

JOHNSON COUNTY AIRPORT COMMISSION

MINUTES – January 22, 2014, 9:00 a.m. – New Century, KS

Airport Commission

Present: Messrs. Brockhaus, Webb, and Wittenborn

Present by Phone: Mr. Weisenburger

Absent: Messrs. Harris and Moore

Staff: McKee, Dunham and Bellinger

Others: Mike Dolin, hangar tenant
Dave Hadel, Burns and McDonnell
Penny Postoak Ferguson, Johnson County Manager's Office
Commissioner John Toplikar, Johnson County BoCC
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. WEBB AND SECONDED BY MR. BROCKHAUS TO APPROVE THE MINUTES OF THE OCTOBER AND NOVEMBER 2013 MEETING AS PRESENTED. APPROVED (4-0).

II. REPORT OF THE CHAIRMAN

A. Ken Gimblet – 5 Year Anniversary

Acting Chairman Wittenborn congratulated Ken Gimblet and expressed the board's appreciation for his five years of dedicated service to the Airport Commission.

IV. EXECUTIVE SUMMARY

A. Review staff reports:

Mr. Webb asked what the status was on a search for Deputy Director was going and if a list of top candidates would be sent to the Airport Commission board for review. Mr. McKee replied that interviews are in the works and he would send the Airport Commission board the top candidate resumes.

B. Summary of Financials:

No additions to the Summary of Financials.

- C. Consider ratifying the October, November, and December 2013 expenditures as presented:

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

V. DISCUSSION ITEMS

- A. Consider accepting a Kansas Department of Transportation (KDOT) Grant of \$1,000,000 towards the Unilever expansion.

Mr. McKee briefed the board on the KDOT Grant, originally for two projects, to be utilized towards the Unilever expansion and rail improvements. Previously, former Executive Director, Mr. Metcalfe, had offered \$200,000 Airport Commission funds to contribute to the rail improvements with a take or pay agreement. Unilever is anticipating that they will utilize 1400 rail cars per year and the take or pay agreement will offset the \$200,000 of Airport Commission contributed funds. In addition, they will be purchasing 50,000,000 gallons of additional water per year. Mr. Wittenborn asked if there would be any liability issues for the Airport Commission. Mr. McKee replied that he and Ms. Dunham, airport attorney, are working on the grant details and process. Ms. Dunham responded that the Airport Commission would not be held liable. Mr. Wittenborn asked what happens to the hard assets in place, including the rail, if Unilever decides to vacate. Ms. Dunham stated that the leases generally provide that if the lease is terminated, the improvements, belong to the Airport Commission.

MOVED BY MR. WEBB AND SECONDED BY MR. BROCKHAUS TO ACCEPT A KANSAS DEPARTMENT OF TRANSPORTATION (KDOT) GRANT OF \$1,000,000 TOWARDS THE UNILEVER EXPANSION AS PRESENTED. APPROVED (4-0).

- B. Discuss updating the New Century AirCenter's Airport Layout Drawing and Narrative easements.

Mr. McKee commented there have been numerous development inquiries for the southeast quadrant of the airport at New Century AirCenter. Right now, if someone came through and wanted to make a deal it typically would take twelve to fourteen months to go through the FAA process and it would essentially kill any deal. To utilize the property, we would need to change the zoning from aviation to commercial use. This would be a non-AIP eligible project and would need to come from the airport funds; about \$85,000 to \$90,000. The intent is not losing any abilities of the property it is to take advantage of the property and focusing on new venue of opportunities; industrialization of the area. We do not have the operations to support an additional runway as shown in the current Master Plan. The previous study that was done supports that and the FAA concurs.

Mr. Wittenborn asked how this would affect the Master Plan. Mr. Hadel, Burns and McDonnell, stated that it would show on the FAA approved drawings, what all the changes are in the written narrative and drawings, and the proposed modifications would be submitted to the Airport Commission and Board of County Commissioners for approval. Mr. Weisenburger asked what exactly will be removed from the Master Plan that will allow the FAA to state it is no longer aviation related. Mr. McKee replied that the main portion is the parallel runway and

Airport Commission Minutes – January 22, 2014 - Page 3

it would open up property east of New Century Air Service. Mr. Hadel added it would be consistent with the original plan to build hangars or t-hangars. Mr. Wittenborn asked if the \$85,000 would include updating our Master Plan. Mr. Hadel stated that it would not, just a component of the plan. Mr. Weisenburger asked Mr. McKee if there was something significant driving this change. Mr. McKee replied there are a couple of developers that have approached him regarding significantly specific projects. In addition, this is one of the steps that need to be addressed if we want to open up the property for commercial use. Mr. Webb commented the reality would be not having a runway in the master plan now that there is a warehouse off of the north-end of the runway and a residential subdivision. The Intermodal has changed this part of the world also. Mr. Wittenborn asked if there were any other parcels, besides the southeast area, at the airport. Mr. Hadel replied this is the opportunity to consider everything happening at the airport and to explore everything in that vicinity.

After a lengthy discussion, it was determined to add to next month's Airport Commission meeting as an agenda item for full Airport Commission board participation.

- C. Consider delegating the Executive Director authority to sign non-exclusive utility easements.

MOVED BY MR. BROCKHAUS AND SECONDED BY MR. WEBB TO APPROVE DELEGATING THE EXECUTIVE DIRECTOR AUTHORITY TO SIGN NON-EXCLUSIVE UTILITY EASEMENTS AS PRESENTED. APPROVED (4-0).

- 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

No Business from the Floor

VII. ADJOURNMENT

There being no further business, at 9:47 a.m. the meeting was adjourned.

MOVED BY MR. WEISENBURGER AND SECONDED BY MR. BROCKHAUS TO ADJOURN. APPROVED (4-0).

Dave Webb, Secretary

Colin McKee, Executive Director

JOHNSON COUNTY AIRPORT COMMISSION

MINUTES – February 26, 2014, 9:00 a.m. – New Century, KS

Airport Commission

Present: Messrs. Brockhaus, Moore, Webb, Weisenburger, and Wittenborn

Present by Phone: Mr. Harris

Absent:

Staff: McKee, Cooper, Dunham and Bellinger

Others: Casey Buta, Airport Commission
Robert Crain, Burns and McDonnell
Mike Dolin, hangar tenant
Sherburne Dunn, Harmony View West Homeowners Association
Greg Gibson, Signature Flight Support
Paul Greeley, Johnson County Planning
Dave Hadel, Burns and McDonnell
Mike Hall, City of Gardner
Jonathan Jobe, Advanced Aviation
Michael Mitchell, zoning applicant
Ray Olsen, AOPA/Ray Olsen, LLC
Lee Metcalfe, citizen
Penny Postoak Ferguson, Johnson County Manager's Office
Mark Williams, Garver

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. BROCKHAUS TO APPROVE THE MINUTES OF THE OCTOBER AND JANUARY 2014 MEETING AS PRESENTED. APPROVED (6-0).

II. REPORT OF THE CHAIRMAN

A. Casey Buta – 5 Year Anniversary

Chairman Moore congratulated Casey Buta and expressed the board's appreciation for his five years of dedicated service to the Airport Commission.

B. Introduce Melissa Cooper, new Deputy Director.

Mr. McKee introduced Melissa Cooper as the new Deputy Director. Melissa officially began on Monday, February 17, 2014.

IV. EXECUTIVE SUMMARY

A. Review staff reports:

Mr. McKee gave an update on House Bill No. 2652. Mr. McKee and Rick Lind, Johnson County Assistant Counsel, spoke before the State Senate in opposition of the bill.

B. Summary of Financials:

No additions to the Summary of Financials.

C. Consider ratifying the January 2014 expenditures as presented:

MOVED BY MR. WEISENBURGER AND SECONDED BY MR. WITTENBORN TO RATIFY THE JANUARY 2014 EXPENDITURES AS PRESENTED. APPROVED (6-0).

V. DISCUSSION ITEMS

- A. Consider approving a proposed change in existing city zoning located at 1076, 1084, 1092, and 1098 E. Santa Fe. Gardner KS., which is within 1 mile of New Century Airport, Gardner Rezoning No. Z-13-03 & PDP-13-01 – Gardner Auto Body, Towing and Storage.

MOVED BY MR. WEISENBURGER AND SECONDED BY MR. WEBB TO RECOMMEND APPROVAL OF THE CITY OF GARDNER ZONING NO. Z-13-03 & PDP-13-01 FOR THE REASONS RECOMMENDED BY THE COUNTY PLANNING STAFF AS PRESENTED. APPROVED (6-0). (*Verbatim transcript available*)

- B. Consider approving an Estoppel Certificate for Penny's Concrete, Inc.

MOVED BY MR. WEBB AND SECONDED BY MR. BROCKHAUS TO APPROVE AN ESTOPPEL CERTIFICATE FOR PENNY'S CONCRETE, INC. AS PRESENTED, SUBJECT TO FINAL REVIEWE. APPROVED (6-0).

- C. Discuss updating of the New Century AirCenter's Airport Layout Drawing and Narrative.

Mr. McKee presented to the board the possibility of developing the land to the southeast of the airport, south of 4/22 and east of 18/36. Potential developers have inquired about the land. He stated that he and Mr. Hadel, Burns and McDonnell, spoke with Jeff Deitering of the FAA, asking what would need to be done to release the land from aviation to commercial use. Mr. Deitering identified that an ALD Narrative update would be required. A scope was created, submitted to the FAA with no additional comments. Mr. Hadel stated the cost would be around \$86,000, and survey-work would be an additional \$12,000. Mr. Metcalfe, former Airport Commission Executive Director, gave background information on the history of the smaller runway in the Master Plan. Because general aviation is shrinking and commercial aviation has changed dramatically leaving the runway in the Master Plan would never be justified.

After a lengthy discussion, the board decided it was in the Airport Commission's best interest to update the New Century AirCenter's Airport Layout Drawing and Narrative.

MOVED BY MR. WITTENBORN AND SECONDED BY MR. WEBB TO APPROVE UPDATING OF THE NEW CENTURY AIRCENTER'S AIRPORT LAYOUT DRAWING AND NARRATIVE NOT TO EXCEED MAXIMUM EXPENDITURES OF \$86,000 AS PRESENTED. APPROVED (6-0).

D. Consider the Adoption of Airport Commission Grant Procedures.

MOVED BY MR. WEBB AND SECONDED BY MR. BROCKHAUS FOR THE ADOPTION OF AIRPORT COMMISSION GRANT PROCEDURES AS PRESENTED. APPROVED (6-0).

E. Discuss disposal of Airport property at 191st Cedar Niles Road.

MOVED BY MR. WITTENBORN AND SECONDED BY MR. WEISENBURGER TO APPROVE THE DISPOSAL OF AIRPORT PROPETY AT 191ST CEDAR NILES ROAD AS PRESENTED. APPROVED (6-0).

F. Consider approving the 2014 Contract for the Southwest Johnson County EDC.

MOVED BY MR. WEBB AND SECONDED BY MR. WEISENBURGER TO APPROVE THE 2014 CONTRACT FOR THE SOUTHWEST JOHNSON COUNTY EDC 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

No Business from the Floor

MOVED BY MR. WEBB AND SECONDED BY MR. BROCKHAUS TO CLOSE THE REGULAR SESSION AND GO INTO EXECUTIVE SESSION AT 10:20 A.M. NOT TO EXCEED FORTY MINUTES TO DISCUSS REAL PROPERTY & PERSONNEL MATTERS. APPROVED (6-0).

VII. EXECUTIVE SESSION-LEGAL & PERSONNEL MATTERS

MOVED BY MR. WITTENBORN AND SECONDED BY MR. WEBB TO CLOSE THE EXECUTIVE SESSION AND RECONVENE THE REGULAR SESSION AFTER A FIVE MINUTE RECESS AT 11:05 A.M. APPROVED (6-0).

VIII. ADJOURNMENT

There being no further business, at 11:05 a.m. the meeting was adjourned.

MOVED BY MR. WEBB AND SECONDED BY MR. WEISENBURGER TO ADJOURN. APPROVED (6-0).

Dave Webb, Secretary

Colin McKee, Executive Director

JOHNSON COUNTY AIRPORT COMMISSION

MINUTES – March 26, 2014, 9:00 a.m. – New Century, KS

Airport Commission

Present: Messrs. Brockhaus, Moore, Webb, and Weisenburger

Present by Phone: Mr. Harris

Absent: Ms. McCarthy and Mr. Wittenborn

Staff: McKee, Cooper, Dunham and Bellinger

Others: Commissioner Michael Ashcraft, BoCC
Mike Dolin, hangar tenant
Jerry Edwards, Lazer Spot
Dave Hadel, Burns and McDonnell
Jonathan Jobe, Advanced Aviation
Ray Olsen, AOPA/Ray Olsen, LLC
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. WEBB AND SECONDED BY MR. WEISENBURGER TO APPROVE THE MINUTES OF THE FEBRUARY 2014 MEETING, SUBJECT TO CORRECTION. APPROVED (5-0).

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 February 2014 expenditures as presented:

MOVED BY MR. WEISENBURGER AND SECONDED BY MR. WEBB TO RATIFY THE FEBRUARY 2014 EXPENDITURES AS PRESENTED. APPROVED (5-0).

V. **DISCUSSION ITEMS**

- A. Consider approving a Ground Lease Agreement for a staging yard to Walsh Construction Company, LLC, a contractor working on the Unilever project expansion.

MOVED BY MR. WEBB AND SECONDED BY MR. BROCKHAUS TO APPROVE A GROUND LEASE AGREEMENT FOR A STAGING YARD TO WALSH CONSTRUCTION COMPANY, LLC, A CONTRACTOR WORKING ON THE UNILEVER PROJECT EXPANSION AS PRESENTED. APPROVED (5-0).

- B. Consider approving a Lease Agreement for office space to Lazer Spot, a yard management services and solutions contractor working on the Unilever project expansion.

MOVED BY MR. WEBB AND SECONDED BY MR. WEISENBURGER TO APPROVE A LEASE AGREEMENT FOR OFFICE SPACE TO LAZER SPOT, A YARD MANAGEMENT SERVICES AND SOLUTIONS CONTRACTOR WORKING ON THE UNILEVER PROJECT EXPANSION AS PRESENTED. APPROVED (5-0).

- C. Discuss airport revitalization efforts.

Mr. McKee presented to the board several examples of revitalization efforts needed at both airports. A PowerPoint presentation of photos taken of overgrown weeds, trees and shrubs that had died and need to be removed or replaced, broken street-side curbs, trash and debris that has built up around the businesses.

The board decided it was in the Airport Commission's best interest to proceed with revitalization efforts at the airports.

- D. Consider increasing water rates by twenty-two cents per 1,000 gallons of usage effective May 1, 2014.

MOVED BY MR. WEISENBURGER AND SECONDED BY MR. WEBB TO APPROVE INCREASING WATER RATES BY TWENTY-TWO CENTS (.22) PER 1,000 GALLONS OF USAGE EFFECTIVE MAY 1, 2014 AS PRESENTED. APPROVED (5-0).

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

MOVED BY MR. WEBB AND SECONDED BY MR. WEISENBURGER TO APPROVE A RATE ADJUSTMENT FROM EIGHT CENTS (.08) TO TEN CENTS (.10) PER GALLON EFFECTIVE JUNE 1, 2014 AS PRESENTED. APPROVED (4-1). MR. BROCKHAUS OPPOSED.

- F. Discuss proposed 2015 Budget and CIP.

MOVED BY MR. WEBB AND SECONDED BY MR. WEISENBURGER TO APPROVE THE PROPOSED 2015 BUDGET AND CIP AS PRESENTED. APPROVED (4-1). MR. HARRIS ABSTAINED.

- 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. Olsen asked for an update on House Bill No. 2652. Ms. Dunham stated that it was blessed and would not know the final outcome until legislature was finished. Mr. Webb added that it is extremely important that everyone contact their legislatures and oppose the bill.

Mr. Dolin asked when pavement improvements would be scheduled for the north hangars at New Century AirCenter. Mr. McKee replied that improvements were scheduled for 2016.

VII. ADJOURNMENT

There being no further business, at 9:44 a.m. the meeting was adjourned.

**MOVED BY MR. HARRIS AND SECONDED BY MR. WEISENBURGER TO ADJOURN.
APPROVED (5-0).**

Dave Webb, Secretary

Colin McKee, Executive Director

JOHNSON COUNTY AIRPORT COMMISSION

MINUTES – April 23, 2014, 9:00 a.m. – New Century, KS

Airport Commission

Present: Messrs. Brockhaus, Harris, Webb, Weisenburger, Wittenborn and Ms. McCarthy

Absent: Mr. Moore

Staff: McKee, Cooper, Dunham and Bellinger

Others: Commissioner Michael Ashcraft, BoCC
Linda Barnes, County Manager's Office
Tim Bleish, Flying Club of KC
Megan Dodge, County Manager's Office
Mike Dolin, hangar tenant
Dave Hadel, Burns and McDonnell
Jonathan Jobe, Advanced Aviation
Commissioner Steven Klika, BoCC
Ray Olsen, AOPA/Ray Olsen, LLC
Commissioner Jason Osterhaus, BoCC
Commissioner Ed Peterson, BoCC
Penny Postoak Ferguson, County Manager's Office
Tom Riederer, Southwest Johnson County EDC
Brent Stackhouse, Brent Stackhouse for State Rep. 2014
Mark Williams, Garver

Vice 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. WEISENBURGER TO APPROVE THE MINUTES OF THE MARCH 26, 2014 MEETING, SUBJECT TO CORRECTION. APPROVED (6-0).

II. REPORT OF THE CHAIRMAN

A. Introduction of new Airport Commission board member.

Mr. McKee introduced new Airport Commission board member, Jill McCarthy. She is fulfilling the 7st District position, replacing Tom Saul.

IV. EXECUTIVE SUMMARY

A. Review staff reports:

Ms. Cooper updated the board on construction projects.

B. Summary of Financials:

No additions to the Summary of Financials.

C. Consider ratifying the March 2014 expenditures as presented:

MOVED BY MR. WEISENBURGER AND SECONDED BY MR. HARRIS TO RATIFY THE MARCH 2014 EXPENDITURES AS PRESENTED. APPROVED (6-0).

V. **DISCUSSION ITEMS**

- A. Consider approving Consent to Assignment of Lease Agreement and Assignment of Assumption of Lease Agreement from R. Kenneth Berg and Rebecca Berg to Aerocharger Technologies, LLC/HiPerformance.

MOVED BY MR. HARRIS AND SECONDED BY MR. WEBB TO APPROVE CONSENT TO ASSIGNMENT OF LEASE AGREEMENT AND ASSIGNMENT AND ASSUMPTION OF LEASE AGREEMENT FROM R. KENNETH BERG AND REBECCA BERG TO AEROCHARGER TECHNOLOGIES, LLC/HIPERFORMANCE AS PRESENTED. APPROVED (6-0).

- B. Consider increasing rail rates per rail car weigh, move and respot from \$75 to \$98 and per rail car storage from \$20 to \$26 for rail car customers.

Mr. McKee briefed the board on increasing the rail rates and stated that the majority of revenue comes from rail cars that are actually delivered to the tenant. Mr. Weisenburger asked how many rail cars are currently being delivered. Mr. McKee responded there are currently around 1400 rail cars per year. With the Unilever expansion they are estimating an additional 1400 per year. Mr. Harris asked how the tenants would react and if there was any other data that could be related. Mr. Wittenborn asked how many rail cars are being stored and for what length of time. Mr. McKee replied that it varies and originally the storage fee was to discourage the tenants from leaving rail cars out. Over the years it has become a revenue stream. Mr. Riederer stated the fee for having rail cars directly available to the tenant's facility is well worth the cost of a small rate increase.

MOVED BY MR. HARRIS AND SECONDED BY MR. WEBB TO APPROVE INCREASING RAIL RATES PER RAIL CAR WEIGH, MOVE AND RESPOT FROM \$75 TO \$98 AND PER RAIL CAR STORAGE FROM \$20 TO \$26, EFFECTIVE JUNE 1, 2014 AS PRESENTED. APPROVED (6-0).

- 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. Dolin brought up a concern of infrequent inspections for current t-hangar tenants and asked how often are people on the t-hangar waiting list are contacted when a t-hangar becomes available. Mr. McKee replied that in the past t-hangar inspections were done quarterly, unless

Airport Commission Minutes – April 23, 2014 - Page 3

notification of a possible violation has occurred. Staff has been directed to contact up to ten people on the waiting list at a time when a t-hangar becomes available.

VII. ADJOURNMENT

There being no further business, at 9:30 a.m. the meeting was adjourned.

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

Dave Webb, Secretary

Colin McKee, Executive Director

VIII. 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. McKee to give an overview of the Airport Commission's financials and projects.

At 10:30 a.m., after a question and answer session, the Joint Board of County Commissioners and Airport Commission meeting adjourned.

JOHNSON COUNTY AIRPORT COMMISSION

MINUTES – May 28, 2014, 9:00 a.m. – New Century, KS

Airport Commission

Present: Messrs. Brockhaus, Harris, Moore, Webb, Wittenborn and Ms. McCarthy

Absent: Mr. Weisenburger

Staff: McKee, Cooper, Dunham and Bellinger

Others: Tim Bleish, Flying Club of KC
Mike Dolin, hangar tenant
Stephanie Fahy, New Century Air Service
Dave Hadel, Burns and McDonnell
Tiffany Hentschel, Johnson County Government
Tara Hyder, Johnson County Airport Commission
Leslie Irwin, Johnson County Government
Ray Olsen, AOPA/Ray Olsen, LLC
Tom Riederer, Southwest Johnson County EDC
Mike Smith, Unilever

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. HARRIS AND SECONDED BY MS. MCCARTHY TO APPROVE THE MINUTES OF THE APRIL 23, 2014 MEETING AS PRESENTED. APPROVED (6-0).

II. REPORT OF THE CHAIRMAN

A. Tim Green – 5 Year Anniversary

Mr. Green was not able to attend today's meeting and will be recognized at next month's Airport Commission meeting.

B. Introduction of new Airport Commission Accounting Assistant II.

Ms. Cooper introduced Tara Hyder as the new Accounting Assistant II for the Airport Commission.

IV. EXECUTIVE SUMMARY

A. Review staff reports:

Ms. Cooper commented on a few opportunities, at low or no cost, to the Airport Commission.

Airport Commission Minutes – May 28, 2014 - Page 2

The National Weather Service (NWS) is in the final stages of developing a terminal area forecast for New Century AirCenter. Currently, users in this area have to use Topeka or Kansas City forecasting. This should be ready late summer or early fall of this year.

From the FAA side we have formally requested a GPS/RNAV instrument approach on Runway 4/22 at IXD (New Century AirCenter).

On May 5, 2014, the Airport Commission received an anonymous phone call with a specific threat to aircraft. JCAC staff immediately closed both airports to all flight operations and contacted Johnson County Sheriff's Office to respond to the Executive Airport. With cooperation from the Sheriff's office, City of Olathe Police and Louisburg Police departments it was determined that the threat was not valid and operations at both airports were resumed within 45 minutes. This was the first opportunity we had a chance to work with the FBI. The FBI does not take these threats lightly and currently the FBI's Terrorism Task Force is investigating the caller ID that was documented by JCAC staff.

B. Summary of Financials:

No additions to the Summary of Financials.

C. Consider ratifying the April 2014 expenditures as presented:

MOVED BY MR. WEBB AND SECONDED BY MR. HARRIS TO RATIFY THE APRIL 2014 EXPENDITURES AS PRESENTED. APPROVED (6-0).

V. DISCUSSION ITEMS

A. Consider approving a Second Amendment to Lease Agreement for Garmin International, Inc.

MOVED BY MR. WEBB AND SECONDED BY MR. WITTENBORN TO APPROVE A SECOND AMENDMENT TO LEASE AGREEMENT FOR GARMIN INTERNATIONAL, INC. AS PRESENTED. APPROVED (6-0).

B. Consider approving a Consent to Assignment of Lease Agreement from Astronomical, Inc. (dba Roberts & Dybdahl, Inc.) to Cedar Creek, LLC, Assignment and Assumption of Ground Lease and Memorandum of Ground Lease.

MOVED BY MR. HARRIS AND SECONDED BY MS. MCCARTHY TO APPROVE A CONSENT TO ASSIGNMENT OF LEASE AGREEMENT FROM ASTRONOMICAL, INC. (DBA ROBERTS & DYBDAHL, INC.) TO CEDAR CREEK, LLC, ASSIGNMENT AND ASSUMPTION OF GROUND LEASE AND MEMORANDUM OF GROUND LEASE AS PRESENTED. APPROVED (6-0).

C. Consider approving a Lease Addendum to the Unilever Manufacturing lease.

MOVED BY MR. HARRIS AND SECONDED BY MR. WITTENBORN TO APPROVE A CONSENT TO ASSIGNMENT OF LEASE AGREEMENT FROM ASTRONOMICAL, INC. (DBA ROBERTS & DYBDAHL, INC.) TO CEDAR CREEK, LLC, ASSIGNMENT AND ASSUMPTION OF GROUND LEASE AND MEMORANDUM OF GROUND LEASE AS PRESENTED. APPROVED (6-0).

Airport Commission Minutes – May 28, 2014 - Page 3

- D. Consider recommending to the Board of County Commissioners a 10-year, 50% abatement from ad valorem real estate taxes for improvements to the Unilever food manufacturing facility.

Mr. Colin briefed the board on the Unilever \$152,500,000 expansion. 2012, Lee Metcalfe, former Executive Director of the Airport Commission, and Tom Riederer, president of the Southwest Johnson County Economic Development Corporation, worked to create an economic development incentive policy; which was approved. In the policy it outlined what the thresholds were for abatements and schedules. The top of the schedule went to seven years; however, due to the size of the Unilever project Mr. Metcalfe thought there should be consideration to increase the schedule to ten years. Mr. Harris asked if this would be new tax dollars generated. Mr. Colin replied, the existing building would not be impacted, and the new addition would create a minimum of one hundred new jobs, a zero-landfill building, newly created taxes during the abatement would be approximately \$488,730, after the abatement it would be approximately \$977,460 per year and that is on top of what they are already paying.

MOVED BY MR. WITTENBORN AND SECONDED BY MR. HARRIS TO RECOMMEND TO THE BOARD OF COUNTY COMMISSIONERS A 10-YEAR, 50% ABATEMENT FROM AD VALOREM REAL ESTATE TAXES FOR IMPROVEMENTS TO THE UNILEVER FOOD MANUFACTURING FACILITY COMMENCING AT THE COMPLETION OF THE EXPANSION PROJECT AS PRESENTED. APPROVED (6-0).

- E. Discuss Business Park renovation

Mr. Colin updated the board on the progress of recent renovations at the business park. The army wing will be replacing their Chinooks and have offered one of them to the Airport Commission as a static display. One of the aircraft would be brought up to be displayed in the front property of the Administration building along with displaying the Chinook. Chairman Moore asked what would be the cost associated with moving the displays. Mr. McKee responded it would approximately be around \$2,000. All agreed to move forward with this project and Chairman Moore also indicated that the current aircraft at the aviation park need to be repainted.

Mr. McKee commented that the administration building is in dire need of rehabilitation and offered several examples. In addition, he would like to modify the building by opening up the building for mail customers to gain access on the weekends as well as utilizing the building as a storm shelter to the businesses in the area. Mr. Harris asked what the costs associated with the project would be and he would like to see the design work and preliminary plan. Mr. Harris asked if there might be an opportunity for Kansas historic tax credits to assist with the project. The board instructed Mr. McKee to move forward with the project.

- 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. Mr. Riederer stated that he would be retiring as the president for the EDC at the end of 2014.

VI. BUSINESS FROM THE FLOOR

No Business from the Floor.

VII. EXECUTIVE SESSION – PERSONNEL MATTERS

MOVED BY MS. MCCARTHY AND SECONDED BY MR. HARRIS TO RECESS ITS OPEN MEETING, AFTER A FIVE MINUTE BREAK, AND CONVENE IN EXECUTIVE SESSION AT 9:55 A.M. FOR A PERIOD OF 20 MINUTES, FOR THE PURPOSE OF PERSONNEL MATTERS REGARDING NON-ELECTED PERSONNEL IN ORDER TO PROTECT THE PRIVACY OF THE INDIVIDUALS INVOLVED AND TO RECONVENE IN OPEN SESSION AT APPROXIMATELY 10:15 A.M. OR AS SOON THEREAFTER AS THE EXECUTIVE SESSION MAY END. APPROVED (6-0).

VIII. ADJOURNMENT

There being no further business, at 10:15 a.m. the meeting was adjourned.

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

Dave Webb, Secretary

Colin McKee, Executive Director

JOHNSON COUNTY AIRPORT COMMISSION

MINUTES – June 25, 2014, 9:00 a.m. – New Century, KS

Airport Commission

Present: Messrs. Brockhaus, Harris, Moore, and Weisenburger

Absent: Ms. McCarthy and Mr. Wittenborn

Staff: McKee, Cooper, Dunham and Bellinger

Others: Commissioner Michael Ashcraft, BoCC
Les Barnt, GBA Architects & Engineers
Mike Dolin, hangar tenant
Tim Green, Johnson County Airport Commission
Dave Hadel, Burns and McDonnell
Tara Hyder, Johnson County Airport Commission
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. HARRIS AND SECONDED BY MR. WEISENBURGER TO APPROVE THE MINUTES OF THE MAY 28, 2014 MEETING AS PRESENTED. APPROVED (4-0).

II. REPORT OF THE CHAIRMAN

A. Tim Green – 5 Year Anniversary

Chairman Moore congratulated Tim Green and expressed the board's appreciation for his five years of dedicated service to the Airport Commission.

IV. EXECUTIVE SUMMARY

A. Review staff reports:

Ms. Cooper stated that Paul Fiscus had recently been hired as facilities manager. Paul comes with twenty-plus years of golf course experience and a bachelor's degree in horticulture.

Mr. Harris asked about the department's purchasing cards, how many employees have them, what are the limits, procedures and how are they approved. Mr. McKee replied that before an employee receives a purchasing card they are required to take a training class and pass a test. Then, all purchases go through several process steps that include approval from the immediate supervisor, department supervisor, final approval from Executive Director, a reconciliation

Airport Commission Minutes – June 25, 2014 - Page 2

process, and finally submitted to the Accounting Assistant for record keeping. Most of the limits are set at \$500-\$1,000 per transaction and \$2,000-\$3,000 per month with Deputy Director and Executive Director's at a higher limit. Mr. Brockhaus asked if it was a reward cards and if not, why not. Mr. McKee responded the purchasing cards were not reward cards.

Commissioner Ashcraft stated that the cards are usually constructed to include services that allow supervisor's approval and because of that added feature they are generally not reward cards. Ms. Dunham added that it is a county-wide service that is bid-out annually and in addition, the Board of County Commissioners have passed a number of policies and procedures for County employee's usage of purchasing cards.

Ms. Cooper commented on recent changes in grant funding by the FAA. Ms. Cooper stated the FAA approved grant funding for the reconstruction of the taxi lane project at Executive Airport was originally designed to fund in front of the T-hangars and all the way to the doors is now ineligible for funding. Based upon the 2013 draft, the guidelines define clearly that anything between the hangar and twenty-seven feet within the doors, for large-sized aircraft, is no longer eligible for funding. Because of the FAA's recent changes, staff is now looking at \$275,000 to \$325,000 of funds from the Airport Commission reserves as part of the next phase of construction at Executive Airport (OJC). If the board approves, the Kansas Department of Transportation has agreed for staff to use their grant of \$230,000 at OJC and use that as our match for projects north of Air Associates and the west T-hangars. Mr. Hadel, Burns & McDonnell Engineering, commented that the original KDOT grant's language was written for project work in the northeast quadrant of the airport (OJC) and has allowed us, with approval of the Airport Commission board, to advance those funds to this pending project for the area from the face of the hangars; twenty-seven feet out. Mr. McKee added that it would free up funds to apply to the west-side hangars in exchange to complete the project with some additional funds of \$275,000 to \$325,000. A decision will need to be made quickly as it is out for bid and will be awarded on July 2nd. Ms. Cooper stated that staff will need to submit the letter to the FAA by July 11th or we will lose funding and the pavement will not hold up for another winter. Mr. Harris asked how much the total project is and what would come out of the Airport Commission's funds. Mr. Hadel responded that the total project is \$3,100,000 and Ms. Cooper replied the Airport Commission's cost would be roughly \$690,000 to \$750,000. Mr. Harris asked how much is in reserves and Mr. McKee responded there is over \$6,000,000. Ms. Cooper added that reserves increased from \$5,700,000 to \$6,100,000 in 2013.

MOVED BY MR. HARRIS AND SECONDED BY MR. WEISENBURGER TO APPROVE THE ADDITIONAL AMOUNT NOT TO EXCEED ADDITIONAL MATCH OF \$325,000 FOR PAVEMENT IMPROVEMENTS AND \$150,000 FOR PAVEMENT IMPROVEMENTS INSIDE THE HANGARS AS PRESENTED. APPROVED (4-0).

B. Summary of Financials:

No additions to the Summary of Financials.

C. Consider ratifying the May 2014 expenditures as presented:

MOVED BY MR. HARRIS AND SECONDED BY MR. WEISENBURGER TO RATIFY THE MAY 2014 EXPENDITURES AS PRESENTED. APPROVED (4-0).

V. DISCUSSION ITEMS

- A. Consider approving a one-time payment of \$10,000 to the Southwest Johnson County EDC.

MOVED BY MR. WEISENBURGER AND SECONDED BY MR. HARRIS TO APPROVE A ONE-TIME PAYMENT OF \$10,000 TO THE SOUTHWEST JOHNSON COUNTY EDC AS PRESENTED. APPROVED (4-0).

- B. Discuss rehabilitation of Building #2.

Mr. McKee briefed the board on the increase of requests for lease of office space. Building #2 has been around since 1941, and could be utilized to temporarily relocate office space for staff while rehabilitation is ongoing at the administration offices. After that, it could be used as revenue source and be around for another 70 years. The major expense would be adding a parking lot at the north end; which would come off of 159th street. It needs sheetrock, carpeting, basic electrical work, and the air conditioning system is in good working order. However, if it goes too much longer it will need to be demolished. For a fully-functioning office space the cost estimate would be around \$100,000 to \$150,000. Staff was directed to present specifications and cost analysis at the next Airport Commission board meeting.

- 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. Dolin stated that the sweeper didn't come right up to his hangar door and how could it be resolved. Ms. Cooper replied that the current sweeper will not go right up to the hangar door. She will get with airfield maintenance to remove debris from out front of his hangar.

VII. EXECUTIVE SESSION – ATTORNEY/CLIENT PRIVILEGES MATTERS

MOVED BY MR. WEISENBURGER AND SECONDED BY MR. HARRIS TO RECESS OPEN MEETING, AFTER A FIVE MINUTE BREAK, AND CONVENE IN EXECUTIVE SESSION AT 10:00 A.M. FOR A PERIOD OF 25 MINUTES TO DISCUSS ATTORNEY/CLIENT PRIVILEGE MATTERS AND TO RECONVENE IN OPEN SESSION AT APPROXIMATELY 10:25 A.M. APPROVED (4-0).

MOVED BY MR. WEISENBURGER AND SECONDED BY MR. HARRIS TO EXTEND THE EXECUTIVE SESSION FOR AN ADDITIONAL 25 MINUTES AND RECONVENE IN OPEN SESSION TO APPROXIMATELY 10:50 A.M. APPROVED (4-0).

VIII. ADJOURNMENT

There being no further business, at 10:50 a.m. the meeting was adjourned.

MOVED BY MR. WEISENBURGER AND SECONDED BY MR. HARRIS TO ADJOURN.

APPROVED (4-0).

Brad Weisenburger, Acting Secretary

Colin McKee, Executive Director

JOHNSON COUNTY AIRPORT COMMISSION

MINUTES – July 23, 2014, 9:00 a.m. – New Century, KS

Airport Commission

Present: Messrs. Harris, Moore, Wittenborn and Ms. McCarthy

Absent: Messrs. Brockhaus and Weisenburger

Staff: McKee, Cooper, Dunham, Hyder and Bellinger

Others: Les Barnt, GBA Architects & Engineers
Mike Dolin, hangar tenant
Sherburne Dunn, Harmony View West Homeowners Association
Stephanie Fahy, New Century Air Service
Chris Herre, Rose Design Build, Inc.
Kelly Lankford, KHL Design Studio
Ray Olsen, AOPA/Ray Olsen, LLC
Penny Postoak Ferguson, 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. WITTENBORN AND SECONDED BY MR. HARRIS TO APPROVE THE MINUTES OF THE JUNE 25, 2014 MEETING AS PRESENTED. APPROVED (4-0).

II. REPORT OF THE CHAIRMAN

No Report of the Chairman.

IV. EXECUTIVE SUMMARY

A. Review staff reports:

Ms. Cooper commented that the Terminal Area Forecast of the National Weather Service has been approved and will go live on September 30, 2014. The Pilot-Controlled Lighting system at both airports will be effective on July 24, 2014.

B. Summary of Financials:

No additions to the Summary of Financials.

C. Consider ratifying the June 2014 expenditures as presented:

MOVED BY MR. HARRIS AND SECONDED BY MR. WITTENBORN TO RATIFY THE JUNE 2014 EXPENDITURES AS PRESENTED. APPROVED (4-0).

V. DISCUSSION ITEMS

- A. Consider approving a Lease Agreement for Titan Terminal & Transport.

Mr. McKee requested that this be held off until the August meeting. JBS, who will actually be the direct tenant, is in the process of sending a letter of intent.

- B. Consider approving a Lease Addendum for Steel and Pipe Supply Company, Inc.

MOVED BY MR. HARRIS AND SECONDED BY MR. WITTENBORN TO APPROVE A LEASE ADDENDUM FOR STEEL AND PIPE SUPPLY COMPANY, INC. AS PRESENTED. APPROVED (4-0).

- C. FAA Grant status update.

Ms. Cooper gave an update on the FAA grant application. Looking at a total expenditure of \$4.7 million for construction at New Century of which the Airport Commission's cost will be 10%; \$474,000. The project is for mill/overlay for Taxiway Alpha and connectors. The timeframe to begin Phase 1 is October 2014 and finalizing in the Spring of 2015.

Mr. McKee announced that Deputy Director, Ms. Cooper, will be taking a job with KCI as the Field/Maintenance manager, effective August 1, 2014.

- D. Discuss Administration building improvements.

Mr. McKee introduced Chris Herre of Rose Design Build, Inc. and Kelly Lankford of KHL Design Studio. Ms. Lankford presented retro drawings and art deco designs in an effort to restore the administration building historically, utilizing materials that would have been used back in 1941. By using new materials to increase the longevity of the building by fifty to one hundred years. Mr. Herre presented overall drawings and plans of when the administration building was originally built and with improvements what it would look like after rehabilitation. Phase one of the project includes rehabilitation of the restrooms, lobby, front office and office that would be directly connected to the front lobby office. Ms. Lankford offered examples of flooring, carpet tile, lighting, retro colors and stripes that were most popular in the 1940's. She stated the importance of retaining the original wood, moulding, and adding glass door inserts to bring in more natural lighting. By using LED lighting, longevity of five-plus years, would make the building more energy efficient. Mr. McKee commented by adding a third unisex restroom, for public use, would also help with current capacity issues. Mr. Harris requested assessing the cost of bidding the project all at once versus piecing out the project. The board agreed for staff to move forward with phase one of the rehabilitation project.

- E. Continue discussion of rehabilitation of Building #2.

MOVED BY MR. WITTENBORN AND SECONDED BY MR. HARRIS TO APPROVE CONSTRUCTION COSTS FOR REHABILITATION OF OFFICE SPACE AT BUILDING 2 NOT TO

EXCEED \$50,000 FOR THE PROJECT. APPROVED (4-0).

F. Discuss improvements to the West T-hangars at Executive Airport.

Mr. McKee stated that construction is getting ready to begin on the West T-hangars at Executive Airport and he has requested bids for reskinning the sides of the t-hangars; \$89,000. Mr. Wittenborn asked if there was any value into having the sides and roof done all at once. Mr. Harris commented that he believed it would be different contractors that would do the work on the roof as it would be for completing work on the sides. After a lengthy discussion, the board directed staff to move forward with reskinning the sides, not to exceed the \$89,000 for the project. In addition, to get bids on the total cost of reskinning the sides, roof, entry doors and windows.

MOVED BY MR. WITTENBORN AND SECONDED BY MS. MCCARTHY TO APPROVE CONSTRUCTION IMPROVEMENTS TO THE WEST T-HANGARS AT EXECUTIVE AIRPORT NOT TO EXCEED \$89,000 FOR THE PROJECT. APPROVED (4-0).

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

Mr. McKee updated the board on current projects and proposals for the Southwest Johnson County EDC for Mr. Riederer who had a meeting conflict and was not able to attend.

VI. BUSINESS FROM THE FLOOR

No Business from the Floor.

VII. EXECUTIVE SESSION – REAL ESTATE MATTERS

MOVED BY MR. WITTENBORN AND SECONDED BY MS. MCCARTHY TO RECESS OPEN MEETING, AFTER A FIVE MINUTE BREAK, AND CONVENE IN EXECUTIVE SESSION AT 10:25 A.M. FOR A PERIOD OF 15 MINUTES TO DISCUSS PRELIMINARY DISCUSSIONS RELATING TO THE ACQUISITION OF REAL PROPERTY AND TO RECONVENE IN OPEN SESSION AT APPROXIMATELY 10:40 A.M. APPROVED (4-0).

VIII. ADJOURNMENT

There being no further business, at 10:40 a.m. the meeting was adjourned.

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

JOHNSON COUNTY AIRPORT COMMISSION

MINUTES – August 27, 2014, 9:00 a.m. – New Century, KS

Airport Commission

Present: Messrs. Harris, Moore, Spence, Weisenburger and Ms. McCarthy

Absent: Messrs. Brockhaus and Wittenborn

Staff: McKee, Peet, Dunham, Hyder and Bellinger

Others: Mike Dolin, hangar tenant
Sherburne Dunn, Harmony View West Homeowners Association
Paul Greeley, Johnson County Planning
Amy Kynard, City of Olathe
Ray Olsen, AOPA/Ray Olsen, LLC
Kevin Orr, hangar tenant
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. WITTENBORN AND SECONDED BY MR. HARRIS TO APPROVE THE MINUTES OF THE JULY 23, 2014 MEETING AS PRESENTED. APPROVED (5-0).

II. REPORT OF THE CHAIRMAN

No Report of the Chairman.

IV. EXECUTIVE SUMMARY

A. Review staff reports:

Mr. McKee introduced Larry Peet as the new Deputy Director. Larry officially began on Monday, August 25, 2014.

B. Summary of Financials:

No additions to the Summary of Financials.

C. Consider ratifying the July 2014 expenditures as presented:

MOVED BY MR. MCCARTHY AND SECONDED BY MR. WEISENBURGER TO RATIFY THE JULY 2014 EXPENDITURES AS PRESENTED. APPROVED (5-0).

V. DISCUSSION ITEMS

- A. Consider approving a request for rezoning of 132.91+ acres from County RUR to M-2 (City of Olathe General Industrial District), and a revised preliminary plat and revised preliminary site development plan for I-35 Logistics Park Phase 2, containing five lots and four distribution warehouse buildings totaling 2.98+ million square feet; located on the northwest corner of 159th

Street and Old 56 Highway. Owner: Frederick and Louise Hartwig. Applicant: Dan Jensen/K.H. Jensen, LLC. Engineer: Mitch Lambeth/TranSystems. City of Olathe Application No. RZ-14-07.

MOVED BY MR. WEISENBURGER AND SECONDED BY MR. HARRIS TO RECOMMEND APPROVAL OF THE CITY OF OLATHE REZONING NO. RZ14-07 FOR THE REASONS RECOMMENDED BY THE COUNTY PLANNING STAFF AS PRESENTED. APPROVED (5-0). (Verbatim transcript available)

- B. Consider approving a Lease Agreement for JBS USA, LLC.

MOVED BY MR. HARRIS AND SECONDED BY MS. MCCARTHY TO APPROVE A LEASE AGREEMENT FOR JBS USA, LLC SUBJECT TO EXHIBIT B TO REFLECT A 24-MONTH CPI ADJUSTMENT. APPROVED (5-0).

- C. Consider approving a Consent to Assignment of Lease and Assignment & Assumption of Lease Agreements from Walsh Construction Company, LLC to Unilever Manufacturing, Inc.

Under the advice of counsel, this item has been removed.

- D. Consider approving a Termination of Lease Agreement for KSHB-Scripps Howard Broadcasting.

MOVED BY MR. WEISENBURGER AND SECONDED BY MR. HARRIS TO APPROVE A TERMINATION OF LEASE AGREEMENT FOR KSHB-SCRIPPS HOWARD BROADCASTING AS PRESENTED. APPROVED (5-0).

- 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

No Business from the Floor.

VII. ADJOURNMENT

There being no further business, at 9:12 a.m. the meeting was adjourned.

MOVED BY MS. MCCARTHY AND SECONDED BY MR. WEISENBURGER TO ADJOURN. APPROVED (5-0).

John Wittenborn, Acting Secretary

Colin McKee, Executive Director

JOHNSON COUNTY AIRPORT COMMISSION

MINUTES – September 24, 2014, 9:00 a.m. – New Century, KS

Airport Commission

Present: Messrs. Brockhaus, Harris, Moore, Spence, Weisenburger, Wittenborn and Ms. McCarthy

Absent:

Staff: McKee, Peet, Dunham, Hyder and Bellinger

Others: Les Barnt, GBA Architects & Engineers
Sherburne Dunn, Harmony View West Homeowners Association
Penny Postoak Ferguson, Johnson County Manager's Office
Ben McGovern, Cobec Consulting
Ray Olsen, AOPA/Ray Olsen, LLC
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. WITTENBORN AND SECONDED BY MS. MCCARTHY TO APPROVE THE MINUTES OF THE AUGUST 27, 2014 MEETING AS PRESENTED. APPROVED (7-0).

II. REPORT OF THE CHAIRMAN

Chairman Moore, upon recommendation from the Nominating Committee, offered the following slate of officers for approval. Chairman, Brad Weisenburger; Vice Chairman, Lee Harris; Secretary, John Wittenborn; and Treasurer, Jerry Brockhaus.

MOVED BY MR. WITTENBORN AND SECONDED BY MS. MCCARTHY TO APPROVE THE NOMINATIONS AS PRESENTED. APPROVED (7-0).

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 August 2014 expenditures as presented:

MOVED BY MR. WEISENBURGER AND SECONDED BY MR. WITTENBORN TO RATIFY THE AUGUST 2014 EXPENDITURES AS PRESENTED. APPROVED (7-0).

V. DISCUSSION ITEMS

A. Consider approving an Amendment to Ground Lease for Steel & Pipe Supply Co., Inc.

MOVED BY MR. HARRIS AND SECONDED BY MR. BROCKHAUS TO APPROVE AN AMENDMENT TO GROUND LEASE FOR STEEL & PIPE SUPPLY CO., INC. AS PRESENTED. APPROVED (7-0).

- B. Consider approving an Assignment & Assumption of Lease Agreement from Walsh Construction Company, LLC to Unilever Manufacturing, Inc.

MOVED BY MR. HARRIS AND SECONDED BY MR. WITTENBORN TO APPROVE AN ASSIGNMENT & ASSUMPTION OF LEASE AGREEMENT FROM WALSH CONSTRUCTION COMPANY, LLC TO UNILEVER MANUFACTURING, INC. AS PRESENTED. APPROVED (7-0).

- C. Executive Airport AIP update.

Mr. McKee stated that the FAA grant funds will not be available for construction at Executive Airport. The FAA grant funding will be for design work only. In the meantime, the west t-hangars are in very poor condition and will not be able to wait another year. It will need to have mill and overlay done right away and will use the Sunflower contract to fund this project. Staff would also like to utilize the same competitive contract for the west and east drives at OJC. The east side drive that goes back to the east t-hangars are in bad condition and needs rebuilt now. As well as the road that goes from KC Aviation Center to the west t-hangars.

MOVED BY MR. HARRIS AND SECONDED BY MR. WITTENBORN TO APPROVE THE BANDAID OF \$92,865 PLUS MILL AND OVERLAY OF THE CENTER OF THE TAXIWAYS, REPAIR OF THE STREETS AT OJC WEST SERVICE ROAD AND EAST T-HANGAR ROAD, AND TO PIGGYBACK ON THE IXD TAXIWAY ALPHA CONTRACT WITH SUNFLOWER PAVING OF \$24,026 FOR WEST AND \$24,228 AS PRESENTED. APPROVED (7-0).

- D. Consider ratifying the FAA Grant project for Rehabilitation of Taxiway A, H, B, and F for mill overlay at New Century AirCenter “IXD.”

MOVED BY MR. HARRIS AND SECONDED BY MR. WITTENBORN TO APPROVE RATIFYING THE FAA GRANT PROJECT FOR REHABILITATION OF TAXIWAY A, H, B, AND F FOR MILL OVERLAY AT NEW CENTURY AIRCENTER “IXD” AS PRESENTED. APPROVED (7-0).

- E. Consider ratifying the FAA Grant project for Airport Improvement Program (AIP) Project No. 3-20-0062-028-2014 at Executive Airport “OJC.”

MOVED BY MR. HARRIS AND SECONDED BY MS. MCCARTHY TO APPROVE RATIFYING THE FAA GRANT PROJECT FOR AIRPORT IMPROVEMENT PROGRAM (AIP) PROJECT NO. 3-20-0062-028-2014 AT EXECUTIVE AIRPORT “OJC” AS PRESENTED. APPROVED (7-0).

- F. Consider authorizing a contract with Kelly-Hill and Railworks for Rail Maintenance and Drainage Services at a cost not to exceed annually \$250,000 each under RFP #2014-042 for a period of 12-months with the option to renew four (4) additional one-year periods.

MOVED BY MR. WEISENBURGER AND SECONDED BY MR. WITTENBORN TO

AUTHORIZE A CONTRACT WITH KELLY-HILL AND RAILWORKS FOR RAIL MAINTENANCE AND DRAINAGE SERVICES AT A COST NOT TO EXCEED ANNUALLY \$250,000 EACH UNDER RFP #2014-042 FOR A PERIOD OF 12-MONTHS WITH THE OPTION TO RENEW FOUR (4) ADDITIONAL ONE-YEAR PERIODS AS PRESENTED. APPROVED (7-0).

- G. Consider approving the purchase of a refurbished switch locomotive under IFB 2014-02 to the low bidder, Relco Locomotive, for \$669,312.

Mr. McKee briefed the board on the current 1958 locomotive history, the need for a back-up locomotive, and planned investigative trips to Iowa and South Carolina to review locomotives of the low and high bidders.

MOVED BY MR. WITTENBORN AND SECONDED BY MS. MCCARTHY TO APPROVE THE PURCHASE OF A REFURBISHED SWITCH LOCOMOTIVE UNDER IFB 2014-02 TO THE LOW BIDDER, RELCO LOCOMOTIVE, FOR \$669,312 SUBJECT TO STAFF APPROVAL AND DESCRETION BASED UPON THE OUTCOME OF THE INVESTIGATION OF THE LOCOMOTIVES. APPROVED (7-0).

- H. Discuss administration building construction phase.

Mr. McKee gave history on the plan for renovating the administration building. The intent would be to start with remodeling in phases of the three bathrooms, two front offices, lobby, hall and two offices across the hall. The additional areas would be the offices down the hall on the west side. They are temporary wall construction and could be easily configured to be the new board room with tiered seating for citizens. The main initiative for renovating the administration building is the operation has become worn down, outdated and not energy efficient. Commissioner Ashcraft asked as the remodeling occurs is the intent to retain the historical character. Mr. McKee replied that the intent is to retain the historical character and original art deco.

- I. Consider authorizing the expenditure of \$258,900 for Invitation for Bid (IFB) 2014-057 of \$62,074 and change order #1 of \$196,826 to implement crack repairs and slurry seal of the southwest transient ramp at the New Century AirCenter.

MOVED BY MR. WEISENBURGER AND SECONDED BY MR. WITTENBORN TO AUTHORIZE THE EXPENDITURE OF \$258,900 FOR INVITATION FOR BID (IFB) 2014-057 OF \$62,074 AND CHANGE ORDER #1 OF \$196,826 TO IMPLEMENT CRACK REPAIRS AND SLURRY SEAL OF THE SOUTHWEST TRANSIENT RAMP AT THE NEW CENTURY AIRCENTER AS PRESENTED. APPROVED (7-0).

- J. 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. EXECUTIVE SESSION – REAL ESTATE MATTERS

MOVED BY MR. BROCKHAUS AND SECONDED BY MR. HARRIS TO RECESS OPEN MEETING, AFTER A FIVE MINUTE BREAK, AND CONVENE IN EXECUTIVE SESSION AT 10:10 A.M. FOR A PERIOD OF 10 MINUTES TO DISCUSS PRELIMINARY DISCUSSIONS RELATING TO THE ACQUISITION OF REAL PROPERTY AND TO RECONVENE IN OPEN SESSION AT APPROXIMATELY 10:20 A.M. APPROVED (7-0).

VIII. ADJOURNMENT

There being no further business, at 10:20 a.m. the meeting was adjourned.

MOVED BY MR. BROCKHAUS AND SECONDED BY MR. MOORE TO ADJOURN. APPROVED (7-0).

John Wittenborn, Secretary

Colin McKee, Executive Director

JOHNSON COUNTY AIRPORT COMMISSION

MINUTES – October 22, 2014, 9:00 a.m. – New Century, KS

Airport Commission

Present: Messrs. Brockhaus, Harris, Moore, Spence, and Weisenburger

Absent: Ms. McCarthy and Mr. Wittenborn

Staff: McKee, Peet, Dunham, Hyder and Bellinger

Others: Commissioner Michael Ashcraft, Johnson County BoCC
Mike Dolin, T-hangar tenant
Stephanie Fahy, New Century Air Service
Penny Postoak Ferguson, Johnson County Manager's Office
Dave Hadel, Burns & McDonnell
Ray Olsen, AOPA/Ray Olsen, LLC
Tom Riederer, Southwest Johnson County EDC

Chairman Weisenburger 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. MOORE TO APPROVE THE MINUTES OF THE SEPTEMBER 24, 2014 MEETING AS PRESENTED. APPROVED (5-0).

II. REPORT OF THE CHAIRMAN

- A. Discuss combining the Airport commission November and December meetings to Wednesday, December 3, 2014.

MOVED BY MR. HARRIS AND SECONDED BY MR. MOORE TO APPROVE COMBINING THE NOVEMBER AND DECEMBER MEETINGS TO WEDNESDAY, DECEMBER 3, 2014 AS PRESENTED. APPROVED (5-0).

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 2014 expenditures as presented:

MOVED BY MR. HARRIS AND SECONDED BY MR. MOORE TO RATIFY THE SEPTEMBER 2014 EXPENDITURES AS PRESENTED. APPROVED (5-0).

V. DISCUSSION ITEMS

A. Update on purchase of locomotive

Mr. McKee updated the board on recent trips to research and review locomotives of the two lowest bidders.

B. AT&T Cell Tower Lease.

Mr. McKee stated that AT&T's legal department is still reviewing the contract agreement and was not ready to bring before the board. Chairman Weisenburger asked if there needs to be approval from the City of Olathe. Mr. McKee responded the City of Olathe would also need approval. Mr. Harris asked if it is AT&T's cell tower. Mr. McKee replied that it is Municipal Cellular that would be the owner of the cell tower. Mr. Harris commented that they would probably hang other antennas on the tower and would payment to the Airport Commission be just the tower or for every antenna. Ms. Dunham stated that nothing has been agreed upon and if the board so chooses, they can direct staff to negotiate for additional revenue of every antenna that is hung on the tower. Mr. Brockhaus stated that he was not in favor of having a cell tower on the airport. Mr. Brockhaus asked how tall the tower would be and where it would be located. Mr. McKee replied the tower would be on the south side of the maintenance building and staff has worked with the airport's engineering staff to see what the height would be without causing issues to the flight path.

C. Consider approving a rate/usage fee for the public electric vehicle "EV" charging station at New Century AirCenter.

Mr. McKee briefed the board on a recently installed electric vehicle "EV" charging station at New Century AirCenter and asked the board's consideration of approving a rate/usage fee for the public. Ms. Hyder presented information she had researched on rate/usage fees within the county.

MOVED BY MR. HARRIS AND SECONDED BY MR. MOORE TO SET THE FEE FOR THE PUBLIC ELECTRIC VEHICLE "EV" CHARGING STATION AT NEW CENTURY AIRCENTER TO ZERO, SUBJECT TO PERIODIC REVIEW. APPROVED (5-0).

D. Consider amending the Executive Director's vehicle allowance.

Mr. McKee requested the board to consider amending his vehicle allowance as he recently has purchased an electric vehicle. Ms. Dunham stated that anyone in the county is able to use a public charging station without being charged a rate/fee. The county does not require any employee that receives a vehicle allowance, to declare what type of vehicle they drive.

MOVED BY MR. HARRIS AND SECONDED BY MR. MOORE THAT NO REDUCTION IN THE EXECUTIVE DIRECTOR'S VEHICLE ALLOCANCE IS REQUIRED BY HIS ACKNOWLEDGING THE UTILIZATION OF THE FREE ELECTRIC VEHICLE "EV" CHARGING STATION AS PRESENTED. APPROVED (5-0).

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

Mr. Riederer had a meeting conflict and was not able to attend. McKee updated the board on current projects and proposals for the Southwest Johnson County EDC.

VI. BUSINESS FROM THE FLOOR

Mr. Harris stated that the Development Committee, consisting of he, Mr. Wittenborn, and Ms. McCarthy, would meet on October 30th to discuss additional strategy for the development of the industrial facility.

VII. EXECUTIVE SESSION – REAL ESTATE MATTERS

MOVED BY MR. SPENCE AND SECONDED BY MR. MOORE TO RECESS OPEN MEETING 9:40 A.M. FOR A PERIOD OF 10 MINUTES TO DISCUSS PRELIMINARY DISCUSSIONS RELATING TO THE ACQUISITION OF REAL PROPERTY AND TO RECONVENE IN OPEN SESSION AT APPROXIMATELY 9:50 A.M. APPROVED (5-0).

VIII. ADJOURNMENT

There being no further business, at 9:50 a.m. the meeting was adjourned.

MOVED BY MR. MOORE AND SECONDED BY MR. HARRIS TO ADJOURN. APPROVED (5-0).

John Wittenborn, Secretary

Colin McKee, Executive Director

JOHNSON COUNTY AIRPORT COMMISSION

MINUTES – December 3, 2014, 9:00 a.m. – New Century, KS

Airport Commission

Present: Messrs. Harris, Moore, Spence, and Ms. McCarthy

Absent: Messrs. Brockhaus, Weisenburger, and Wittenborn

Staff: McKee, Peet, Dunham, Hyder and Bellinger

Others: Les Barnt, GBA Architects & Engineers
Bob Crane, Burns & McDonnell
Mike Dolin, T-hangar tenant
Sherburne Dunn, Harmony View West Homeowners Association
Stephanie Fahy, New Century Air Service
Dave Hadel, Burns & McDonnell
Phil Kline, citizen
Lee Metcalfe, citizen
Ray Olsen, AOPA/Ray Olsen, LLC
Tom Riederer, Southwest Johnson County EDC
Adam See, Burns & McDonnell

Acting Chairman Harris 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 MS. MCCARTHY AND SECONDED BY MR. MOORE TO APPROVE THE MINUTES OF THE OCTOBER 22, 2014 MEETING AS PRESENTED. APPROVED (4-0).

II. REPORT OF THE CHAIRMAN

Acting Chairman Harris appointed Mr. Moore as Secretary for today's meeting.

IV. EXECUTIVE SUMMARY

A. Review staff reports:

No additions to Staff Reports.

B. Summary of Financials:

Mr. McKee stated there is a correction to the financials. There is over \$5,000 in revenues that is not showing in the financials.

C. Consider ratifying the October 2014 expenditures as presented:

MOVED BY MR. MOORE AND SECONDED BY MS. MCCARTHY TO RATIFY THE OCTOBER 2014 EXPENDITURES AS PRESENTED. APPROVED (4-0).

V. **DISCUSSION ITEMS**

- A. Consider approving an Adjustment to the Switching Rate Agreement with BNSF.

MOVED BY MR. MOORE AND SECONDED BY MS. MCCARTHY TO APPROVE AN ADJUSTMENT TO THE SWITCHING RATE AGREEMENT WITH BNSF BY UTILIZING THE RCAF (U) INDEX FROM \$125 TO \$157.15 PER RAIL CAR, UPDATED ANNUALLY, AS PRESENTED. APPROVED (4-0).

- B. AT&T Cell Tower Lease.

Mr. McKee stated that AT&T's legal department is still reviewing the contract agreement and it was not ready to bring before the board. It will be discussed at the next board meeting in January 2015.

- C. West T-hangar at Executive Airport "OJC" update.

Mr. Peet updated the board on a recent t-hangar reskinning project at Executive Airport (OJC).

- D. New Century AirCenter Airport Layout Plan "ALP" update.

Mr. McKee introduced Adam See, Burns & McDonnell, and asked him to give an update on the Airport Layout Plan "ALP." Mr. Metcalfe and Mr. Riederer presented historical background information and after a lengthy discussion, the board requested the item to be tabled for further discussion with the full Airport Commission board at the January 28, 2015 meeting.

- E. Consider approving the 2015 Contract for the Southwest Johnson County EDC.

MOVED BY MR. MOORE AND SECONDED BY MS. MCCARTHY TO APPROVE THE 2015 CONTRACT FOR THE SOUTHWEST JOHNSON COUNTY EDC AS PRESENTED. APPROVED (4-0).

- F. Real Estate presentation.

Mr. Riederer gave background information on what services the Southwest Johnson County Economic Development Corporation provides to its membership. In addition, the EDC assists the political entities with land development and procedures, Kansas City Area Development Council "KCADC," broker communities, State of Kansas, and consultants. The EDC works with LocationOne (Kansas City Power & Light) and Xceligent to build the platform for available properties. Mr. Metcalfe presented a few observations with the board on past brokerage experiences. Mr. Harris expressed his interest in the Airport Commission to become more competitive to attract more industrial and office space users. This discussion segued into the Airport Development discussion. The Development Committee will continue to meet to discuss strengths, weaknesses, opportunities and threats "SWOT," and keep the board updated on the next Development Committee meeting.

- G. Discuss Airport Development.

- 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.

VII. EXECUTIVE SESSION – REAL ESTATE MATTERS

MOVED BY MR. MOORE AND SECONDED BY MS. MCCARTHY TO RECESS THE OPEN MEETING AT 10:30 A.M. FOR A PERIOD OF 15 MINUTES FOR THE PURPOSE OF RECEIVING ADVICE OF COUNSEL TO DISCUSS PRELIMINARY DISCUSSIONS RELATING TO THE ACQUISITION OF REAL PROPERTY. RECONVENE IN OPEN SESSION AT APPROXIMATELY 10:45 A.M. OR SOON THEREAFTER AS THE EXECUTIVE SESSION ENDS. APPROVED (4-0).

VIII. ADJOURNMENT

There being no further business, at 10:47 a.m. the meeting was adjourned.

MOVED BY MR. MOORE AND SECONDED BY MR. SPENCE TO ADJOURN. APPROVED (4-0).

Mike Moore, Acting Secretary

Colin McKee, Executive Director