

MINUTES
ABERDEEN REGIONAL AIRPORT BOARD
Regular Meeting
March 7, 2008

MEMBERS PRESENT: Dr. Kennon Broadhurst, Steve Kaiser, Mike Erickson, Chuck Bensen

MEMBERS ABSENT: Patrick Schloss

OTHERS PRESENT: Dave Osborn, Bob King, Terry Helms, Dean Knie, Morris Riggan, William Riggan, Mark Caven, Kevin Braun, Drew Johnson, Rhea Ketterling

Chairman Broadhurst called the regular scheduled meeting of the Aberdeen Regional Airport Board to order at 11:30am on Friday, March 7, 2008.

Erickson moved approval of the minutes from the February 7, 2008 meeting, seconded by Bensen. Motion carried.

Old Business: (NSU/Mktg. Survey) Last month it was discussed the meeting with NSU staff. Kaiser and Osborn went to an entrepreneur class to talk about the Airport and our marketing needs. Osborn stated they visited with a number of students about what we are thinking of doing and described the marketing area. There are a couple of students who were vocal about Aberdeen and the Airport and have their perception. As of today, Osborn hasn't heard from the professor from this class as to how many students would want to be involved and asked Kaiser if he has. Kaiser stated he did talk to the professor yesterday and thought that there would be four or five students that are willing to participate in the project, so it just the matter of getting started. Kaiser reminded the Board that he had asked for an input on the questionnaire that was drafted because what kind of question we ask and how we ask determines the result. Kaiser added he tried to be fair as he possibly could. Osborn stated this may increase our timeframe to work on this as May is approaching. Osborn suggested that he, Kaiser and another member of the Board if necessary meet and go over the questions to see if there is something else we should do or would like to do or if the Board has any other input from the last time we handed out the information. (Leases) Osborn stated he met with the City Attorney about the Verizon and NWA lease. Osborn had talked to the City Attorney again yesterday and today and had hoped that something would be available for the Board at this meeting, but nothing had been received. Osborn added he does expect to have these leases available for the next Board packet for the Board to review. (ARFF Station) Osborn stated he has some interesting development through the Airport Conference he recently attended which he will share later on. Osborn added he had talked to Marske from HKG on the drawing and this had been reviewed with FAA. We had come to a point where we would receive 50% federal reimbursement based upon that the station would be a dual service Fire Station. The FAA is in agreement with us and we had resized some rooms to meet what the AC (Advisory Circular) requirement is to fulfill the area. (Land Lease) Osborn stated when the land lease was discussed last month he had made an error as he looked at the wrong column on the rental price. The column that should have been read was still higher which is about \$5.00 per acre. It was not as high as it was previously reported. Osborn stated he wanted to inform the Board of this error and asked if the Board wanted to review this as he had noticed his error after the meeting. Kaiser stated legally the Board does not have to. Osborn stated he just wanted this noted. (AED) Osborn stated the box for the AED has been ordered, but not received. It will be installed as soon as it is received. Some AED boxes have an alarm set up, but the one we'll have will not. Chairman Broadhurst wanted updates on the following: (HNTB – Master Plan Mtg.) If this meeting is still on for the 20th of March. Osborn stated this is still scheduled and there should be press releases that are going out. Osborn added Dr. Broadhurst has a list of items that he has kept track of while he's been on the Board and within the last month they had reviewed these. Osborn stated he would like to make a report on this next month as there may still be outstanding issues that needs to be taken care of. (SDNG Lease) What is the status of the SD National Guard lease? Osborn stated he had placed a call prior to going to the Airport Conference and had not heard back. (LT Parking) What is the status of LT parking regarding tie downs and the area? Osborn stated basically the area will probably be eligible to be use in the spring. (GLA) Osborn stated last time he had talked to the City Attorney, he would be writing a letter because we have not received payment. Osborn has not received a copy of the letter, but had been informed by the Attorney that a letter would be written. (Drainage Board) Osborn stated the Drainage Board wrote a letter to the Jobee Acres group and had informed them that if they would go forward the group is to give the Drainage Board a plan and there would not be any action taken unless this is done. Kaiser added the letter stated more than this as it basically told the group that they have to provide us with normal drainage off of here which we have not had for a long time. Kaiser had invited the Jobee Acres group to come to this meeting if they wanted to speak to the Board and thinks that they would be coming. Osborn stated he did have a message from Johnson (Jobee Acres Atty) on Tuesday for this item to be on the agenda. Since the packet already went out, Osborn had informed Johnson that he could not change the agenda since it already had been published. (EA – Environmental Assessment) Osborn stated the EA was part of the discussion in the Airport Conference when he talked to FAA on how it would be done. The funding was also part of the Airport Conference where Osborn went before the Aeronautics Board and had the funding request approved. Chairman Broadhurst asked who would do the EA. Osborn stated Helms and Associates is eligible to do the assessment. Osborn had also discussed with FAA about utilizing our Wildlife Consultant, Antonides. Since there had been a change on the AC since Antonides had done worked for the Airport, he is not eligible to do the work now. Osborn had discussed with Helms that there will probably be US Fish and Wildlife personnel that will be involved. The part that Antonides did not fulfill is that he has to be supervised by a Certified Reviewer and you can't do it if Fish and Wildlife controls it, so it maybe one of our requests for the benefit of the Airport for Antonides to stand in on this. Chairman Broadhurst stated the reason he asked is that he did not want this Board to look like we have no bid type contract and there must be somebody else that does this type of work. At least we should put it out if this is the usual way business is done; we should put it out for bid unless someone feels different. Osborn stated he is not sure if an EA falls under the bidding process, per say. It is a professional contract under FAA regulation, we as an Airport can chose like we did with the Master Plan as it does not fulfill any dollar amount. Osborn stated he believes under FAA regulation we can chose without worrying about bid process. Terry Helms, Helms and Associates stated this is correct, under the professional agreements you went through a selection

process (RFP – Request for Proposal). The Airport did this about two to three years ago and the cost review is on the State basis. Helms stated they submitted all their cost for the State to review and approval before authorizing expenditures of Federal dollars. This is the procedure that is used by FAA and does not conflict with State law. Chairman Broadhurst stated he is not so concern about State law and added the Board need to have the appearance that they are doing things so everybody can have a say and if there are other people who can do this then they should be invited and listen to what they have to say and let the Board make a choice. Osborn stated he can certainly contact FAA and get a list of who could do an EA. (AirShow) Chairman Broadhurst stated something Osborn can take to the committee is the fairness on food vendors. If they are selling something there should be a place to sit and eat your food. Osborn stated what the group had done before is received the club or organization who wanted to do business and this was received by the Downtown Association. They had some criteria on how and why they were chosen and seating was not an issue. It was for the club as they were doing a complete pancake breakfast and wanted area for their people. What we had was some of the vendors from the downtown car show and seating was never required. It is certainly something Osborn can bring to the AirShow committee. (Pre-Construction Mtg.) Osborn stated this meeting went well and they had a good attendance. (Harr Motors) Osborn stated Harr's contract had been received. (Energy Saving-capacitor) Chairman Broadhurst noted the energy bill is \$1,000 more than last month and asked if there is something that had been done on energy saving. Osborn stated we are still waiting for WPE to review this. King added Thompson from WPE had called to find out where the exact location of the capacitor and since then King has not heard anything back. Chairman Broadhurst asked for a report next month. Osborn and King stated they can certainly try.

Bensen moved approval to pay the bills for the month of February, seconded by Erickson. Kaiser asked about the cost of the broom and fuel and Chairman Broadhurst asked about the cost of the alloy chain. Osborn stated the brooms are used to clean runways and taxiways and as for fuel even though we did not have a full snow removal we had issues that we had to keep snow off the runways. King stated the chain is a higher grade chain used on snow plows. Motion to pay the bills was carried.

Bensen moved approval of the financial report for the month of February, seconded by Erickson. Motion carried. Chairman Broadhurst stated we keep sending Great Lakes a bill and the bill keeps getting higher and higher and they are not paying it. What is the purpose of sending them a bill? Osborn stated the idea is what the City Attorney had told them from the very beginning, we still have the obligation to bill them even though there was not a signed contract. By having this obligation we do our part of the billing process and in the mean time with the Attorney sending them a letter, if they make a settlement then it settled. Kaiser suggested discussing this in Executive session at the end of the meeting being it is a contract matter.

Osborn stated they had an AirShow meeting and he will take Chairman Broadhurst vendor recommendation to the committee next time. This is also the time the committee will be looking at raising funds. The committee is looking at four acts this year instead of three. Osborn asked the Board to look at using \$3,000 of the Airport Marketing fund for the AirShow. Osborn noted there is another program that we will be using our marketing dollar for which is a request from Kaiser for planters for out front. Osborn believes that we should have enough funds to cover both programs. Bensen moved approval to use \$3,000 for the AirShow, seconded by Kaiser. Motion carried.

Helms and Associates pay request: Bensen moved approval to pay PE#6 in the amount of \$41,942.47 for work completed on the Airport Master Plan and Airport Layout Plan, seconded by Kaiser. Kaiser asked how the Master Plan is coming along. Helms stated it is coming along good and is looking forward to the March 20th meeting and hopes that we get good attendance on the public meeting. Motion to pay PE#6 to Helms was carried. Erickson moved approval to pay PE#9 in the amount of \$5,248.46 for Construction Administration on AIP Project #3-46-0001-27-2007, Rehabilitation of Taxiway 'D', seconded by Kaiser. Motion carried.

The Board received a copy of the press release from Senator Thune's office restoring Essential Air Service for Brookings.

Osborn stated last month it was discussed to continue the application request from (Riggin) Hangar 9, Inc. The application from Hangar 9 does suggest they would like to be an FBO on the Airport. Since last month a drawing from HNTB had been received and distributed to the Board. The Attorney for Hangar 9 recently had surgery and if there are issues that would need legal review, Osborn suggested looking at it at another time. Since the Board met last month, Osborn and Riggin met and discussed what HNTB's recommendations are. Osborn also wanted to make sure that we go back to Hangar 9's application and review some things to make sure the Board understands some of the request on the application. Chairman Broadhurst asked if we know what HNTB's recommendation is. Helms stated the second page of the drawing that was distributed explains what HNTB and Helms recommendations are after looking at the application. The recommendation after reviewing many concepts is to move hangar 19 across to what they call the Bormes area. This way we would develop parking in this area and access. Kaiser asked about the utilities. Helms stated the utilities issues are really congested in and around hangar 19. We have what Helms would call a "homerun" which is the main power line for 13/31 and taxiways. A drawing of where the utilities are was distributed. Last month when this was discussed Osborn had the concern as to where the gas line is and after the meeting NWPS showed up to do the locate. The gas line was found to be 22' to the North of the building. City easement allowance requires there is a 10' allowance on each side of a gas line or utilities. This in itself causes a bit of a problem for Riggin (Hangar 9, Inc.) to be an FBO in this area. The 1,450' that he does need in this area to be a multi use FBO restricts it because of the utilities. This was explained to Riggin and his attorney. The possibility of moving the building was also discussed. With Osborn's meeting with Riggin, Riggin explained his request as the FBO he would do aviation repair and also discussed the flight training which is more specialized and Osborn wanted Riggin to explain this to the Board. Riggin stated the training that he talked about is agricultural pilot training and he already has a spray pad on the south side of the Airport of what he calls a workable spray operation where they can load. The building is going to be use for classroom and maintenance. Kaiser stated he is not sure that the Board received in depth information about Riggin's plan. That the Board needs to know more of the specifics before they can act on it as there are still questions. Kaiser asked if Riggin has a business plan prepared. Riggin stated he's been in business for 25 years. The plan would be to get his FAA approval for his spray school which will open more opportunity for him. Osborn asked what the requirements are for the spray school. Riggin stated the requirements are they have to have 40 hours specific agricultural training, they need to have their commercial license, and he has 2 or 3 planes that he flies. Riggin has been teaching the class under Part 91 and would like to apply to get a Part 141. This does not change how he teaches. It is more that the FAA comes in and checks his records. This way when a student leaves supposedly they can go to any State and show the license they received and can be a spray pilot in that State. Osborn stated to Riggin that basically what Riggin wants to do is Part 141 and this is what his application is for not for private flying lesson

and asked when will Riggins acquire the Part 141. Riggins stated his major hold up is the building for FAA to look at as they have to approve the office and the classroom. Osborn asked what kind of classroom size Riggins has to have. Riggins stated there is no specific size for the classroom, the space he has is more than adequate and that he just have to make sure that there is a restroom. Osborn stated the application format had fulfilled all the requirements. The intent of flying were not for the regular public and the comment Osborn made last month dissipate, but does not go away as Riggins will be teaching crop sprayer who are somewhat oriented to the Airport and has some of the responsibilities. Osborn stated his biggest problem is for Riggins to have the expandability to be an FBO. With the requirement to expand to the size that Riggins needs to be an FBO, Osborn does not see for this Board to approve this application at this time because Riggins cannot expand because of utilities. Riggins stated since he can't expand he would like to apply and use it as a Flight School as the building meets the requirement for the office. Osborn stated the application is a dual application and would it make more sense to the Board to say that the application presented may not fit the requirement that Riggins is asking. Would it be better for Riggins to refile as a single user or would Riggins want the Board to act on what's been filed. Riggins stated there is an expansion problem, but then if the utilities were moved or something later on it could be expanded so he can do maintenance, to work on his own plane. Osborn stated the toughest part for the Board is that this is a touchy situation as we look at the future of the Airport. We all know that when Riggins's attorney came to the Airport the very first time we had talked about the building and talked about the building as a hangar. Liebelt who sold the hangar and Riggins's attorney were told that the Board is considering this area for FBO operations and if there is someone who is interested on buying it that the Board may request the building to be moved. Riggins stated then if he moves his hangar and the utilities gets moved then someone else would be ready to built back on. He would like to stay as long as possible, maybe in the future he would like to fix planes, but at this point he would just like to fix his own and would like the flight school started. Osborn stated his problem is that he cannot recommend to the Board to approve Riggins's application because of utilities and asked if Riggins is offering to move the utilities. Riggins stated he would consider it until he could build somehow. Osborn stated one of the other items we did look at is movers, as to what it would cost to move the building. Herman House Mover estimate is \$15,000 and Milbank House Mover is \$11,000 to \$12,000. Osborn stated utilities are very expensive to move, so would there be a benefit to look at what those cost would be. Riggins stated he was also thinking that when the Airport have the Master Plan in effect that this area would be new FBO area and assumes that the Airport Improvement funding would pay for moving the utilities. Osborn stated at this point it time he cannot get an Airport Improvement fund fast enough to fix Riggins's problem. Osborn stated the Board needs to act fairly to Riggins on his application. Osborn added he also needs to look at the protection of the Airport and liability all around. Osborn is worried that Riggins cannot expand and is not willing to spend money one way or the other to make it work then the Board may not be able to approve the application. Osborn had discussed things with Riggins and wanted Riggins to have time to discuss this with the Board of what Riggins's thought could be done to eliminate either one of the problems. Riggins stated he still thinks he can operate as a flight school and there will not be a lot of customers coming so it would not be a problem with security or safety. As for safety, Riggins stated he had kept track for a few days. During the week Riggins had noticed that in the morning Quest would tow three to four planes from their storage hangar up front. On the weekend there might be a couple or three private planes. There are more cars traveling on the ramp to the private hangars than there are of planes. For security and safety, Riggins would get his customer and bring them into his building and then move over to his spray area. Riggins stated it was discussed moving his hangar to where it was on the diagram distributed and the problem with this is that one of his spray planes has a 50' wingspan and the taxiway is not wide enough. Temporarily, Riggins can taxi on the temporary taxiway, but eventually when the Master Plan comes into play and pulls this off then he would not be able to get this plane into the hangar for maintenance or training. Kaiser asked if there is a minimum standard for allowing FBO's expansion. Osborn stated the minimum standard with this application was based upon the type of service they want which the minimum standards tells them the size of the building and when we received the application is when we started looking at the utilities that are out there. If Osborn is to tell the Board today what his recommendation is then it is not favorable for this application. Are there some other things that can be done to remedy some of the situation such as moving utilities and moving the building as possibilities? Does it affect future plans of the Airport? It could, but as an FBO applicant the Airport need to give them credible time to fix what their issues are. The application does not talk about expandability and does not talk about the future. It is a limited service provider who is trying to start a business. The Airport recognized the application and appreciates the application and is a great idea, but we need some things resolved. Riggins asked how soon things would happen that are on the Master Plan. Osborn stated the Master Plan covers a 20 year timeframe. Within the 20 years most of the items discussed should be completed. The last Master Plan that was done for the Airport, most of the items was completed within 5 to 6 years depending on the funding and the mechanism that is available. The estimated time of shifting the runway was discussed to be about 3 to 4 years. Riggins stated he would like to leave his building where it is as long as possible to be use as a flight school. Osborn stated he assumes that the application filed is no longer valid. Riggins stated not for the maintenance part. Osborn stated then his recommendation to the Board is to have Riggins's attorney revise the application to flight school. Kaiser stated he would feel more comfortable if Riggins would have a business plan accompany his request. Riggins stated this is not a requirement on the minimum standards and as for the expansion this is not pressing; he would just like to start his flight school. Erickson stated we already approved the transfer of the lease on the hangar and what Riggins is asking is to do flight instruction for crop dusting. Erickson stated the Board should have a return request. Kaiser added that Riggins has to modify his plan to reflect what he is asking for. Osborn stated the application also includes a request to have parking from the tool shed down to the fence where this is a space that Quest Aviation had also discussed using as there are expanding and growing. This maybe something that needs to clear up between Riggins and Quest Aviation. Osborn added on page 3 of the application it stated that "Hangar 9 shall have in its employ and on duty during the required operating hours, such numbers and types of trained personnel with proper FAA credentials, certificates and ratings", which Osborn pointed out to Riggins that he has to have the Part 141. Riggins stated not if he operate his flight school as Part 91 which he already have. Riggins stated he can teach the same person under one rule and another person off the other; it just depends on what they want. Chairman Broadhurst asked for clarification of what Part 141 is. Riggins stated Part 141 is what actually is called "Schools" and under the FAR it list different kinds of schools. Chairman Broadhurst asked what Part 91 allows Riggins to do. Riggins stated any kind of flight instruction, but the FAA does not have the oversight as they do under Part 141. The curriculum and machinery are the same. Chairman Broadhurst asked Riggins that he probably prefers the Part 141. Riggins stated he prefers Part 91 as the FAA does not have to come every 6 months to review paperwork, but some State requires people to have the Part 141. Osborn asked how Riggins sees his business fitting into the Airport Master Plan as we are trying to complete this by June. Riggins stated right now he has about 5 to 10 people interested at \$10,000 per person. His hopes are to have 30 to 40 people a year. Osborn stated there are only 2,500 spray crop in the United States. Riggins stated it is less everyday as they are getting older and in the last few years with different chemicals and plane spraying, it is a big deal again as it was in the 1950's and 1960's. Riggins stated he thinks that he had presented what he would like to do and what he would like to start to do and each month that goes by pretty soon summer comes and he does not do any training in the winter. Chairman Broadhurst stated as Osborn had stated he could not recommend the application as it is; would it be better for Riggins to have his attorney

amend the application to some fashion, if Riggins want to get started. Chairman Broadhurst added that he would find time to get the Board together to have another meeting, if Riggins wants to get started. Osborn stated his recommendation today is no, this application can't be approved. Chairman Broadhurst asked if there were any other comments from others present. No other comments were made from the others in attendance. Osborn stated based on the information submitted Riggins is asking not to vote on this application until it is revised. At this time the Board can reject the application since it does not have the current information to be reviewed by Riggins's attorney, revised and sent back; or make a motion to reject the application all together. Osborn stated we need to do something based on the application submitted. Kaiser stated the Board already approved the purchase of the hangar. Osborn stated the Board recognized the purchase agreement of the hangar and the bill of sale which is in the application. Kaiser stated we had informed Riggins that we have some other information that we still need to know and does not think that we have the answers yet and does not see why this cannot be carried on until the next meeting. Osborn pointed out that the Board will not be carrying on the original application. Kaiser moved to reject the application as it was written today. Motion lost due to lack of second.

Osborn stated the request from Quest is also a continuation from last month as we are trying to resolve some of the issues with hangar 19 because we did not have the utility marking. Quest Aviation is still looking at the land if it is not utilized. Osborn suggested meeting with Braun from Quest, Caven from Aberdeen Flying Service, Terry Helms from Helms and Associates, and Riggins to talk about the future of the Airport, how things lay out and what FAA told Osborn on their last meeting and come back and discuss Quest request next month if it is acceptable with Braun. Osborn stated this will give him time to share the information he received from his FAA meeting as there will be some things that will affect our FBO's. Osborn stated he would like to meet between now and the 20th so they have the knowledge of some of the issues that will be faced and will give them time to talk to HNTB if there are things he could not answer. Bensen moved to continue Quest Aviation request for 30 days; next month's meeting, seconded by Erickson. Motion carried.

Drew Johnson representing Jobee Acres stated that he had several conversations with Kaiser over the last several months about the Jobee Acres water problem, had written to Osborn a couple of times and had tried to get some input from him. Johnson stated they had a Jobee Acres meeting about the Airport Drainage issues a week ago. They had Fran Brink attend the meeting who brought out some topographical maps that he had for sometime. Brink had made some suggestions on what could be done. Johnson stated what the Jobee group thought was useful was taking the water on the west side of Jobee Acres boundary line down to the southeast corner where there is another drainage way that all ends with the same drainage way on the east side of County 14. Johnson stated Brink had said that this would be actually draining water uphill; they either have to go to the north with it or pipe it. Johnson stated in some of the research he had done he found that the Airport Wildlife Conservationist Bill Antonides wrote a report sometime back recommending taking the Airport water underground by culverts. Johnson stated this might be another alternative and added that this is more expensive than taking the water into the ditch. Johnson stated they have met and made some progress and one thing Johnson wants to bring to the Board's attention is that the group is not giving up. Johnson wanted to make sure that the complaint they brought to the Board last October and a letter or two that was written to Osborn actually get into the study plan for the Master Airport project to be looked at down the road in due time. Johnson stated he realizes this is not a short term fix that they are looking for and assumes that this had been registered and if it's not Johnson will do what ever needs to be done to register it with appropriate people. Osborn stated pretty much on all of the letters that Johnson had sent; Osborn makes sure that the Board has a copy in their packet because he certainly wanted to make sure that we have a good neighbor relationship with Jobee. The intent is to offer fair services for things that happened within our Airport. As for what had been discussed in the past, Osborn stated one of the toughest issues with a project is that we only see Federal involvement when something changes. At this point in time in the Master Plan process and staging of it as we review this with FAA to recognize Jobee Acres and recognize if runways are moved that there might be an environmental change. Osborn stated he had attended a yearly Aeronautic meeting at the Airport Conference and they had approved to use \$100,000 of our Federal fuel tax to be used to do an environmental which will review the issue that Johnson had talked about. This money is not to fix anything; it is for a study of what needs to be fixed. From this point when they do resolve something within the environmental we then say when this projects comes up we talk to FAA. Osborn added he hopes that the Jobee Acres group does not misunderstand our intentions; there is nothing physically or financially we can do until we see that there is a recognized problem. Its not that we are saying that Jobee does not have a drainage problem in their area, but it's not something we created from the Airport. Johnson stated if he can make two points in this regard; last spring in May when we had the rainfall event of 9 inches Jobee Acres had a major problem, but the Airport had the same problem in the drain way on the south end of the major runway. The fact of the matter is if water is not pumped out of Jobee Acres it's going to level off and water will stay on the Airport. The Airport with the help of Jobee got rid of a lot of water because Jobee did pump and pumped for a long time. But in the meantime Jobee had some damage because they could not get rid of the water fast enough. There are two benefits here looking at to help Jobee Acres, but to also help the Airport. Johnson stated something Osborn had stress when they had the hearing back in June last year that the water have to be moved off the Airport as quick as possible and Johnson thinks this should be considered. The other problem that Johnson thinks exist is the southwest drain way that goes southwest of the Airport. Johnson stated there is farm where there is a fence line and last spring when they were out looking at this fence line it's built up about 4' or 5' taller than the ditch. The ditch was dry and the water was plum full behind the fence line which Johnson calls a dike at this time and there is a culvert right there, but the water was not able to get into that ditch to go to the west. There was water on the west side of the road on that drainage way, but nothing on the ditch or going to the culvert. Johnson stated they had seen it and they have a lot of people see it. Osborn stated when they were out on the field that day and were talking about water that was up there and how it was just standing there, Osborn had let a flood management person know of what Johnson and the Jobee group concern is in this area. Osborn stated he can't tell what the flood group is doing on it, but they have been informed of the situation. Johnson stated he is not here to take a lot of time to get anything resolve, he just wanted to make sure that they are on the proper agenda for the Airport Master Plan. Osborn stated the biggest thing on the environmental plan that just been funded, the Airport will look at all its need. Osborn knows that Helms and Associates take this responsibility seriously because we have the wildlife, the land, the water and so many different issues that are in the environmental assessment and even though Helms and Associates thinks they have everything covered, there is a lady from FAA Bismarck Office who will check and is very good on what she does. Johnson stated there was a meeting with Gary Vetter, Steve Kaiser, Osborn, Comm. Wiese and several other people and he received a letter back from Vetter back in January 18th or 19th basically saying that the County and City does not have any money at this time to help Jobee Acres and if there is something that they would be doing at Jobee Acres to make sure to get the proper permits before doing any work which Jobee certainly intend to do. What Jobee Acres group can do is so limited as far as putting another pipe through the road and it's just not going to be a feasible remedy to the problem if we have another big rain event which is their main concern. To handle the water in some other way instead of keep pumping it. Johnson stated he would like this be considered in due course with the Airport Master Plan and that Kaiser had been

most helpful. Osborn stated when they had the meeting with the County, Comm. Wiese had said with every development when there is that amount of rain come through there is nothing they can do for everybody. It was tough and hard for everybody involve in the City and throughout the County. The fact that they talked about not having money is not any different with the Airport, but if we find that there is a conditional change we may then be able to get FAA to say we can see that resource, but until we do a change is where we are stuck. Kaiser stated he still thinks the first step is to get the engineers together to decide what the solution should be. Osborn stated during the Court trial there were some engineers involved. Jobee Acres did some engineering on their land to talk about flow and to get ideas. Johnson stated this is only within Jobee Acres. Osborn stated this should help with some planning within Jobee Acres for structurally for what the plan Comm. Wiese was asking for. If Jobee Acres is to go forward they have to know how to get the water off their land and with the elevation being known they should have something to see where it is stuck. Kaiser stated when he talked to Fran Brink; Brink did not feel comfortable at all. The problem is that the water runs all kinds of different directions out there and there are some points that can't go uphill to go over things. Kaiser stated he thought that Johnson had mentioned to him that Jobee group was thinking of tearing down berms that are in Jobee Acres right now which does not take very much to do as they are not that big. Johnson stated Jobee already changed several culverts to roadways and made them bigger inside of Jobee Acres, but it gets down to the west side of County 14 which is the east side of Jobee and this is where it stops unless they pump. Kaiser stated he was informed after the last meeting that there was study done on this about 2001 or 2002 that should be in the City. Johnson stated he has a copy of this study after Kaiser had informed him of it. This study recognized the problem for Jobee Acres, but the remedy is to build a holding pond someplace, it did not say where. Osborn stated this is like for Walmart and Harr, you don't stop their development so they found an alternate way which is to have a holding pond that can be pump out within 48 hours which is an FAA requirement. Kaiser asked Helms on the idea of a holding pond as to how close can this be to the Airport before we are affecting wildlife issues. Helms stated he is not a wildlife expert, but if the dry ponds are maintained within 48 hours it could probably be on the Airport. Kaiser stated this would take a substantial pump if we get another 9 inches of rain. Osborn stated this is a short term temporary solution, 24 to 48 hours. Kaiser stated the solution might be that the berms are opened that Brink had identified.

Osborn stated one of their meetings with FAA was to talk about funding. In 2008 the grant within the plan that was signed only gave 9 months of timeframe and there was a reduction in AIP which is 25%. For fiscal year 2008, we will only have \$750,000 to work with on our plan. There is no guarantee on the longevity of this, if in the new bill when they write the bill if it would be continuous. In 2008 we have a short time to redo our grant to rework on things that we are working on. Knowing this information Osborn had made a call this morning to HKG and discussed the possibility of reduction in funds where would we stand. A meeting had been set to meet with Helms and HKG next week Thursday. FAA guaranteed that within one week we will receive a letter that states what money we do have to spend for AIP, from this Osborn stated they will work on what they can do, what we had planned and what is approved by FAA. Hopefully this is just a short term that we do not lose funding and maybe it could come back, but we do not know this. Kaiser asked if this is funding for the long term plan or AIP. It was stated that this is for AIP. Osborn stated to clarify, the grant that was signed for Taxiway D is a safe and we do not have a problem with this.

At 12:59pm Kaiser moved to go into Executive Session to discuss the Great Lakes contract, seconded by Bensen. At 1:15pm Bensen moved to move out of Executive Session, seconded by Erickson. The meeting adjourned at 1:15pm.