if we moved the threshold back 516 feet, but left visibility at a mile? Jim said it would be the magenta box.

Max asked if we wanted to go to three-quarters of a mile and the property owner built the proposed building, we could in theory move the trapezoid backwards to where the RPZ wouldn't touch the building and we would get some portion of the displaced RPZ back even at three-quarters of a mile? He stated that this isn't a binary issue where if it is built,

you can't get three-quarters of a mile approach. You can still do that but maybe have to give up 300 or 400 feet. That isn't the final number, we would have to give up some portion of distance. Jim stated if they lower the minimums and go down to three-quarters of a mile, they would have to keep the threshold where it is today (displaced). Greg asked if we were talking about moving the threshold, not adding pavement, but just moving the threshold? Hope answered that, yes, the pavement is already there. Greg asked if the departure zone and the arrival zone were different. Hope Macaluso asked Jim if the threshold was at the end of the pavement, would the RPZs stay the same? He said yes.

Jim said that the consideration of those at the meeting is if lowering the minimums creates better utility to the airport. He stated that if you are flying IFR (instrument flight rules), the weather has to be above three quarters of a mile or greater visibility to legally fly here as a commercial pilot. There is another runway. If the winds are favoring this runway during those type conditions a pilot may not be able to land going into the wind on the correct runway depending on the winds and the weather. Jim then stated that this doesn't happen often. Hope offered that it happened during the air show this was a factor for the F18s. Max asked if pilots ever chose to land with a tailwind because of a favorable approach or lighting on the other runway. Greg said that that certainly does happen, but it is not something you plan to happen that way. Max asked if there were instances where people landed with a tailwind on approach? Mike Melton interjected that there is a circling approach where you can approach from one end and circle around to land the opposite direction, but there are also circling approach minimums which are higher.

Jim Savage (former airport manager) requested to speak and was given permission by Greg. Jim Savage asked if the primary responsibility of the airport authority is to provide the safest operation possible for the tenants and transient aircraft, correct? Greg said that it was one and that it is an important responsibility. Jim asked if Greg did not think it was the primary? Greg said he thinks the airport authority has a fiduciary duty to the airport and the community and the people that the airport shares fences with. Jim said that this airport was built many many years before there was any development around here and that people encroach on airports and complain about noise and the other features. Jim stated that he is a pilot with a number of hours and it strikes him that as an airport authority, they would want the lowest possible minimum available and the longest runway environment available. What he heard Jim Duguay say is if you just move the RPZ, which would cut into that building, you have the ability to move with the approach and the displaced threshold of the pavement and get three quarters of a mile. Greg answered that we could potentially, if we were able to get the easement, to cut the trees from the top of the hill, and pay for the trees to be cut upwards of \$100,000, we could potentially get to three quarters of a mile? Yes. Max added that we would also need to move the paint back. As an airport authority, Jim said that they should want the lowest minimums available and the longest runway available. Greg also mentioned that there would be no cost.

Greg said that there is a duty to be good stewards of the community. He is thankful that all of the other airports like Hartsfield, for instance, did not bind themselves to the

agreements of the past. It is important to do what is best for the community, not only for the airport, but for the tenants and for the people that surround the airport. Greg does not think that should limit the airport. He believes there can be a 90% solution here, and also appease a longtime tenant who has a potential to bring employment to Peachtree City, to bring resources to Peachtree City, to bring industry to Peachtree City, and to help the local economy. It helps the airport by giving us an easement to property by lowering trees, which the airport does not have to pay for. Additionally, the property owner provided the property for the airport to extend in the first place, which was the largest expansion in this airport's history. So if we have the ability to say that we can't quite get to three quarters, but we can get all these other things done. We can save six figures, but we have to stop at a mile. He thinks that they should certainly consider that and that's what they're here to consider. No decisions have been made. But that's what we should consider rather than just bulldozing the landscape, because 60 years ago, we were built in the middle of nowhere in Peachtree City. Jim Savage asked if it was possible to get federal funding provided. Greg said he could not speak to that. Hope said yes, but we are not justified yet for the future RPZ. We would have to justify the purchase of that property and we don't have that right now. Hope mentioned she had a call with GDOT the following day, but was not sure which direction they would take.

Jim Savage continued, questioning the extension of the southern end of the runway, that he believed the runway could be extended to over 6,000 feet. Hope clarified that we could not get over 6,000 feet due to limitations of the railroad and TDK. There was more back and forth with Mr. Savage, but he noted that the authority was encouraging more operations here especially if we build a tower and to have flexibility is important.

Greg said that over the last year and a half 12,604 operations were made and 80 of them were between three quarters of a mile and a mile. Greg asked if it is worth telling a citizen of Peachtree City that they cannot use their property. Greg mentioned again that no decision had been made and that this was one of the bigger decisions that he had seen as his fourth year of being involved with the authority. He agreed that they have a responsibility to the airport, but they also want to be good stewards of our community.

Max summarized by stating that it's a question, do we let the landowner use the land and accept a one mile minimum at the future state of fully using that pavement? Or do we not and we get three quarters of a mile with the full use of pavement when we are ready to accept it. Max said that up until 2019, this would not have been a discussion because the future RPZ would never have been limiting the landowner. The 2019 city council adopted the airport overlays as part of the city's zoning process, including the future one. That landowner did not receive compensation for that, potentially losing utility of their land. Gary said that should be between the city council and the landowner. Max said that when this happened, he did not push back. The airport authority took it at face value. There was not a discussion amongst the airport authority over the impact that it would have. There were two by two meetings at city council, but it was not a public meeting. The potential of impugning someone's use of private property (clarifying that this is just his opinion), and respecting the rights of a landowner, is what the airport receives justification to

negatively impact the economic potential of someone else's land? Max stated that the authority is being given the easement and no cost of clearing the trees (six figures) and just being a good community steward. There's a financial component and a principal component, and, again, he was speaking for himself, that's where he struggled. He does not agree that getting that three quarters is important for those days, although not a lot of them, but on those days it might make a difference. There are no (approach) lights on that end. So the 31 is still probably preferred. But it's going to happen, in fact, you can fly the RNAV right over there.

Greg reminded the group that they can get to three-quarter mile visibility, but would not then be able to move the displaced threshold. If the building is built and the authority is happy with the runway length, they can still get to three-quarter mile visibility if the trees are removed.

Greg stated there are three options: 1. Allow the building to be built by encouraging the variance. However, allowing the variance is ultimately not the authority's decision to make. 2. Don't oppose the project and then may or may not extend the runway in the future. At this point Gary interjected that if the authority makes this decision, it is irreversible and that once the building is up, they can never go back. Greg continued: 3. The authority doesn't allow it, begins the condemnation, and cuts the trees. Gary pointed out that the cost of the tree removal should not be a consideration in this decision because if the owners do not remove the trees, this can be paid for by a grant.

Hope said that before they go any further, she would like to point out that this agenda item is about the MOU (Memorandum of Understanding) concerning the runway. There is nothing in the document that the airport is violating. The airport authority has no intent to expand the existing runway beyond 6,000 feet in total length. The runway is currently planned to be 5,330 feet in length for landing. We have 5,335 on the ALP for landing, so we are only off by 5 feet. The next thing that has been promised to them is that the airport has no intention of decreasing the obstruction clearance height below a 34 to 1 slope on the other approach and 20 to 1 on the approach over the hill. There is nothing in the document that the airport is violating. Hope said that those are the only items in the MOU that pertain to this conversation. Greg said that the MOU is non-binding. He said that the MOU is irrelevant to him and does not affect his decision.

Hope stated that there have been statements in the meeting that she would like to clarify. She said that this would still come up even if the zoning ordinance were not in place. It would come up because when the owner applies for their 7460 (Notice of Proposed Construction to the FAA), it is going to come back from the FAA stating that it is a hazard to navigation or it impedes on airport surfaces. Before the current zoning ordinance was put in place, the city still had a requirement that the FAA find it is no hazard to navigation. When that zoning ordinance was put in place, there were over 26 signs placed around the property, along with extensive discussions including the ownership of that property. She stated that she had been here eleven and half years and

had sat down in the same room with the property owners before they bought it. She said that they knew full well the restrictions on that property and there was history there.

Hope asked that the authority keep in mind her standpoint. She has a document that she has to defend which is the ALP. The ALP is based on 20 years of historical data. Hope is defending the document that she has been given to execute. She said that if the airport authority chooses to do this, it is completely up to them, but that this is the point of view that she is coming from. Greg asked Hope what her thoughts are about being capped at a mile. Hope said that she does not believe that we should limit ourselves, ever. She said that that is coming from an airport manager and that she does not have to deal with the political repercussions that the airport authority has to deal with.

Gary said that he looked at the enabling legislation and nowhere in there is the phrase “economic development”. He said that he can appreciate the spirit of being a good neighbor, but the airport is an Economic Development Center in its own way. Anything the authority does to limit the airport’s flexibility would seem to be potentially adverse to the city as a whole. This is about building a warehouse, which is hardly a high end commercial office or a corporate office. Hope interjected that this is a speculative distribution center. Gary continued to say he has heard the City Council say they'd like to see a few commercial or corporate offices, but has not heard City Council say they want to see more warehouse space or distribution centers. He believes that is more an I-85 type of project. Gary said that going back to what the gentleman (Jim Savage) said, the authority’s enabling legislation doesn't say that. It says the authority is supposed to do what's in the best interest of the airport. He said that's in section 27 and the preamble and both are pretty adamant about that.

Gary said that he agrees with Hope, he hates to see the authority do anything that limits potential in the future, just from an economic perspective. This will mostly affect potential jet operations, as opposed to piston driven operations. 5% of airport operations are jet, but that is 50% of airport cash flow. If the airport becomes less attractive to jet operators, that is less fuel sold. Those 200 landings a month are 50% of the airport’s free cash flow. Gary said that the airport needs to make sure to treat the guys that pay the bills well (apologies to piston pilots). The airport needs to be careful not to make the airport less attractive to them in the future. Once the airport limits itself, there is no walking it back.

Greg said that the airport is increasing regardless by going from a mile and a quarter to a mile, just not going from a mile and a quarter to three-quarters of a mile. If the airport chooses not to extend the threshold, the minimums could go instantaneously from a mile and a quarter, to three quarters of a mile. He said that this will not cause the airport to lose traffic. Greg said that with the logic from Gary’s point, discounts should not be given to tenants, if the airport is just trying to make as much money as it can. Gary disagreed by saying that the discounts given to tenants on the airport are airport related. The decision about the property is a simple real estate decision, not airport related.

Max stated that when the authority had the overlays adopted as part of city zoning, it added another hurdle, a much bigger hurdle, to any development on that building. Max doesn't think it was ever presented to the authority to look at both sides. Discussion was always singularly for the airport. The authority made a decision on it. Max does think that the authority, with at least one member (himself) involved, made a decision that adversely affected another community member and that's where he gets a little hung up. Max agreed that three-quarters of a mile would be a lot better if the runway could get extended. He posed the question of what it would take to move the threshold and why have we not done it today? Max asked what it would take to go ahead and get the threshold extended- If the authority said enough with the building, and then we get the easement and the buildings off the table? The authority wouldn't get the easement because the owner wouldn't give it to us, we'd have to go to court and condemn it. Then in 10 years, when that process was done, we would drop those trees. What would it take to get the threshold extended? Hope said that it would take having an aviation easement in place and then removing the obstructions. The airport offered the property owner an easement for the existing RPZ close to a year ago and still has not received a decision back on that and that is just for what we have today. She explained that if the authority were to ever go down the path of condemnation, once that decision has been made, then it's a done deal. At that point, what goes through the court system is how much they're paid for the easement. Max stated if the authority were to deny the building, we are not getting that easement. Gary asked, are we denying it or just not acting? Gary was not sure what they would be voting on. Max told the authority that the landowner has a deal in place that is contingent on that and that the landowner had been waiting for the airport authority to decide to grant the exemption. Max said that this decision should be made so that the property owner has an answer. Hope said that the property owner is asking the airport authority for an answer on a zoning variance before even applying for it. Once it is applied for, then it will come back to the airport authority for a decision. At that point, it is up to the city on if they will allow it.

Gary asked Mark Oldenberg about condemnation. Gary's understanding is that the authority has the power. The only thing that is an issue is the price. Mark answered that this is correct. Gary said a judge would not say no to condemnation unless something's really untoward, so really, what we're negotiating is price. So if procedures start, and this goes for through the fence agreements and everything, if we're going to condemn something, then when are we able to begin doing what we want, while we go to the courts and sort out the price? When could we actually begin dealing with the through the fence issues or deal with clearing the trees? Do we have to wait for a court decision on the price? Mark advised that no, property rights vest immediately upon the filing of the condemnation. You're required at that point to deposit in the registry of the court the appraised value of the property that you're condemning, but immediately upon the filing you own the property and are vested with all your rights of the property. Then the litigation is about whether the value that's been deposited is correct. Gary stated that there's really not a time delay per se, if something becomes time sensitive, it's just a matter of the price.

Max asked Mark that in that case, if we condemn it, now we have access to that land that we want to clear. We can send bulldozers up there day one, even though it's like a little island on his property, he has to grant us access to it, we can drop it. But if he comes back and part of the court dealings and says, those trees had economic value, that'd be something the court would consider. Mark replied absolutely, but also keep in mind that a large component in many condemnation cases is the economic impact to the land. Mark stated that he doesn't know enough about what they're putting up there and where it's going exactly, but an argument can be made, you've prevented the owner from building a building (Greg offered that is was \$28 million), and all of the revenue that would have been achieved from that sale is part of their economic damages. So don't think it's just the value of the trees. Mark did not want to mislead the authority in that respect. He stated it could be, but it also could be a lot more. Gary asked if the owner could claim economic loss for a building that they were not permitted to do anyway, could they? Mark replied that it becomes a battle of appraisers, what our appraiser is going to say versus what their appraiser is going to say? One thing is for almost certain, they're not going to agree.

Bill stated that for the last 25 plus years he has gone on the planning commission for the county, and on the Zoning Board of Appeals for about the same period of time. One thing that they always look for are options. They try to keep in mind the benefit to the county for development or non development versus the benefit to the landowner and the landowner has rights to develop his property in line with the ordinances, the laws of the county (he was referring to the county). The reason he asked about how high that corner of that building was above the 20 to 1 surface, is that there are options with that building. Are there options to build a lower building, or are there options to move the building, so it doesn't interfere with that surface? Bill said doesn't know how much Pace Lynch has involved in this, if they see that's the only type of building they can build then that's one thing. But there may be options, there may be ways to have them develop or plan to develop in a slightly different location that would solve our problem. He said he doesn't know if that's possible or not. Ken chimed in that he had the same question. Greg stated that this is really the only location. Max added that they may be able to drop a couple of feet off the top of it but the topography of the property is limiting. Hope said she assumed this was the most economically easy place to build on the property without having to blast rock.

Gary mentioned that it is because it is a warehouse as opposed to an office where you could tier it and do something aesthetic with it. Hope replied she would think if it's a distribution center, they are limited to the design of the docks, and it's basically a rectangle. If you're talking about a corporate headquarters, that's easier to work around. But the location they're proposing for the building is probably as flat as you're going to get on that property, and that's why they selected that location. It is an economic decision. They have 36 acres there, but of that 36 it is just roughly terrained. Gary asked what was the footprint of the building. Bill answered that this is a four acre building and 48 feet high and that if they are interested in building, they may want to redesign.

Hope clarified that the property owner is not the one who is building the building. They have a sales agreement in place for the new owner to build the building. She did not know what their limitations were. She mentioned that the last development that was proposed was backed by the airport. The owner had worked with the airport engineers and they avoided the protected surfaces. The city did not allow it to go through.

Max attempted to move the question forward, are they willing to forego the future RPZ for this? He stated it was a yes or no, and that no might just mean go back and try again. Max mentioned taking a straw poll. He felt strongly that the authority needs to tell the owner one way or another. Gary mentioned that this has been around since November. Hope corrected them by stating it has been around for 12 years and the decision keeps getting kicked down the road. Max stated that the current authority really became aware of this last August. Hope reiterated that previous authorities have dealt with this for over a decade.

Greg asked Jim Flock from the audience (a tenant) what his thoughts were since he was in aviation real estate? Jim mentioned that there were many changes in aviation happening and that the authority should protect the airport.

Jim Duguay said that if you keep the minimums where they are and you recapture the displaced threshold, if you are landing on the longer runway you have a longer moment to plan. Hope said what she thought Jim was saying is that it would be a trade-off- more runway, higher minimums. She pointed out that everyone keeps talking about current minimums. Hope said the airport used to have lower minimums, but lost them due to obstructions. The ALP shows lower minimums to accommodate the future aircraft that are forecasted to use this airport. Hope reiterated that Jim Savage and Jim Flock had said to protect everything we have.

Max asked that there be a motion made. Greg said they should not presumptively approve or deny his project. Max clarified that they would not be approving or denying a project, but would just say whether the airport authority is willing to remove the future RPZ for a three-quarter mile minimum from the Ultimate. Hope mentioned that would be redlining the ALP and Max agreed that it would. Max said that that would be the motion and then that would start to free up the things. If the authority said, No, we're not going to do that, that would effectively say what the owner has proposed is not going to work. The owner can come back with something different that doesn't touch our future three quarter mile approach RPZ, but what they spec'ed out there this board is not okay with. Hope said that the airport cannot just redline the ALP without the FAA's approval, so the FAA would have to approve that and this would affect several pages of the ALP. Max agreed that there is a cost involved with that. Gary thanked Max for stating what the motion would be and that he thought they could give the owner an answer. Mark said that it is improper for a motion to be made at this point because the agenda item only calls for a discussion, not an action item. He said a motion could be put on the agenda for the next meeting or for next month, but not tonight. Max asked if the agenda could be amended? Mark

replied no, it would be disingenuous to do that after you've had it on the agenda for discussion purposes.

Max said he would like to take a straw poll. He asked if he made the motion he discussed who would be in favor of removing the RPZ?. Would anybody be opposed to removing the RPZ? A tally of the vote was not recorded since it was not official.

VII. AGENDA ITEMS FOR ACTION

23-03-01 Consider Right of Refusal for Hangar D22

Max Braun made a motion to forego the right of first refusal for hangar D22, seconded by Ken Fleming.

Motion carried 5/0

Max Braun began to make a motion to enter into Executive Session. Hope asked that they go ahead and assign the lease for D22. Max pointed out that it is not on the agenda. Hope asked Mark's opinion. Mark stated it does not need to be a motion and that it happens by operation of law when the right of first refusal is denied.

VIII. EXECUTIVE SESSION

Max Braun made a motion to enter into Executive Session for real estate matters and questioned if they needed to discuss personnel, to which Greg said no. The motion was seconded by Ken Fleming.

Motion carried 5/0

IX. ADJOURNMENT

Max Braun made a motion to adjourn the meeting at 8:39 PM, seconded by Greg Garmon.

Motion carried 4/0

Witness

Chairman, Greg Garmon