Vice Chairman Moore called the meeting to order at 9:00 a.m.

(NOTE: Heading, paragraph numbers and letters correspond to agenda numbers and letters. Items are listed in order of discussion.)

I.  APPROVAL OF MINUTES

MOVED BY MR. WEBB AND SECONDED BY MR. WITTENBORN TO APPROVE THE MINUTES OF THE DECEMBER 05, 2012 MEETING AS PRESENTED. APPROVED (6-0).

II.  REPORT OF THE CHAIRMAN

A.  Election of Officers – Report of the Nominating Committee

Mr. Wittenborn reported that the Nominating Committee’s recommendations for the Airport Commission slate of officers are as follows: Mike Moore, Chairman; Bill Raynor, Vice Chairman; John Wittenborn, Secretary; and Dave Webb, Treasurer.

MOVED BY MR. WEISENBURGER AND SECONDED BY MR. RAYNOR TO APPROVE RECOMMENDATIONS BY THE NOMINATING COMMITTEE AS PRESENTED. (6-0).
IV. EXECUTIVE SUMMARY

A. Review staff reports:

Mr. Metcalfe stated that he had nothing to add to his report.

Mr. McKee stated that fueling system was another discussion item that came up during the strategic planning retreat and that a twenty year contract is consistent with county awarded contracts. Mr. Webb asked for the current status on agriculture lease renewals. Mr. Metcalfe replied that the agricultural leases are generally renewed annually, at the end of the year.

B. Summary of Financials:

No additions to the Summary of Financials.

C. Consider ratifying the November and December 2012 expenditures as presented:

MOVED BY MR. WITTENBORN AND SECONDED BY MR. HARRIS TO RATIFY THE NOVEMBER AND DECEMBER 2012 EXPENDITURES AS PRESENTED. APPROVED (6-0).

V. DISCUSSION ITEMS

A. Consider approving a proposed change in existing city zoning located at the southeast corner of 151st Street and Quivira Road, which is within 1 mile of Executive Airport, Overland Park, KS. Ordinance No. Z-3549, Rezoning No. 2012-6 (Bluestem).

MOVED BY MR. WEISENBURGER AND SECONDED BY MR. WITTENBORN TO RECOMMEND APPROVING A PROPOSED CHANGE IN EXISTING CITY ZONING LOCATED AT THE SOUTHEAST CORNER OF 151ST STREET AND QUIVIRA ROAD, WHICH IS WITHIN 1 MILE OF EXECUTIVE AIRPORT, OVERLAND PARK, KS. ORDINANCE NO. Z-3549, REZONING NO. 2012-6 AS PRESENTED. APPROVED (6-0). (Verbatim transcript available)

B. Consider approving a Lease Termination Agreement for Du Pont (formerly Danisco) for the building at 201 New Century Parkway, New Century, Kansas.

MOVED BY MR. RAYNOR AND SECONDED BY MR. WITTENBORN TO APPROVE A LEASE TERMINATION FOR DU PONT (FORMERLY DANISCO) FOR THE BUILDING AT 201 NEW CENTURY PARKWAY, NEW CENTURY, KANSAS SUBJECT TO AIRPORT STAFF AND LEGAL MINOR CHANGES. APPROVED (6-0).

C. Discuss site plan proposal from Davidson Architecture.

Mr. Metcalfe presented a site plan proposal from Davidson Architecture, as a follow-up from the strategic planning retreat, to freshen up the Airport Commission image and to stir more interest and activity with the broker and development community. This would be part of our marketing materials and could be placed on both the Airport Commission and Southwest Johnson County EDC websites. After further discussion, it was unanimously approved by the board for Mr. Metcalfe to move forward with the proposal.
D. Discuss marketing proposal from **candid** marketing & communications, Inc.

Mr. Metcalfe presented a marketing proposal for discussion. The New Century AirCenter name, logo, signage, and marketing materials originally were created in 1995. It probably is a good time to refresh our image and marketing materials. Mr. Palos commented that Johnson County currently was undergoing branding. Ms. Postoak Ferguson stated that the county was going through a branding process and will roll out to all county departments to encourage utilizing the same type and style of branding. Mr. Metcalfe stated that a lot of investment has gone into the New Century AirCenter branding, advertisement, and marketing. It is a highly recognized logo and we would prefer not losing that identity. Mr. Wittenborn was in favor of going forward with refreshing our look and syncing with the county. Mr. Metcalfe will explore marketing avenues and report back to the board at the next regular meeting in February.

E. Consider approving the 2013 Contract for the Southwest Johnson County EDC.

MOVED BY MR. WITTENBORN AND SECONDED BY MR. WEISENBURGER TO APPROVE THE 2013 CONTRACT FOR THE SOUTHWEST JOHNSON COUNTY EDC AS PRESENTED. APPROVED (6-0).

F. Report of the President, Southwest Johnson County EDC.

Mr. Riederer updated the board on current projects and proposals for the Southwest Johnson County EDC.

VI. BUSINESS FROM THE FLOOR

Mr. Dolin, t-hangar tenant, commented that it is difficult trying to maneuver take-offs and landings on runway 22. He added that there is several wind socks located on the runway and would it be possible to add one on that specific runway. Mr. Metcalfe replied that a wind sock would be added to runway 22.

VII. ADJOURNMENT

There being no further business, at 10:25 a.m. the meeting was adjourned.

MOVED BY MR. WITTENBORN AND SECONDED BY MR. SAUL TO ADJOURN. APPROVED (6-0).

__________________________  ____________________________
John Wittenborn, Secretary   R. Lee Metcalfe, Executive Director
SOUTHWEST JOHNSON COUNTY
ECONOMIC DEVELOPMENT CORPORATION
BOARD OF DIRECTORS MEETING
February 7, 2013, 8:00 – 9:00 a.m.
Johnson County Airport Commission, New Century, KS

Board of Directors Present: Vice Chairman Jennifer Miller, Lee Metcalfe, Allan Soetaert, Mayor Dave Drovetta, Steve Rumple, and Randy Tedford

Board of Directors Absent: Mayor Don Roberts, Chairman Chip Corcoran, Past Chair Chris Herre, Arlen Kleinsorge, Karen Martley, Wayne Bennett, and Mike Smith

Guests: Colin McKee and Beth Linn

Staff Present: Tom Riederer and Blanka Bellinger

CALL TO ORDER/INTRODUCTIONS
• Vice Chairman of the Board, Jennifer Miller, convened the meeting.

MINUTES
• Moved and seconded to approve the November 14, 2012 minutes, by unanimous vote.

ORGANIZATION:
1. Moved and seconded to approve the financials for January 2013 by unanimous vote.

2. Discussion of the 2013 membership, existing membership increases, and following up with businesses interested in new memberships.

3. The Annual Meeting format and time was discussed. All agreed the networking format, that is currently used, was the best format. Also changing from a lunch meeting to a casual early morning or late day function seems to work best for all business memberships; moving forward.

4. A discussion for the 2013 budget was discussed and all present agreed to continue with growing the reserve fund and discussed other possible recommendations. Will review again at the end of the 1st quarter.

5. Tom updated the board on the BNSF Intermodal progress.

6. Discussion of the current 2013 Calendar and upcoming meetings.

7. Tom gave an update to the board on current activities and development projects.

ADJOURN
• There being no further business, the meeting adjourned.

Approved By: Arlen Kleinsorge, Secretary/Treasurer
Recorded By: Jennifer Miller, Vice Chairman
Chairman Moore called the meeting to order at 9:03 a.m.

(Note: Heading, paragraph numbers and letters correspond to agenda numbers and letters. Items are listed in order of discussion.)

I. APPROVAL OF MINUTES

MOVED BY MR. HARRIS AND SECONDED BY MR. WEISENBURGER TO APPROVE THE MINUTES OF THE JANUARY 23, 2013 MEETING AS PRESENTED. APPROVED (4-0).

II. REPORT OF THE CHAIRMAN

A. Kelly Smith – 10 Year Anniversary

Chairman Moore congratulated Kelly Smith and expressed the board’s appreciation for her ten years of dedicated service to the Airport Commission.

IV. EXECUTIVE SUMMARY

A. Review staff reports:

No additions to the Staff Reports.

B. Summary of Financials:

No additions to the Summary of Financials.

C. Consider ratifying the January and February 2013 expenditures as presented:

MOVED BY MR. WEISENBURGER AND SECONDED BY MR. HARRIS TO RATIFY THE JANUARY AND FEBRUARY 2013 EXPENDITURES AS PRESENTED. APPROVED (4-0).
V. DISCUSSION ITEMS

A. Consider approving a Termination Agreement for BNSF Equipment Acquisition Company, LLC.

MOVED BY MR. HARRIS AND SECONDED BY MR. RAYNOR TO APPROVE A TERMINATION AGREEMENT FOR BNSF EQUIPMENT ACQUISITION COMPANY, LLC AS PRESENTED. APPROVED (4-0).

B. Consider approving and making a recommendation for the Board of county Commissioners to approve a water agreement between Johnson County and the city of Gardner, Kansas.

After a lengthy discussion, the Airport Commission Board directed staff to renegotiate the water rate increase with the City of Gardner.

MOVED BY MR. HARRIS AND SECONDED BY MR. WEISENBURGER TO TABLE THE WATER AGREEMENT DISCUSSION AND DIRECT STAFF TO RENEGOTIATE THE WATER RATE INCREASE WITH THE CITY OF GARDNER. APPROVED (4-0).

C. Discuss Proposed 2014 Budget and CIP.

Mr. McKee presented the Proposed 2014 Budget and CIP to the board and commented that added that the FAA may have funding available for future projects at both airports. He recommended increasing the t-hangar rates, as the rates currently are well below other comparable airports. Mr. Harris asked where our rates fall between our competitor airports. Mr. McKee responded that we are well below all of the area airports and should be in-between rates at Lees’ Summit and Downtown airports. Mr. Weisenburger asked what amount of revenue is taken in for t-hangar rent for the Airport Commission. Mr. Metcalfe responded that between both airports $1.2 million is received. The hangars aren’t in too bad of shape and repairs are being planned for those hangars that need maintenance. Mr. McKee stated the majority of repairs needed at both airports are the ramps and taxiways. Mr. Metcalfe reminded the board about the deadline getting the budget documents turned into the County with some form of increase and that later the board could determine, if anything, what the increase on t-hangar rates should be. He recommended holding off until after town hall meetings could be scheduled with the aviation community.

Mr. McKee discussed a CPI adjustment on the water rates. The largest consumers of water and rail are our food processing plants. Mr. Moore asked if adopting a policy to increment CPI increase on a quarterly basis. Mr. Metcalfe said annually would be more appropriate.

MOVED BY MR. HARRIS AND SECONDED BY MR. RAYNOR TO APPROVE THE PROPOSED 2014 BUDGET AND CIP, AND AUTHORIZING STAFF TO MAKE ADJUSTMENTS PRIOR TO SUBMITTING TO THE BOCC. APPROVED (4-0).

MOVED BY MR. HARRIS AND SECONDED BY MR. RAYNOR TO INCREASE THE WATER RATES EFFECTIVE JANUARY 1, 2014 BY 6.5% SUBJECT TO STAFF RECOMMENDATIONS. APPROVED (4-0).
D. Discuss FAA Tower Closures.

Mr. Metcalfe stated that the FAA has notified the Airport Commission of the scheduled tower closures at both New Century AirCenter and Executive Airport. In his opinion, this is a significant safety issue. There are established procedures for operating aircraft at uncontrolled airports and the vast majority of airports do not have control towers. The control towers are currently closed between the hours of 11:00 p.m. through 6:00 a.m. at both airports. The FAA has left the door open for local funding of these towers, if we choose to do so. However, it would cost $50,000 per month, per tower, at each airport. Roughly, it would cost $1.2 million dollars to fund the towers at both airports. Mr. Harris stated that he has spoken with a few politicians regarding these very issues. First, there is a safety concern, then; there is an economic impact on jobs. Mr. Metcalfe commented that the economic impact would be slightly negative, but probably immeasurable. He didn’t think there would be a huge difference except during weather. Mr. Metcalfe introduced John Benson, tower chief at New Century AirCenter, contracted through Midwest Air Traffic Control. Mr. Dolin commented, as a pilot, that it is imperative to his flying that the towers remain open. Ms. Dunham added there are legal actions have been filed in Washington, D.C. and that joining the law suit may possibly be something for the Airport Commission to consider. Mr. Metcalfe stated he is still hopeful that something will be worked out.

E. Report of the President, Southwest Johnson County EDC.

Mr. Riederer updated the board on current projects and proposals for the Southwest Johnson County EDC.

VI. BUSINESS FROM THE FLOOR

No Business from the Floor.

VII. ADJOURNMENT

There being no further business, at 10:43 a.m. the meeting was adjourned.

MOVED BY MR. RAYNOR AND SECONDED BY MR. HARRIS TO ADJOURN. APPROVED (4-0).

_________________________________________    _______________________________________
John Wittenborn, Secretary                       R. Lee Metcalfe, Executive Director
JOHNSON COUNTY AIRPORT COMMISSION
MINUTES – April 24, 2013, 9:00 a.m. – New Century, KS

Airport Commission

Present: Messrs. Harris, Raynor, Saul, Webb, Weisenburger and Wittenborn

Absent: Mr. Moore

Staff: Metcalfe, Dunham, McKee, and Bellinger

Others: Commissioner Jim Allen, Johnson County BoCC
Megan Dodge, Johnson County Manager’s Office
Mike Dolin, hangar tenant
Greg Gibson, Signature Flight Support
Commissioner Steven Klika, Johnson County BoCC
Rick Lind, Johnson County Legal
Melissa McChesney, Johnson County Manager’s Office
Ray Olsen, Ray Olsen, LLC/AOPA
Commissioner Jason Osterhaus, Johnson County BoCC
Penny Postoak Ferguson, Johnson County Manager’s Office
Tom Riederer, Southwest Johnson County EDC
Commissioner John Toplikar, Johnson County BoCC
Diane Wicklund, Johnson County Planning
Hannes Zacharias, Johnson County Manager’s Office

Acting Chairman Wittenborn called the meeting to order at 9:00 a.m. and turned the meeting over to Johnson County Commissioner Jason Osterhaus.

(NOTE: Heading, paragraph numbers and letters correspond to agenda numbers and letters. Items are listed in order of discussion.)

I. JOINT BOARD OF COUNTY COMMISSIONERS/AIRPORT COMMISSION MEETING

Vice Chairman Osterhaus welcomed everyone to the annual Joint Board of County Commissioners and Airport Commission meeting. After self-introductions, Vice Chairman Osterhaus asked Mr. Metcalfe to give an overview of the Airport Commission’s financials and projects.

At 10:38 a.m., after a question and answer session, the Joint Board of County Commissioners and Airport Commission meeting adjourned.

At 10:43 a.m., after a brief break, Acting Chairman John Wittenborn called the regularly scheduled Airport Commission meeting to order.

II. APPROVAL OF MINUTES

MOVED BY MR. HARRIS AND SECONDED BY MR. RAYNOR TO APPROVE THE MINUTES OF THE MARCH 27, 2013 MEETING AS PRESENTED. APPROVED (6-0).
III. REPORT OF THE CHAIRMAN

No Report of the Chairman

IV. EXECUTIVE SUMMARY

A. Review staff reports:

   No additions to the Staff Reports.

B. Summary of Financials:

   No additions to the Summary of Financials.

C. Consider ratifying the March 2013 expenditures as presented:

MOVED BY MR. WEISENBURGER AND SECONDED BY MR. SAUL TO RATIFY THE MARCH 2013 EXPENDITURES AS PRESENTED. APPROVED (6-0).

V. DISCUSSION ITEMS

A. FAA tower closures update.

   Mr. Metcalfe stated that as a result of the sequestration, the FAA has chosen to cut back in numerous areas in order to meet their obligation. Some of the most visible cuts being made are furloughing air traffic controllers and that is slowing down the entire airline industry. They have also earmarked 149 federally controlled air traffic towers for closure. The FAA had advised us that Executive Airport would close on April 7th and New Century AirCenter on April 21st. They have, at this time, postponed the closings until June 15. Mr. Metcalfe added that most airports in this country do not have control towers and many pilots would rather fly into a non-controlled than into a controlled tower. In addition, the towers are currently closed a fair portion of each day at both airports. This might cause a slight reduction in corporate traffic due to private sector policies that would prevent flights into non-controlled towers. Currently, the FAA funds the control towers at $50,000 per month, per control tower, for tower services. Even if funds could be moved around to pay the monthly fee at both airports, Mr. Metcalfe didn’t believe there would be the revenue to continue long-term. Commissioner Allen asked if there would be more communications with the FAA or less during bad weather, fog, and low clouds. Mr. Metcalfe responded that there would be less communication. The control tower will tell the pilots to switch to CTAF (Common Traffic Advisory Frequency). Mr. Weisenburger commented that once FAA makes the decision to close the towers it isn’t just the air traffic controllers that will be gone; the towers will be too. If and when that happens, it will be far more difficult to reopen. Commissioner Allen asked if that would affect corporate businesses if the FAA did close the towers. Greg Gibson, Signature Flight Support, stated that he has a corporate business client and didn’t believe there would be any negative impact if the towers were to close. Acting Chairman Wittenborn stated that instrument conditions exist at an airport when the ceiling and visibility is less than 1,000 feet above the ground and three miles. When you have those conditions, the greatest impact to safety of this sequestration is when those conditions exist at its minimums. You now have the ability for non-instrument rated pilots to fly around the traffic pattern and you also have incoming instrument traffic that will be
descending and breaking through the clouds, that’s where the safety concerns really are. The other difficulty is not having a tower, but going from a controlled to an uncontrolled situation. There needs to be a contingency plan in place if the towers are closed. Mr. Metcalfe replied that staff is looking into getting an RCO (Remote Communications Outlet) that would be based in the tower so the pilot on the ground can talk via that connection to the approach and departure facility. The cost would be around $500,000,000 and would take up to two years to be installed. Acting Chairman Wittenborn asked if the company that produces the ASOS recordings could include a message that would state the towers are closed, if closures should occur. Mr. McKee responded that he would look into that recommendation. Acting Chairman Wittenborn stated that pilots, typically, will fly direct to a point without a flight plan. But they will call the FAA Control Tower and ask them to monitor their progress. Subject to the controllers work capacity, he typically would accept and monitor the flight.

B. Report of the President, Southwest Johnson County EDC.

Mr. Riederer updated the board on current projects and proposals for the Southwest Johnson County EDC.

VI. BUSINESS FROM THE FLOOR

Mr. Webb made the recommendation of next year’s Joint BoCC and Airport Commission meeting to be held at Commemorative Air Force.

VII. ADJOURNMENT

There being no further business, at 10:43 a.m. the meeting was adjourned.

MOVED BY MR. HARRIS AND SECONDED BY MR. RAYNOR TO ADJOURN. APPROVED (6-0).

_________________________________________  ______________________________________
John Wittenborn, Secretary                  R. Lee Metcalfe, Executive Director
I. WELCOME / INTRODUCTIONS

The 2013 annual joint meeting between the Board of County Commissioners and the Johnson County Airport Commission convened at 9:00 a.m. A copy of the agenda is appended as Exhibit A. Airport Commission Vice Chairman John Wittenborn and Vice Chairman Osterhaus welcomed those in attendance; a round of self-introductions followed (see attached list of attendees, appended hereto as Exhibit B).

II. OVERVIEW OF THE COUNTY AIRPORTS

Mr. Metcalfe provided an overview of the Airport Commission, appended hereto as Exhibit C. Highlights of the 2013 budget included $5.6 million, the spending down of some of the reserves, the Airport did not require General Fund or County tax support or Capital Improvement Program funding, and the Airport Commission had discussed a reserve policy. Mr. Metcalfe noted the first newly developed business on the property was Unilever, originally Farmers Union Grain Terminal under the Wholesome Foods label. He also noted that 24 businesses did not pay property tax but instead paid a rent in lieu of taxes payment and were grandfathered in because they were built pre-1990; any new leases after 1991 were taxable unless they went through the normal abatement process; and there were 3 abatements to-date.

Further discussion focused on the purpose of two airports. The County took ownership of Executive Airport from the City of Olathe in 1967 when the Airport Commission was formed and operated as the County airport until the Industrial Airport (now New Century AirCenter) was transferred in 1974. Mr. Metcalfe noted that to close one of the airports would be politically and economically painful, would cost the County money, and the Airport Commission would have to pay back any Federal Aviation Administration (FAA) grants. The Airport Commission met in the fall of 2012 for a strategic planning retreat and looked into the Airport’s marketing to update the logo and materials and to incorporate the County’s new brand logo.

III. POSSIBLE CLOSURE OF CONTROL TOWERS

Mr. Metcalfe provided an overview of the possible closure of the control towers as a result of sequestration. He noted that the FAA chose to cut back in numerous areas to meet obligations and earmarked 149 federally-contracted control towers to close, including both Johnson County airport towers, which would save the federal government about 60 percent. Mr. Metcalfe noted that a portion of the day was now uncontrolled for both airports; closures were delayed until June 15; and pressure was being placed on Congress and the FAA not to move forward. He also noted that all pilots were trained to land at uncontrolled airports, the Airport Commission worked on lining up new resources, the airports would continue to run fine but might see a slight decrease in corporate traffic, and the cost per airport is approximately $30,000 per month.

IV. AIRPORT-AREA ZONING REVIEWS

Mr. Metcalfe provided an overview of airport area zoning. He noted that in 1967 the Kansas Legislature gave Johnson County a one-mile zoning authority from the boundaries of the airport; if the land was not
zoned the County could zone however it wished; the County kept the city’s zoning control if it was approved; and the Board of Commissioners had to approve the city’s zoning.

In 1994, the city of Olathe approved a 250-lot subdivision north of Executive Airport. The Supreme Court reviewed how the planning application process should work and stated it was a combination of operating under Chapter 3 and Chapter 19 under the Kansas statutes; at the time Johnson County only operated under Chapter 3. Chapter 19 stated applications would be reviewed and approved by the township zoning boards—the Airport Commission was considered the same as a township zoning board—prior to Board of Commissioners’ approval and that public notice was required. Applications on the airport’s property but not submitted by a city were reviewed by the township zoning board and applications from a city were reviewed by the Airport Commission. Mr. Lind noted the process was going smoothly and everyone is aware of their role in the process. However, the issue was not resolved in the Supreme Court. In 2005 the County made a reasonable decision to deny the application. The landowner went back to the City requesting land in addition to the subject property in the lawsuit and asked for a settlement to lower the density and develop more property. Mr. Lind noted that if the Board agreed with the settlement the lawsuit would move to the next phase of litigation and if successful, the landowner would still want to develop the property.

V. REGIONAL AIRLINE

Mr. Metcalfe provided an overview of the Feasibility of Attracting Scheduled Air Service study conducted in Spring 2001. He noted that the Airport Commission met with civic and corporate business leaders and consulted with six airlines to identify economic opportunities, but all agreed that a regional airline was not feasible. He also said the group thought there was a lack of energy in the community, it would pull business away from Kansas City International, there were already airlines well-established in the area, there were unfavorable economics at New Century AirCenter, and it would be costly to prepare the airport for service. The events of 9/11 caused airlines to be even more costly and Mr. Metcalfe believed the idea of a regional airline would not be supported now.

VI. UNILEVER PROJECT—PROPOSED 10-YEAR, 50% ABATEMENT

Mr. Metcalfe provided an overview of the Unilever Project, a European a soybean oil-based product manufacturer with a building on the New Century AirCenter property. He said Unilever was contemplating a plant expansion and considered four locations: Sunnyvale, California; Atlanta, Georgia, Baltimore, Maryland; and New Century AirCenter in Johnson County. The location was narrowed down between Johnson County and Baltimore. Mr. Metcalfe noted that Kansas made a formal proposal but a policy adopted by the Board of County Commissioners on December 20, 2012, put a maximum of seven years for abatements on high dollar projects. Unilever requested a ten year, 50 percent abatement—the same exemption was approved for Kimberly-Clark. Mr. Metcalfe said the Unilever Project would have significant revenue opportunities and rail and water implications, receive national attention, and there would be no increase in rental revenue. The Southwest Johnson County Economic Development Council would conduct a cost-benefit analysis. The Board consented to allow the Airport Commission to examine the ten-year, 50 percent abatement.

VII. OPEN DISCUSSION

IV. ADJOURN

With nothing further to come before the meeting, it was adjourned at 10:28 a.m.

Respectfully submitted,

Melissa McChesney, Interim Clerk
Board of County Commissioners
JOHNSON COUNTY KANSAS

—ANNUAL JOINT MEETING—

BOARD OF COUNTY COMMISSIONERS
AND
AIRPORT COMMISSION

***

WEDNESDAY, APRIL 24, 2013
9:00 AM

ONE NEW CENTURY PARKWAY
NEW CENTURY, KS 66031

AGENDA

I. WELCOME / INTRODUCTIONS
   MIKE MOORE, Chair, Airport Commission
   ED EILERT, Chair, Board of County Commissioners

II. OVERVIEW OF THE COUNTY AIRPORTS

III. POSSIBLE CLOSURE OF CONTROL TOWERS

IV. AIRPORT-AREA ZONING REVIEWS

V. REGIONAL AIRLINE
   a. FEASIBILITY STUDY OF ATTRACTING SCHEDULED AIR SERVICE FINAL PRESENTATION (MAY 1, 2001):
      http://jcac.jocogov.org/pdf/Air_Service_Final_Presentation.pdf
   b. FINAL TECHNICAL REPORT (APRIL 26, 2001):

VI. UNILEVER PROJECT – PROPOSED 10-YEAR, 50% ABATEMENT

VII. OTHER ITEMS OF INTEREST RAISED BY EITHER BOARD

VIII. OPEN DISCUSSION

IX. ADJOURNMENT
2013 JOINT MEETING OF THE
BOARD OF COUNTY COMMISSIONERS
AND THE
AIRPORT COMMISSION

WEDNESDAY, APRIL 24, 2013

ATTENDANCE:

BOARD OF COUNTY COMMISSIONERS
Jim Allen, Second District
Steven C. Klika, Third District
Jason Osterhaus, Fourth District
John Toplikar, Sixth District

STAFF
Hannes Zacharias, County Manager
Penny Postoak Ferguson, Deputy County Manager
Megan Dodge, Senior Management Analyst
Melissa McChesney, Deputy Clerk
Rick Lind, Assistant County Counselor
Diane Wicklund, Principal Planner

AIRPORT COMMISSION BOARD OF DIRECTORS
Brad Weisenburger
Tom Saul
John Wittenborn
David Webb
R. Lee Harris
Bill Raynor

AIRPORT STAFF
Lee Metcalfe, Executive Director
Colin McKee, Deputy Director
Blanka Bellinger, Executive Assistant
Cynthia Dunham, Attorney for the Airport

GUESTS
Greg Gibson, Signature Flight Support
Mike Dolin, Hangar Ternt
Ray Olsen, Ray Olsen, LLC/AOPA
Tom Riederer, Southwest Johnson County Economic Development Council
HISTORY

- Olathe Naval Air Station commissioned in 1941, served as pilot training base and war materiel depot.
- Navy installed rail system in 1941 to support war materiel handling and storage activities.
- Numerous “outlying fields” established by the Navy around the Air Station during early ‘40s, including what are now Gardner, Paola and Executive Airports.
- Outlying field at 151st St. & Pflumm Rd. transferred by the Navy to the city of Olathe in 1951.
- Olathe Municipal Airport transferred to Johnson County in 1967, renamed Johnson County Airport.
- Airport Commission authorized in 1967 under K.S.A. 3-301 et seq., chartered by BoCC Resolution 67-165.
- Original members were J. H. Bell, Joe Dennis, Wes Sinclair, Jack Sanders and Bob Bacon.
- Olathe Naval Air Station decommissioned in 1970, transferred to Johnson County in 1973, named Johnson County Industrial Airpor., Johnson County Airport renamed Executive Airport.
- Executive Director position created in 1974, Joe Dennis hired as first ED.
- Joe Dennis retired in 1986, Frank Farnsworth appointed Interim Director.
- Lee Metcalfe hired March 1, 1989 as Executive Director.
- Name of Industrial Airport changed to New Century AirCenter in 1994 as part of a marketing plan.

FINANCES

- Airport Commission budget was heavily subsidized by the County General Fund from 1967 through 2005.
- Beginning in 2006, the Airport Fund has been totally self-sufficient, taking no General Fund or CIP support.
- Current annual budget $5.6 million:
- Primary revenue sources (Building & Land) are virtually recession-proof.
- Current Fund Balance is approximately $5 million.
- Federal Regulations require that all revenues generated from each airport operations must be retained in an enterprise fund and may not be diverted for non-airport purposes.

**RAIL OPERATIONS**

- JCAC is the operator of the rail system within the Business Park, switching inbound and outbound rail cars under contract to the BNSF Railway.
- JCAC operates and maintains 5 miles of railroad track and a switching locomotive.
- 2012 rail car volume was 1109 car loads.
- 2012 rail revenues were $325,947 and expenses were $356,304. 2012 expenses include some non-recurring costs for track and locomotive repairs which would be amortized over several years in a business.

**WATER UTILITY**

- JCAC is the water utility for the Business Park, the Aspen Place apartments (former Navy housing) and the Allenbrand Justice Complex, including the ARC Corrections facilities.
- JCAC purchases wholesale water from the cities of Olathe and Gardner, stores it in three storage tanks totalling 3,750,000 gallons, and pumps it to 85 water customers.
- 2012 water volume was 188,000,000 gallons.
- 2012 water revenues were $795,554 and expenses $767,354.

**PROPERTY TAXES**

- Prior to a 1986 Board of Tax Appeals ruling, all property held in the name of a government jurisdiction was considered exempt from ad valorem taxes by virtue of ownership.
- After the 1986 BOTA ruling was upheld by Kansas Court of Appeals in 1988, taxability was established by property use.
- During 1989 State-wide Reappraisal, all “airport property” leased for commercial/industrial use was put on the tax rolls.
- All “industrial” airports in the state were in similar situation... leases did not contemplate property being taxable and no provision was made to pass taxes on to lessees. Airports were facing huge tax liabilities with no means of paying.
- Legislation was passed (K.S.A. 79-201q) to “cure” the tax problem... all existing leases (April, 1991) were “grandfathered” to preserve intended exemption for the remaining term of the lease.
- There are currently 24 “facilities” (37 Parcel ID Numbers) exempt from property taxes at New Century. These facilities pay “Rent in Lieu of Taxes” to the Airport Commission. Rent is based on what property taxes would be in property weren’t exempt. RILT comprises 22% of total Airport revenues.
AIRPORT-AREA ZONING

- When the Johnson County Airport Commission enabling legislation was adopted, it included a provision for the control by the Board of County Commissioners of the zoning within one mile of the boundaries of the airports (K.S.A. 3-307e). If the area was already zoned by a city, then the city kept zoning control, except that any changes in city zoning must have approval by the Board of County Commissioners.
- Because of the rapidly accelerating residential development around Executive Airport in the early 1990s, a committee of the zoning officials of the County and the cities neighboring the airports was formed to develop land use regulations to be adopted by all the jurisdictions.
- These regs were adopted by the County and Gardner, but not by Olathe and Overland Park.
- There have been several lawsuits filed as the result of a city approving a rezoning, but the County rejecting it. The Kansas Supreme Court recently affirmed the County's authority to zone within one mile of the airports and remanded the case to District Court for a trial on whether the County's decision to deny zoning north of Executive Airport was reasonable. Settlement discussions are on-going.

WHY TWO AIRPORTS?

- When the County inherited the Naval Air Station, there was some consideration given to closing Executive Airport.
- There was already a well-established aviation community at Executive Airport and there was great political and economic resistance to closing the airport. It was considered "the" County airport.
- It was decided that Executive would remain open, but no further growth of the airport would be allowed. All "growth" in aviation was to be directed to Industrial (now New Century).
- Even though the airports are only 8.5 air miles or 10.2 road miles apart, they serve somewhat different markets due both to location and to airfield characteristics.
- Both airports' deeds of transfer from the U.S. government contain "reversion" clauses which provide that the airports' would revert to the U.S. if they are no longer operated as airports by the County.
- As an alternative to reversion, the County can repay the U.S. for the value of airport plus any FAA grants for improvements (pro-rated for the life of the improvement).
- When Kansas City closed Richards-Gebaur Airport it had to repay to the FAA $14 million.
- A 1993 study done on closing Executive Airport found that Johnson County would be "out-of-pocket" $6 to $8 million.
- In spite of the downward trend of flight operations at Executive, there is still a five-year waiting list for T-hangars, and we have several parties interested in developing private hangars.

MARKETING & ECONOMIC DEVELOPMENT

- In 1993 a marketing plan was developed by Corporate Communications Group (David Westbrook) to "re-brand" Industrial Airport into New Century AirCenter.
• In 1994, the Airport Commission partnered with Gardner, Edgerton and the School District to form the Southwest Johnson County Economic Development Corporation (SWJCEDC).

• Since 1994, the Airport Commission has contracted with SWJCEDC to perform all marketing activities for New Century AirCenter. The EDC is officed in the Airport Administration Building.

• A CERI economic impact study first performed in 1990 and updated in 1996 and 2009, shows that New Century AirCenter and Business Park are responsible for just over $2 Billion in direct and indirect economic activity in the region.

• Currently working with candid marketing & communications™ to “freshen up” our marketing materials and website.
Updated 4/19/13

Project: expansion of the Unilever's food product manufacturing facility in New Century, Johnson County.

EMPLOYMENT:

- Current employment: 168 jobs
- New positions created by this expansion: 100-125 jobs, many of which are technical jobs associated with a new manufacturing process for soybean oil-based products.

WAGES (Wages below do not include benefits):

- Average wages for new employees: $18.00 an hour or $37,440 a year.
- Average wage with expected overtime for new employees: $20.16 an hour or $41,933 a year.
- The company will pay at least 50% of employee health insurance benefits.

CAPITAL INVESTMENT:

Up to $152,500,000 for building and equipment, including:

- $30,000,000 - construction of a new 100,000 sq. ft. building
- $105,000,000 - cost of new equipment and technology
- $15,000,000 - additional internal infrastructure capacity
- $2,500,000 - rail and road improvements

This expansion will make this facility the largest margarine production facility in North America.

This project will bring numerous construction jobs, many related to the installation of the "state-of-the-art" manufacturing process and packaging equipment which will be imported from Europe.

We will be working with Unilever to identify suppliers and other related businesses that may benefit from locating close to the new facilities. Unilever is especially
desirous of having their packaging vendor located adjacent to their New Century facility.

**COMMITMENT TO THE ENVIRONMENT**

New "Green" technology will bring efficiencies in the manufacturing process but will also highlight Unilever’s global commitment to the environment. The New Century plant is already a “zero landfill” operation.

The new building will be LEED certified, in keeping with Unilever’s commitment to the environment...

“Unilever is committed to making continuous improvements in the management of our environmental impact and to the longer-term goal of developing a sustainable business. Unilever will work in partnership with others to promote environmental care, increase understanding of environmental issues and disseminate good practice.”

**PROPERTY TAX ABATEMENT**

Unilever is seeking a **10-year**, 50% abatement of ad valorem taxes on the new construction associated with this project. Assuming an appraised valuation for the new building and the on-site rail and driveway/parking improvements of $34,500,000, **new taxes to be generated by this project will be approximately $1,129,875 per year before abatement, or $564,937 per year during the abatement (2013 mill levy).**

The original building for what is now Unilever was constructed in 1978 with Industrial Revenue Bonds and received a 10-year, 100% tax abatement. Unilever currently pays $144,226.76 per year in taxes on existing improvements.

**ADDITIONAL OPERATING INCOME FOR AIRPORT FUND**

Unilever projects inbound rail car volume of at least 1,800 cars per year, meaning new revenue for the New Century railway of at least $200,000 per year

Unilever projects additional water usage of 36 million gallons per year, meaning new revenue for the New Century water utility of $140,000 per year.
Chairman Moore called the meeting to order at 9:00 a.m.

(NOTE: Heading, paragraph numbers and letters correspond to agenda numbers and letters. Items are listed in order of discussion.)

I. APPROVAL OF MINUTES

MOVED BY MR. RAYNOR AND SECONDED BY MR. WITTENBORN TO APPROVE THE MINUTES OF THE APRIL 24, 2013 MEETING AS PRESENTED. APPROVED (6-0).

II. REPORT OF THE CHAIRMAN

No Report of the Chairman

IV. EXECUTIVE SUMMARY

A. Review staff reports:

   No additions to the Staff Reports.

B. Summary of Financials:
No additions to the Summary of Financials.

C. Consider ratifying the April 2013 expenditures as presented:

MOVED BY MR. HARRIS AND SECONDED BY MR. WITTENBORN TO RATIFY THE APRIL 2013 EXPENDITURES AS PRESENTED. APPROVED (6-0).

V. DISCUSSION ITEMS

A. Discuss Executive Director staffing process.

It was determined to table the discussion until the next regular meeting.

B. Consider approving estoppel certificates and assignment of lease for Kimberly-Clark project from US Industrial REIT II to Duke Realty Limited Partnership.

MOVED BY MR. HARRIS AND SECONDED BY MR. WITTENBORN TO APPROVE THE ESTOPPEL CERTIFICATES AND ASSIGNMENT OF LEASE FOR KIMBERLY-CLARK PROJECT FROM US INDUSTRIAL REIT II TO DUKE REALTY LIMITED PARTNERSHIP AS PRESENTED. APPROVED (6-0).

C. Consider approving and making a recommendation for the Board of County Commissioners to approve a water agreement between Johnson County and the City of Gardner, Kansas.

MOVED BY MR. HARRIS AND SECONDED BY MR. WITTENBORN TO MAKE RECOMMENDATION FOR THE BOARD OF COUNTY COMMISSIONERS TO APPROVE A WATER AGREEMENT BETWEEN JOHNSON COUNTY AND THE CITY OF GARDNER, KANSAS, SUBJECT TO APPROVAL FROM THE CITY OF GARDNER COUNCIL AS PRESENTED. APPROVED (6-0).

D. Consider approving a rate adjustment for the T-hangar rental fee.

Mr. McKee gave a presentation on recommendations, per CPI (Consumer Price Index) for T-hangar rate adjustments at both Executive Airport and New Century AirCenter. After a lengthy discussion, it was suggested for staff to bring before the board at the next regular meeting, recent t-hangar and pavement studies.

E. Consider approving a rate adjustment for the fuel flowage fee.

After a lengthy discussion, it was determined to table the fuel flowage rate adjustment until the next regular meeting.

F. Consider approving a rate adjustment for the water utility fee.

Mr. Metcalfe briefed the board on the City of Gardner recently increasing the water rate by twenty-five cents from $3.58 to $3.83 per 1,000 gallons of water.

MOVED BY MR. HARRIS AND SECONDED BY MR. WITTENBORN TO Approve a rate
ADJUSTMENT FOR THE WATER UTILITY FEE EFFECTIVE AUGUST 1, 2013 AS PRESENTED. APPROVED (6-0).

G. Report of the President, Southwest Johnson County EDC.

Mr. Riederer updated the board on current projects and proposals for the Southwest Johnson County EDC.

VI. BUSINESS FROM THE FLOOR

Mr. Webb requested talking about acquisition of real estate items in the area. Ms. Dunham replied that it would need to be placed under an Executive Session item and recommended delaying until the next regular meeting.

Mr. Webb made the recommendation of next year’s Joint BoCC and Airport Commission meeting to be held at Commemorative Air Force.

VII. ADJOURNMENT

There being no further business, at 10:43 a.m. the meeting was adjourned.

MOVED BY MR. RAYNOR AND SECONDED BY MR. HARRIS TO ADJOURN. APPROVED (6-0).

__________________________  ______________________________
John Wittenborn, Secretary           R. Lee Metcalfe, Executive Director
I. APPROVAL OF MINUTES

MOVED BY MR. HARRIS AND SECONDED BY MR. WITTENBORN TO APPROVE THE MINUTES OF THE JULY 24, 2013 MEETING AS PRESENTED. APPROVED (4-0).

II. REPORT OF THE CHAIRMAN

IV. EXECUTIVE SUMMARY

A. Review staff reports:

Mr. McKee gave a status update on possible relocation of CAF (Commemorative Air Force) headquarters to the New Century AirCenter. He stated that CAF is in the next round of eliminations and New Century has made it to the top eight.

B. Summary of Financials:

No additions to the Summary of Financials.

C. Consider ratifying the July 2013 expenditures as presented:

MOVED BY MR. WITTENBORN AND SECONDED BY MR. HARRIS TO RATIFY THE JULY 2013 EXPENDITURES SUBJECT TO CORRECTION OF CALCULATION. APPROVED (4-0).
V. DISCUSSION ITEMS

A. Consider approving an Amendment to the Drivers' Training Area Lease Agreement with Risk Management Division of Johnson County, KS.

MOVED BY MR. WITTENBORN AND SECONDED BY MR. HARRIS TO APPROVE AN AMENDMENT TO THE DRIVERS' TRAINING AREA LEASE AGREEMENT WITH RISK MANAGEMENT DIVISION OF JOHNSON COUNTY, KS AS PRESENTED. APPROVED (4-0).

B. Consider approving an update to the Agriculture Lease Agreement.

Mr. McKee briefed the board on an update to the Agriculture Lease Agreement. The plan is to combine all the acreage and bid it out competitively.

MOVED BY MR. WITTENBORN AND SECONDED BY MR. HARRIS TO APPROVE AN UPDATE TO THE AGRICULTURE LEASE AGREEMENT AS PRESENTED. APPROVED (4-0).

C. Consider approving a Site License Agreement for the Johnson County Sheriff’s Office.

Mr. Metcalfe presented a Site License Agreement for the Johnson County Sheriff’s Office. Mr. Wittenborn asked if it was defined in the lease that environmental clean-up would be the responsibility of the tenant. Ms. Dunham replied there is no environmental clause in a standard lease agreement, but could be easily added.

MOVED BY MR. HARRIS AND SECONDED BY MR. WITTENBORN TO APPROVE A SITE LICENSE AGREEMENT FOR THE JOHNSON COUNTY SHERIFF’S OFFICE, SUBJECT TO THE ADDITIONAL ENVIRONMENTAL CLAUSE. APPROVED (4-0).

D. Consider approving a rate adjustment for the T-hangar rental fee.

Mr. McKee asked the Airport Commission board to consider approving a rate increase on T-hangar rental fees for both airports. After a lengthy discussion, it was approved by the board to increase the T-hangar rental fee; effective January 1, 2014.

MOVED BY MR. WEBB AND SECONDED BY MR. HARRIS TO APPROVE A RATE ADJUSTMENT FOR THE T-HANGAR RENTAL FEE BASED UPON THE MARR/ARNOLD STUDY EFFECTIVE JANUARY 1, 2014, STAFF TO PROVIDE PROFIT AND LOSS STATEMENT, AND THE AIRPORT COMMISSION BOARD TO REVISIT T-HANGAR RATES EVERY TWO YEARS. APPROVED (3-1). OPPOSED BY MR. WITTENBORN.

E. Consider approving a rate adjustment for the fuel flowage fee.

MOVED BY MR. WEBB AND SECONDED BY MR. HARRIS TO MAKE NO CHANGE TO THE CURRENT FUEL FLOWAGE FEES. APPROVED (4-0).

F. Report of the President, Southwest Johnson County EDC.

Mr. Riederer was on a business trip and unable to attend. Mr. Metcalfe updated the board on
current projects and proposals for the Southwest Johnson County EDC.

VI. BUSINESS FROM THE FLOOR

Tim Bleish, Vice President of the Flying Club of Kansas City, voiced his concerns regarding fuel flowage increases by the local FBOs at Executive Airport. He suggested that Johnson County partner up with the FBOs for a self-service fuel operation or the County to make an investment as their own FBO. Mr. Harris asked how the cost compared between Executive Airport and New Century AirCenter. Mr. Bleish replied that fuel at New Century AirCenter and Gardner Airport is much more affordable. Mark Riley, Kansas City Aviation Center, offered to have someone from his staff contact Mr. Bleish to discuss fuel rate options for his flying club.

VII. ADJOURNMENT

There being no further business, at 10:04 a.m. the meeting was adjourned.

MOVED BY MR. WEBB AND SECONDED BY MR. HARRIS TO ADJOURN. APPROVED (4-0).
JOHNSON COUNTY AIRPORT COMMISSION
MINUTES – July 24, 2013, 9:00 a.m. – New Century, KS

Airport Commission

Present: Messrs. Harris, Moore, and Webb

Present by Phone: Mr. Saul

Absent: Messrs. Weisenburger and Wittenborn

Staff: Metcalfe, Dunham, McKee, and Bellinger

Others: Jeff Ashner, Willshire, LLC
       Mike Dolin, hangar tenant
       Sherburne Dunn, Harmony View West Association
       Keith Gooch, City of Overland Park
       Paul Greeley, Johnson County Planning
       Dave Hadel, Burns & McDonnell
       Bill Nigro, citizen
       Ray Olsen, Ray Olsen, LLC/AOPA
       Harold Phelps, Phelps Engineering
       Tom Riederer, Southwest Johnson County EDC
       Commissioner John Toplikar, BoCC
       Tim Tucker, Phelps Engineering

Chairman Moore called the meeting to order at 9:00 a.m.

(NOTE: Heading, paragraph numbers and letters correspond to agenda numbers and letters. Items are listed in order of discussion.)

I. APPROVAL OF MINUTES

MOVED BY MR. WEBB AND SECONDED BY MR. HARRIS TO APPROVE THE MINUTES OF THE JUNE 26, 2013 MEETING AS PRESENTED. APPROVED (4-0).

II. REPORT OF THE CHAIRMAN

   A. Appointment of Lee Harris to the Search Committee, replacing Bill Raynor.

MOVED BY MR. WEBB AND SECONDED BY MR. HARRIS TO APPOINT MR. HARRIS TO THE SEARCH COMMITTEE, REPLACING BILL RAYNOR. AS PRESENTED. APPROVED (4-0).

IV. EXECUTIVE SUMMARY

   B. Review staff reports:

      Mr. McKee asked for input on item #3, Northeast T-Hangar Taxi Lane Reconstruction. He
stated he would like to add a 12’ x 12’ concrete pad resulting in a cost of $69,000 or replacing the entire flooring at a cost of $274,000. Mr. Webb and Harris were in agreement for the $69,000 cost and giving the tenant the option for them to individually contract through our contractor, APAC, at their cost.

B. Summary of Financials:

No additions to the Summary of Financials.

C. Consider ratifying the June 2013 expenditures as presented:

MOVED BY MR. WEBB AND SECONDED BY MR. HARRIS TO RATIFY THE JUNE 2013 EXPENDITURES AS PRESENTED. APPROVED (4-0).

V. DISCUSSION ITEMS

A. Consider approving a proposed change in existing city zoning located at the northeast corner of 159th Street and Quivira Road, which is within 1 mile of Executive Airport, Overland Park, KS Rezoning No. 2013-3 (Wilshire by the Lake Formerly The Vineyard).

MOVED BY MR. WEBB AND SECONDED BY MR. HARRIS TO RECOMMEND APPROVAL OF THE CITY OF OVERLAND PARK REZONING NO. 2013-3 FOR, AMONG OTHER REASONS SET FORTH IN THE RECORD OF THE PROCEEDINGS, THE REASONS RECOMMENDED BY THE COUNTY PLANNING STAFF AS PRESENTED. APPROVED (4-0). (Verbatim transcript available)

A. Consider approving Runway 4/22 LPV Fencing Project.

Mr. McKee briefed the board on the process of the mill overlay project. There’s a fence on the north end of Runway 4/22 and he commented that the fence needs removed or replaced along with abandoning the road along the fence line.

B. Consider approving a rate adjustment for the T-hangar rental fees.

Lost phone connection with Mr. Saul, therefore, Chairman Moore tabled the discussion due to a lack of quorum.

C. Consider approving a rate adjustment for the fuel flowage fee.

Lost phone connection with Mr. Saul, therefore, Chairman Moore tabled the discussion due to a lack of quorum.

D. Report of the President, Southwest Johnson County EDC.

Mr. Riederer updated the board on current projects and proposals for the Southwest Johnson County EDC.

VI. BUSINESS FROM THE FLOOR
Bill Nigro, resident at 43rd and Pflumm, brought up the discussion regarding the Hilltop Stables. He stated that he has a plan, proposal and will solicit funding to present before the City of Olathe and BoCC.

**VII. ADJOURNMENT**

There being no further business, at 9:45 a.m. the meeting was adjourned.

________________________________________  ________________________________________
John Wittenborn, Secretary                    R. Lee Metcalfe, Executive Director
Airport Commission

Present: Messrs. Harris, Moore, Raynor, Saul, Webb, Weisenburger and Wittenborn

Absent:

Staff: Metcalfe, Dunham, McKee, and Bellinger

Others: David Clark, Vestcom
        Mike Dolin, hangar tenant
        Sherburne Dunn, Harmony View West
        Greg Gibson, Signature Flight Support
        Paul Greeley, Johnson County Planning
        Penny Postoak Ferguson, Johnson County Manager’s Office
        Tom Riederer, Southwest Johnson County EDC

Chairman Moore called the meeting to order at 9:00 a.m.

(Note: Heading, paragraph numbers and letters correspond to agenda numbers and letters. Items are listed in order of discussion.)

I. APPROVAL OF MINUTES

MOVED BY MR. RAYNOR AND SECONDED BY MR. WITTENBORN TO APPROVE THE MINUTES OF THE MAY 22, 2013 MEETING, SUBJECT TO REVISING THE MINUTES TO REFLECT CHAIRMAN MOORE IN ATTENDANCE AS PRESENTED. APPROVED (7-0).

II. REPORT OF THE CHAIRMAN

No Report of the Chairman

IV. EXECUTIVE SUMMARY

A. Review staff reports:

Mr. Metcalfe recommended appointing a Development Committee to review a few development projects that would be coming up in the near future. Chairman Moore appointed Commissioners Wittenborn, Harris and Saul to participate on the committee. Mr. Metcalfe stated there are two opportunities that would go before the committee for discussion. He referenced item #2 of the Executive Staff Summary and item #G of the June Airport Commission agenda.

Mr. Harris asked about the railroad switching operation and how new development would affect those operations. Mr. Metcalfe replied that switching of the railcars within the Business Park is accomplished by the use of a 1951 locomotive that was purchased in 1992. There was a failure of the locomotive a few years back which caused our locomotive to be off-line for a couple of
weeks. We were fortunate, at the time, to use a locomotive from BNSF. Every year, at budget time, we talk about getting a newer locomotive and Mr. McKee is currently researching information for a newer locomotive.

B. Summary of Financials:

No additions to the Summary of Financials.

C. Consider ratifying the May 2013 expenditures as presented:

MOVED BY MR. HARRIS AND SECONDED BY MR. WITTENBORN TO RATIFY THE MAY 2013 EXPENDITURES AS PRESENTED. APPROVED (7-0).

V. DISCUSSION ITEMS

A. Discuss Executive Director staffing process.

Mr. Metcalfe stated that his target date to retire would be around November 1st. The main purpose of this discussion is to talk about the process, timing, and who will be involved in the recruitment for the Executive Director position. He introduced Tiffany Hentschel, HR Manager, who gave background information on the recruitment process. After a lengthy discussion, it was determined to have an interview committee appointed for screening of applications and to conduct interviews. HR will be posting the position by mid-July. The appointed selection committee consists of HR Manager, Tiffany Hentschel, Assistant County Manager, Penny Postoak Ferguson, Assistant County Attorney, Cindy Dunham and Airport Commissioners Mike Moore, Dave Webb and Bill Raynor.

B. New Century Preliminary Development Plan update.

Paul Greely presented a high-level overview of the zoning board and development plan history. He stated that the New Century AirCenter’s development plan is more constraining than the Johnson County’s Zoning Board. Mr. Harris commented that it sounded like an overlap and duplication of efforts between both boards. Ms. Dunham read an excerpt from the state statute stating that the Airport Commission shall act as a zoning commission for the county and as that shall make recommendations to the Board of County Commissioners. After a lengthy discussion, it was recommended to table the discussion.

MOVED BY MR. HARRIS AND SECONDED BY MR. WEISENBURGER TO TABLE THE NEW CENTURY PRELIMINARY DEVELOPMENT PLAN DISCUSSION. APPROVED (7-0).

C. Consider an Assignment of Agreement from ITT Corporation to Exelis, Inc.

MOVED BY MR. WITTENBORN AND SECONDED BY MR. HARRIS TO APPROVE AN ASSIGNMENT OF AGREEMENT FROM ITT CORPORATION TO EXELIS, INC. AS PRESENTED. APPROVED (7-0).
D. Consider approving a rate adjustment for the T-hangar rental fees.

Mr. McKee presented the most recent T-hangar rate and charges study and asked the board to table the discussion until the July 24th Airport Commission, so they would have a chance to review the report.

MOVED BY MR. HARRIS AND SECONDED BY MR. WITTENBORN TO TABLE THE T-HANGAR RATE DISCUSSION UNTIL THE NEXT AIRPORT COMMISSION MEETING ON JULY 24. APPROVED (7-0).

E. Consider approving a rate adjustment for the fuel flowage fee.

MOVED BY MR. HARRIS AND SECONDED BY MR. WITTENBORN TO TABLE THE FUEL FLOWAGE FEE DISCUSSION UNTIL THE NEXT AIRPORT COMMISSION MEETING ON JULY 24. APPROVED (7-0).

F. Review progress/update on marketing materials.

Mr. Metcalfe briefed the board and handed out samples of marketing materials for New Century AirCenter from Davidson Architects and candid marketing & communications. Once all layouts have been finalized it will be presented before the full board for approval.

G. Discuss possible relocation of CAF headquarters to NCAC.

Mr. McKee gave background information and briefed the board on a possible relocation of CAF (Commemorative Air Force) headquarters to the New Century AirCenter.

H. Report of the President, Southwest Johnson County EDC.

Mr. Riederer updated the board on current projects and proposals for the Southwest Johnson County EDC.

VI. BUSINESS FROM THE FLOOR

No Business from the Floor

MOVED BY MR. HARRIS AND SECONDED BY MR. RAYNOR TO GO INTO EXECUTIVE SESSION AT 11:00 A.M., FOR 15 MINUTES, FOR A PRELIMINARY DISCUSSION RELATING TO THE ACQUISITION OF REAL PROPERTY. APPROVED (7-0).

VII. EXECUTIVE SESSION – PERSONNEL MATTERS/LAND ACQUISITION

A. Preliminary discussion relating to the acquisition of real property.

MOVED BY MR. HARRIS AND SECONDED BY MR. RAYNOR TO CLOSE THE EXECUTIVE SESSION AND RESUME THE REGULAR MEETING AT 11:15 A.M. APPROVED (7-0).
VIII. ADJOURNMENT

There being no further business, at 11:15 a.m. the meeting was adjourned.

MOVED BY MR. HARRIS AND SECONDED BY MR. RAYNOR TO ADJOURN. APPROVED (7-0).

_________________________________________  _______________________________________
John Wittenborn, Secretary                    R. Lee Metcalfe, Executive Director
JOHNSON COUNTY AIRPORT COMMISSION

MINUTES – October 23, 2013, 9:00 a.m. – New Century, KS

Airport Commission

Present: Messrs. Harris, Webb, Weisenburger and Wittenborn

Absent: Mr. Moore

Staff: Metcalfe, Dunham, McKee, and Bellinger

Others: Mike Dolin, hangar tenant
         Sherburne Dunn, Harmony View West Homeowners Association
         Tom Riederer, Southwest Johnson County EDC

Acting Chairman Wittenborn called the meeting to order at 9:00 a.m.

(Note: Heading, paragraph numbers and letters correspond to agenda numbers and letters. Items are listed in order of discussion.)

I. APPROVAL OF MINUTES

MOVED BY MR. HARRIS AND SECONDED BY MR. WEBB TO APPROVE THE MINUTES OF THE SEPTEMBER 25, 2013 MEETING, SUBJECT TO CORRECTION. APPROVED (4-0).

II. REPORT OF THE CHAIRMAN

   A. Discuss combining the Airport commission November and December meetings to Wednesday, December 4, 2013.

MOVED BY MR. WEISENBURGER AND SECONDED BY MR. HARRIS TO APPROVE COMBINING THE NOVEMBER AND DECEMBER MEETINGS TO WEDNESDAY, DECEMBER 4, 2013 AS PRESENTED. APPROVED (4-0).

IV. EXECUTIVE SUMMARY

   A. Review staff reports:

      No Additions to Staff Reports.

   B. Summary of Financials:

      No additions to the Summary of Financials.

   C. Consider ratifying the September 2013 expenditures as presented:

MOVED BY MR. HARRIS AND SECONDED BY MR. WEBB TO RATIFY THE SEPTEMBER 2013 EXPENDITURES AS PRESENTED. APPROVED (4-0).
V. DISCUSSION ITEMS

A. Consider approving an Amendment to the Lease Agreement for ACDC Investments, LLC.

Mr. Metcalfe briefed the board on an amendment to accommodate a new lessee, PC Solutions, a computer and electronics recycling company. They have entered into a contract to purchase ACDC Investments and are interested in extending the term of the lease. Mr. Harris asked if the lease rate is below market value. Mr. Metcalfe replied the ground lease is commensurate, but are not receiving rent on the building.

MOVED BY MR. HARRIS AND SECONDED BY MR. WEBB TO APPROVE AN AMENDMENT TO THE LEASE AGREEMENT FOR ACDC INVESTMENTS, LLC, SUBJECT TO REMOVAL OF NOTE 2 IN THE AGREEMENT. APPROVED (4-0).

MOVED BY MR. HARRIS AND SECONDED BY MR. WEBB TO APPROVE THE CONSENT TO ASSIGNMENT AND ASSIGNMENT OF ASSUMPTION AGREEMENTS, SUBJECT TO STAFF MAKING MINOR MODIFICATIONS. APPROVED (4-0).

B. Consider a License Agreement for Christensen Lumber, Inc.

Mr. Metcalfe presented a License Agreement for Christensen Lumber, Inc., on the previous BNSF Crane Yard location.

MOVED BY MR. WEBB AND SECONDED BY MR. WEISENBURGER TO APPROVE A LICENSE AGREEMENT FOR CHRISTENSEN LUMBER, INC. AS PRESENTED. APPROVED (4-0).

C. Report of the President, Southwest Johnson County EDC.

Mr. Riederer updated the board on current projects and proposals for the Southwest Johnson County EDC.

VI. BUSINESS FROM THE FLOOR

Mr. Sherburne asked Mr. Metcalfe if he had selected a retirement date. Mr. Metcalfe replied that he had and the retirement date is November 30th.

VII. ADJOURNMENT

There being no further business, at 9:35 a.m. the meeting was adjourned.

MOVED BY MR. HARRIS AND SECONDED BY MR. WEBB TO ADJOURN. APPROVED (4-0).

_________________________________________  _________________________________________
Dave Webb, Secretary                   R. Lee Metcalfe, Executive Director
I. APPROVAL OF MINUTES

MOVED BY MR. HARRIS AND SECONDED BY MR. WEBB TO APPROVE THE MINUTES OF THE AUGUST 28, 2013 MEETING AS PRESENTED. APPROVED (4-0).

II. REPORT OF THE CHAIRMAN

No Report of the Chairman

IV. EXECUTIVE SUMMARY

A. Review staff reports:

Mr. McKee gave a status update on Runway 4/22 and the CAF (Commemorative Air Force) projects. New Century AirCenter is no longer a consideration. The CAF leadership group has decided to remain in Texas where the majority of their members reside.

B. Summary of Financials:

No additions to the Summary of Financials.
C. Consider ratifying the August 2013 expenditures as presented:

MOVED BY MR. WEISENBURGER AND SECONDED BY MR. WEBB TO RATIFY THE AUGUST 2013 EXPENDITURES AS PRESENTED. APPROVED (4-0).

V. DISCUSSION ITEMS

A. Consider approving an Amendment to the Office Lease Agreement between the FAA (Federal Aviation Administration) and Johnson County Airport Commission at One New Century Parkway.

MOVED BY MR. HARRIS AND SECONDED BY MR. WEISENBURGER TO APPROVE AN AMENDMENT TO THE OFFICE LEASE AGREEMENT BETWEEN THE FAA (FEDERAL AVIATION ADMINISTRATION) AND JOHNSON COUNTY AIRPORT COMMISSION AT ONE NEW CENTURY PARKWAY AS PRESENTED. APPROVED (4-0).

B. Consider approving a Lease Agreement for Penny’s Concrete, Inc. to build a Batch Concrete Plant.

MOVED BY MR. HARRIS AND SECONDED BY MR. WEBB TO APPROVE A LEASE AGREEMENT FOR PENNY’S CONCRETE, INC. TO BUILD A BATCH CONCRETE PLANT AS PRESENTED. APPROVED (4-0).

C. Consider approving the Agriculture Lease Bid Packet.

Mr. McKee presented an Agriculture Lease Bid packet and results from the twelve bidders for the acreage. Mr. Stricker stated that he has farmed the ground since the mid-80’s and has already prepared the ground for planting wheat this fall. He requested the Airport Commission to approve recuperating his costs for that preparation. Mr. Webb stated that he has been acquainted with both Mr. Stricker and Mr. Bacon for years and would abstain from voting. Mr. Verhaeghe also requested the Airport Commission to approve recuperating his costs for his preparation of the ground.

MOVED BY MR. HARRIS AND SECONDED BY MR. WEISENBURGER TO ACCEPT THE HIGHEST BIDDER, PER GROUPING, FOR THE AGRICULTURE LEASE BID PACKET. APPROVED (3-1-0). MR. WEBB ABSTAINED.

MOVED BY MR. HARRIS AND SECONDED BY MR. WEISENBURGER TO SEND NOTICE FOR POTENTIAL REIMBURSEMENT WITHIN THE NEXT SEVEN DAYS AND WITHIN THIRTY DAYS OF THAT NOTICE ACCEPTABLE DOCUMENTATION BE PRESENTED TO THE AIRPORT COMMISSION STAFF FOR COSTS OF GROUND PREPARATION AND REIMBURSEMENT SHALL BE MADE ON A PRORATA BASIS. APPROVED (4-0).

D. Review water utility system improvements proposal.

Mr. Metcalfe presented a report from Ponzer-Youngquist on recommendations for improvements for our water system. Mr. Metcalfe stated that our water system is on the verge of failing catastrophically. If the main system fails we are equipped to run it manually. With the recent
Unilever expansion, this will increase the demand on water by twenty-five percent. This will place extreme stress on our water system. Mr. Harris asked if anything, other than a first rate system, would make any sense and we should not be cobbling the system together. Mr. Soetaert, Water District 7, stated it would be best to make improvements in stages to ensure ongoing water supply to our customers. After a lengthy discussion, the Airport Commission Board agreed for staff to pursue getting bid proposals. Mr. McKee asked if it would be possible to contract an operator to manage the system, as the current operator is retiring in less than two years. Chairman Wittenborn asked Mr. Soetaert if they would be interested in managing water operations, if needed. Mr. Soetaert replied they would be interested.

MOVED BY MR. HARRIS AND SECONDED BY MR. WEISENBURGER TO APPROVE AUTHORIZING STAFF TO ENGAGE AN ENGINEERING FIRM TO PREPARE BID PACKAGES USING SCENARIO 1 OF THE PONZER-YOUNGQUIST REPORT AS PRESENTED. APPROVED (4-0).

E. Report of the President, Southwest Johnson County EDC.

Mr. Riederer updated the board on current projects and proposals for the Southwest Johnson County EDC.

VI. BUSINESS FROM THE FLOOR

Mr. Metcalfe stated that interviews have been scheduled for October 29th for his replacement.

Mr. Olsen commented that it was a pleasure sitting through the Agriculture Lease process and how the board handled the request by the existing farmers.

VII. ADJOURNMENT

There being no further business, at 10:21 a.m. the meeting was adjourned.

MOVED BY MR. HARRIS AND SECONDED BY MR. WEBB TO ADJOURN. APPROVED (4-0).

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Dave Webb, Secretary                  R. Lee Metcalfe, Executive Director