

Walker Field Airport Authority

Minutes of the Regular Board Meeting

April 15, 1997

BOARD COMMISSIONERS PRESENT: Robert McCormick Martin O'Boyle
Miles McCormack Jim Richards
David Graham John Heimburger
Gary Morris

AIRPORT STAFF PRESENT: Corinne Nystrom Dennis Wiss
Ted Balbier John Thomas

ALSO PRESENT: James Braden as interested citizen; Ron Rouse of Colorado Air Lines; Peg Wallace of Thunder Mountain Ground Service; Doug Thompson of West Star; Lynn Liebowitz of Liebowitz AMC, Inc.; Jon Johnson and Roger Fischer of Timberline Aviation; Steve Robertson of Sky's Restaurant; Gene Murphy of Isbill Assoc.; Byrum Lee of Lee and Associates; and Harry Griff, Airport Attorney.

I. CALL TO ORDER

Chairman McCormick called the meeting to order at 5:19 p.m..

II. APPROVAL OF AGENDA

At the request of Manager Nystrom, Item C on the consent agenda: Skywest Airlines Use and Lease Agreement was removed from the agenda; Item E on the Discussion items: Runway 11-29 Repair and Litigation Update was moved from the Discussion item agenda to Executive Session; added to Discussion agenda was Item B Legal Counsel Update. Commissioner Graham requested Item F on the Consent Agenda, Contract with Liebowitz Airport Management Consultants for Financial Services be moved to Action item A.

III. PUBLIC COMMENTS AND COMMUNICATIONS

- A. Manager Nystrom presented correspondence from Don Schreiber, Mesa Airlines re: letters from concerned Mesa Airlines passengers about Mesa Airlines service. Manager Nystrom will respond back to Mr. Schreiber with a letter stating that his correspondence has been shared with the Board.
- B. James Braden, as interested citizen, stated that he had toured the Eagle/Vail Airport and Walker Field has some real competition from them. He suggested we beautify the Walker Filed Airport to enhance our ability to compete with the ski markets. Discussion followed.

IV. CONSENT AGENDA

- A. Minutes: March 4, 1997, Special Board Meeting
- B. Minutes: March 18, 1997, Regular Board Meeting
Change minutes to reflect \$22.34 per sq. ft. on page 3 of the minutes.
- C. Agreement with Ute Water to Direct-Bill Metered User on WFAA Property
Ute Water changed the system effective January 1, 1997 to direct-bill metered users on WFAA property, taking WFAA out of the middle of the billing process. The agreement outlines Ute's commitment to take over responsibility for the water lines.
- D. Asset Acquisition from Isbill Assoc., Inc. Assignment of Contract
Isbill Assoc., Inc. requested signature of a letter of assignment as a result of Isbill Associates' recent merger with Raytheon Infrastructure, Inc.
- E. Award of Bid to Fire Gear, Inc. for Acquisition of A.R.F.F. Protective Clothing
Staff received only one qualified bid proposal. As a result of the bids, Fire Gear, Inc. is the lowest bidder. The low bid came in at \$13,527.93. The cost breakdown for the project is the State of Colorado will pay 66% or \$8928.43 and WFAA portion will be 34% or \$4599.49.

Commissioner Graham moved to approve the Consent Agenda; Commissioner Richards seconded. Roll call: all ayes. Motion carried.

V. FINANCIAL REPORT:

- A. JANUARY, 1997 FINANCIAL STATEMENTS
- B. FEBRUARY, 1997 FINANCIAL STATEMENTS

Manager Nystrom highlighted the financial statements. Discussion followed.

Commissioner Graham moved to acknowledge receipt of the January, 1997 Financial Statements; Commissioner O'Boyle seconded. Roll call: all ayes. Motion carried.

Commissioner McCormack moved to acknowledge receipt of the February, 1997 Financial Statements; Commissioner Richards seconded. Roll call: all ayes. Motion carried.

VI. ACTION ITEMS:

- A. Contract with Liebowitz Airport Management Consultants for Financial Services

Manager Nystrom introduced Lynn Liebowitz of Liebowitz Airport Management Consultants and described the scope of work that her firm would be performing and the proposed agreement between WFAA and Liebowitz Airport Management Consultants. Commissioner Graham noted word changes in the contract. He also suggested amending section 2 of the contract reflecting work previously done and not billed. Ms. Liebowitz agreed to draft a letter addressing Commissioner Graham's concern. Discussion followed.

Commissioner Richards moved to approve the contract with Liebowitz Consultants, Inc. with changes to paragraph 9 of the contract and authorized the Chairman to sign; Commissioner Graham seconded. Roll call: all ayes. Motion carried.

B. PFC Application Public Hearing

Manager Nystrom briefly explained the purpose for the public hearing. The airline consultation meeting has already taken place and staff received two responses from airlines with both acknowledging and accepting the application. Manager Nystrom detailed the proposed projects under the application. Discussion followed.

There was no public comment.

C. PFC Application Resolution 1997-005

Staff recommended approval of Resolution 1997-005, authorizing the Airport Manager to file a new PFC application and an amendment application for the current PFC program with the FAA, authorizing the continuation of the imposition and use of a PFC at Walker Field Airport and the expenditures of revenues from the PFC's in accordance with the capital improvement program and assurances and understandings contained in the applications. Discussion followed.

Commissioner O'Boyle moved to approve resolution 1997-005; Commissioner McCormack seconded. Roll call: all ayes. Motion carried.

D. Supplemental Budget Request for Statewide Pavement Management Program

Dennis Wiss described the budget request for additional Authority funding for this project due to the fact that the previously approved funds did not include money for crack sealing. Bids came in one-third less than original estimate. Approximately \$7300 is the new figure WFAA would pick up. West Star Aviation and Kempton Air have agreed to pay for the local portions of the project which directly benefits them. Discussion followed.

No action was taken on this agenda item since a clarification on the actual additional dollars needed was requested. The item will be brought back at the Regular May Board meeting.

E. Resolution 1997-006 Approval of 1997 State Pavement Maintenance Program for WFAA

The State of Colorado is offering to provide Walker Field Airport with a project that has a net worth of over \$110,000. This project will have the effect of extending the lifespan of the pavements involved for a minimum three to four additional years before another renovation/rehabilitation project is needed.

Staff recommended that the Board approve this project and authorize the Chairman to sign Resolution 1997-006 on behalf of the Authority with the contingency that the additional Authority funds that will be required for the crack sealing be acceptable to the Board once the dollar amount is finalized.

Commissioner Graham added that by adopting this resolution the Board anticipates an additional disbursement of approximately \$3700 with a 15% margin of error for the crack seal portion of the project.

Commissioner Graham moved to adopt resolution 1997-006; Commissioner O'Boyle seconded. Roll call: all ayes. Motion carried.

VII. DISCUSSION ITEMS:

A. Legal Services Committee Update

Commissioner Richards noted that the committee will be ready to make a recommendation to the Board by the Regular May Board meeting.

B. Land Lease and First Right of Refusal Requests on Properties Adjacent to Runway 11-29

John Thomas presented letters from Robert Barry of West Star and Roger Fischer of Timberline stating their interest in expanding area along the front-line of 11-29. Timberline was exercising their first right of refusal on an additional 11 ± acres. West Star was requesting to lease 5 ± acres to the east of their existing facility as well as requesting options on two parcels south of their existing facilities. Discussion followed.

C. Request by Timberline for Funds for Stormwater Drainage System

Dennis Wiss described previous drainage work required by Timberline at a cost of \$12,280, paid by Timberline, for which Timberline is now seeking reimbursement. Mr. Wiss further stated that now an additional drainage extension will be necessary for the newly acquired parcel east of Timberline's main ramp. Discussion followed.

The Board requested that cost estimates be prepared for the additional drainage work. They also recommended that an engineering study be done on the drainage system in the area.

D. Airport Manager Annual Evaluation Process

Chairman McCormick suggested that a committee take a look at the annual evaluation process for the Airport Manager since Manager Nystrom's annual evaluation is scheduled in May. The committee will be comprised of Chairman McCormick, Commissioner McCormack and Commissioner Heimbürger. Discussion followed.

E. Smoking Policies in Terminal Building

Dennis Wiss presented options available to the Authority when addressing the issue of smoking in the terminal building. Discussion followed.

Staff was directed to survey the tenants on the following four options: 1) no smoking allowed in any part of the building; 2) no smoking in public areas but permitted in exclusively leased portions of the building; 3) constructing vented smoking rooms on levels one and two that the terminal tenants would agree to pay for; 4) no further changes to smoking policy other than to prohibit smoking in the hallway outside the restaurant. Discussion followed.

F. Runway 11-29 Repair and Litigation Update

Manager Nystrom introduced Gene Murphy of Isbill Associates, and Mr. Murphy described the progress of the repair project. Kumar & Associates will be on site Thursday to observe the rotomilling.

Byrum Lee, Special Counsel for the Airport, discussed briefly that the litigation process is proceeding.

VIII. OTHER ITEMS:

A. Board Workshop

Chairman McCormick stated that we would proceed with a Board workshop at 8:00 a.m. on Saturday, April 19th at 950 Grand Avenue to bring the Mission Statement discussion to a close.

IX. EXECUTIVE SESSION:

The Board voted unanimously to move into executive session, to discuss the status of the runway litigation with Byrum Lee, its special legal counsel, and Attorney Griff. Present at the executive session were all of the Board members who attended the regular meeting; Manager Nystrom, Ted Balbier, Dennis Wiss, Mr. Lee and Mr. Griff. The executive session convened at 8:10 p.m. Discussed during the executive session were legal issues regarding the runway litigation, including procedural issues, the status of expert reports, and insurance issues.

Commissioner McCormack moved to open the meeting to the public at 8:58 p.m.; Commissioner Graham seconded. Roll call: all ayes. Motion carried.

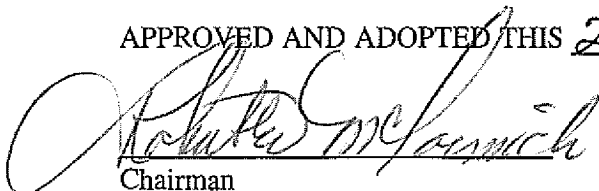
The public meeting was resumed at 8:58 p.m.

Commissioner Richards moved to give the attorneys the requisite letter they need to use at their discretion; Commissioner Graham seconded. Roll Call: all ayes. Motion carried.


X. ADJOURNMENT

There being no further business to come before the Board, Commissioner Richards moved to adjourn the meeting. Commissioner Graham seconded the motion to adjourn. Unanimously carried. The meeting was adjourned at 9:02 p.m.

APPROVED AND ADOPTED THIS 22nd DAY OF May, 1997.


Chairman

ATTEST:


John Thomas, Deputy Clerk