

MINUTES OF REGULAR MEETING  
December 9, 1981

Members Present: Chairman Rick Enstrom, Commissioners Maxine Albers, H. R. Barnett, Louis Brach, Betsy Clark, Frank Dunn, and George White. Also Airport Manager Paul Bowers and Clerk Mary Ann Harms

The meeting was called to order by Chairman Enstrom at 7:10 a.m. There were no prescheduled guests.

The new terminal water pipeline system contract with R. L. Atkins Company, Inc. in the amount of \$47,350.75 was unanimously approved for chairman signature following staff review and approval by airport attorney Ashby, on a motion by Commissioner Dunn, second by Commissioner Barnett.

Execution of a contract with flight insurance carrier TeleTrip, Inc. was unanimously approved on a motion by Commissioner Barnett, second by Commissioner Clark.

Results of the Dalby, Wendland & Co. audit of the fuel flow agreements with Monarch and Horizon Aviation were reviewed, with only minor discrepancies found which will be addressed by airport staff. Commissioner Dunn asked the purpose of these audits and Commissioner Albers said they were annually done as a good business practice on a selected number of airport leases.

Dalby, Wendland & Co. were recommended as the 1981 airport auditors by Mr. Bowers. The Board unanimously approved Dalby, Wendland for the 1981 audit on a motion by Commissioner White, second by Commissioner Albers. The Commissioners made it clear that they expected Dalby, Wendland & Co. to stay within or below the \$4,600 - \$4,800 "estimated" figure given for the audit.

The City/County petition for airport overlay zone was approved by the City December 2, 1981 and is scheduled before the County Commissioners January 26, 1982. During discussion, Attorney Ashby commented that it is primarily the critical zone which is causing the problem as the public perceived it as a "taking" without compensation. Commissioner Albers said that just because a person is a land owner they are not automatically entitled to certain zoning. Mr. Bowers noted he had invited the FAA to have a representative present at the hearing to help clarify the FAA position.

Regarding the new terminal restaurant contract negotiations, Attorney Ashby said he had conveyed the Board's final offer to Mr. Pond's attorney, Paul Jacobs, and they had refused it. The Board discussed the matter at some length with Attorney Ashby, culminating with a motion by Commissioner Barnett that Attorney Ashby get together with Attorney Bill Nelson and appropriate members of the Board to formulate a legal opinion/position and also to take the next action available to the Board under Pond's contract; to put the restaurant concession out for bid. Commissioner Brach asked Attorney Ashby if this action would be legally correct and Mr. Ashby said it was and followed the terms of the contract. Mr. Brach seconded the motion.

Following discussion included Commissioner Albers reiteration of earlier expressed concern that this would not resolve the problem; Commissioner White stated he did not believe airport payment of the additional kitchen utilities cost for the Pond restaurant would be worth risking the hotel development; Chairman Enstrom noted that credibility of the Board was at issue and if the Authority is in a good legal position, that position should be pursued; Commissioner Clark asked Ashby if he had discussed percentage or utility alternatives with Pond's counsel and Mr. Ashby said he had. The Board voted unanimously in favor of the motion.

The 1981 Budget, in the amount of \$12,392,052 (operating portion at \$885,305 and capital improvements portion at \$11,506,747) was presented for formal adoption. Commissioner White made a motion that it be adopted and Commissioner Albers seconded the motion, which passed unanimously.

The meeting adjourned at 8:05 a.m.