

JOHNSON COUNTY AIRPORT COMMISSION

MINUTES - JANUARY 26, 1994 9:00 a.m. - INDUSTRIAL AIRPORT, KS

Airport Commission

Present: Ms. Thomen, Messrs. Winn, Meyer, Nohe, Viets

Absent: Ms. Mullin, Mr. Heaven, Commissioner Surbaugh

Staff: Metcalfe, Ritter, Ford, Smyth, Howard, Fredrichs

Others: Steve Porter, Olathe Daily News
Denny Retter, Woodward-Clyde Consultants
Prasad Kodukula, Woodward-Clyde Consultants
Kady McMaster, Kansas City Star
Steve Baska, Overland Park Sun
Jan Durrett, League of Women Voters of Johnson County

The meeting was called to order at 8:00 a.m. by Chairman Winn.

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

I. APPROVAL OF THE MINUTES

MOVED BY MS. THOMEN, SECONDED BY MR. MEYER TO APPROVE THE REVISED MINUTES OF THE DECEMBER 20, 1993 MEETING AS PRINTED AND DISTRIBUTED. APPROVED (3-0).

II. REPORT OF THE CHAIRMAN

Chairman Winn congratulated Aviation Director Mike Fredrichs for his fifteen years of service for the Airport Commission. Mr. Fredrichs received a fifteen year pin in a formal presentation by Commissioner Surbaugh at the Board of County Commissioner's meeting last Thursday. Chairman Winn also congratulated Lee Metcalfe, Executive Director, on the birth of his son John William Metcalfe, born January 16, 1994. Ms. Thomen introduced John Engelmann, President of the Southwest Johnson County Economic Development Corporation.

III. CONSENT AGENDA ITEMS

A. Consider approval of billing the Navy for two separate 2" meters at Industrial Airport.

Mr. Metcalfe stated that at the last Airport Commission meeting the Commission had expressed that the Navy should be billed for two non-contiguous sites, with a minimum charge for each site. Staff discussed this concept with Larkin Associates and recommends that each of the two sites be charged for 2" meters. A service fee would be charged for the two

Airport Commission Minutes - January 26, 1994 - Page 2

connections and the minimum commodity charge for a 2" meter at each site. The Navy would also maintain the seven meters.

MOVED BY MR. MEYER, SECONDED BY MR. VIETS TO APPROVE BILLING THE NAVY FOR TWO SEPARATE 2" METERS AT INDUSTRIAL AIRPORT. (3-0).

B. Consider adopting an accounts receivable policy for the Airport Commission.

Ms. Thomen asked about the percentage of the delinquent charge for water. Ms. Smyth stated that staff has proposed a 5% charge on the delinquent balance. A 10% delinquent charge is assessed on t-hangar accounts as stated in the t-hangar lease agreements. Mr. Metcalfe reported that the t-hangar delinquent charges are the only late charges assessed by the Airport Commission that are contractual.

MOVED BY MS. THOMEN, SECONDED BY MR. VIETS TO ADOPT AN ACCOUNTS RECEIVABLE POLICY FOR THE AIRPORT COMMISSION. (3-0).

C. Consider recommending approval to the BoCC for Change Order No. 2 in the amount of \$44,767.50 with Holland Corporation for the t-hangar apron project at Executive Airport.

Mr. Metcalfe stated that this project is the construction of the new east t-hangar ramp and the rehabilitation of the west t-hangar ramp at Executive Airport. Because the construction of the ramps was held up due to weather conditions, some of the site-preparation work had to be redone. Mr. Metcalfe reported that 90% of the additional costs will be eligible for reimbursement if an amendment to the grant is approved by the Federal Aviation Administration (FAA). Verbal commitment has been received from FAA for approval of the amendment.

Mr. Fredrichs stated that the west t-hangar ramp had more asphalt that needed to be removed than was originally anticipated. Additional testing was also required due to the project having to be stopped and then started up again. Mr. Viets asked if there were any weather provisions in the contract. Mr. Metcalfe reported that typically that there was some allowance made for weather hold-ups. He stated that the project was expected to be completed one year ago, but due to the unusually wet summer, the project was behind schedule when winter approached. A joint decision was made among the airport staff, the engineer, the contractor and the FAA to put the project on hold over the winter, recognizing that some rework would be necessary.

MOVED BY MR. MEYER, SECONDED BY MS. THOMEN TO RECOMMEND APPROVAL TO THE BOCC FOR CHANGE ORDER NO. 2 IN THE AMOUNT OF \$44,767.50 WITH HOLLAND CORPORATION FOR THE T-HANGAR APRON PROJECT AT EXECUTIVE AIRPORT. APPROVED (3-0).

V. EXECUTIVE SUMMARY

Airport Commission Minutes - January 26, 1994 - Page 3

A. Consider ratifying the December expenditures as presented.

Ms. Smyth reported the year-end financials in the packets were actually December financials. The county has not closed 1993 as of yet; the final year-end numbers will not be available until the February meeting.

B. Summary of Financials.

MOVED BY MR. MEYER, SECONDED BY MS. THOMEN TO RATIFY THE DECEMBER EXPENDITURES AS PRESENTED. APPROVED (3-0).

V. DISCUSSION ITEMS:

A. Consider approving the Woodward-Clyde stormwater management consultant contract in the amount of \$41, 358.00.

Mr. Howard introduced Prasad Kodukula and Denny Retter from Woodward-Clyde Consultants. Mr. Kodukula reviewed the scope of work proposed. He stated that the goal of the project is to comply with the permit that the Airport Commission will be receiving from the Kansas Department of Health and Environment (KDHE). Woodward-Clyde will prepare the Airport Commission to meet conditions outlined in the permit. Mr. Kodukula stated that the project would include the following tasks:

1. Evaluate the overall program. Once the permit is issued, Woodward-Clyde will review it and define what actions are required to comply.
2. Make a site reconnaissance. Woodward-Clyde will investigate airport and tenant operations to determine their potential impact on stormwater runoff at the Johnson County Airports.
3. Identify requirements under SARA Title III, Section 313. SARA Title III, Section 313 applies to any tenant or airport operations that may use or handle certain types of toxic chemicals. Stormwater regulations require that special requirements be followed in these situations.
4. Investigate any illicit types of discharges. Woodward-Clyde will investigate and identify any illicit discharges occurring in airport or tenant operations. Illicit discharges include any non-stormwater substance being discharged through stormwater conveyances.
5. Identify Best Management Practices (BMP). All airport and tenant activities will be investigated to identify basic operating measures and controls that can be instituted to eliminate or minimize pollutant loadings in stormwater discharges. Ultimately, if these "basic" practices are not effective, engineering control methods may be necessary.
6. Program development.

Airport Commission Minutes - January 26, 1994 - Page 4

- a. Develop strategies. This consists of Woodward-Clyde assisting Airport Commission staff in determining the best way to administer the permit process; who is responsible for what and what happens if there is a violation of the permit?
 - b. Develop a draft Stormwater Pollution Prevention Plan (SWPPP). This is a facility operating plan designed to prevent stormwater pollution. It must address all facilities and operations included in the permit. Mr. Kodukula stated that this will be a requirement by KDHE.
 - c. Develop a training program. Woodward-Clyde will educate employees and tenants as to what is involved in implementing the SWPPP. The permit will require the Airport Commission to develop a SWPPP team. This team will consist of representatives of the airports and any tenant organizations involved in the permit.
7. Program implementation. After the program is developed, the training program will be implemented. Woodward-Clyde intends to have two sessions with two different levels of training. The first session would be for members of the Airport Commission and tenant organizations to educate them on what the program is about. The second level would be for specific individuals that would be responsible for carrying out the program over the years.

Mr. Kodukula stated that once the project is started, he believes it will take three months. He is not sure when the permit will be issued, but feels that Woodward-Clyde is familiar enough with the structure and content of the permit that they can go ahead and get started with certain activities. Once the permit is actually received, there will not be a lot of time to get the project completed. He also stated that Woodward-Clyde is working with various airports in western Kansas. These airports have already begun to develop certain programs because they knew what some of the requirements were going to be.

Chairman Winn asked about the actual permit. Mr. Kodukula explained that the permit will have general conditions which are well known and that the permit is typically for five years. Under these regulations, in order to discharge stormwater off of the airport property, you must have a permit. This permit will put the Airport Commission in compliance with these regulations.

Mr. Kodukula also explained the differences between the group application with the American Association of Airport Executives (AAAE) and the permit we will receive from KDHE. The group application is the mechanism by which the Airport Commission applied for its stormwater permit as part of the AAAE airport group. If the Airport Commission had applied for the permit individually, it would have increased the cost significantly. After reviewing the airport group application, the EPA has now given KDHE authority to issue the actual permit.

Mr. Meyer was concerned that the Airport Commission was exposing itself to liability and asked if we were incurring costs that should be the tenants' responsibility. Mr. Kodukula stated that there are several ways the Airport Commission could choose to administer the permit

Airport Commission Minutes - January 26, 1994 - Page 5

process. On one hand, the Airport Commission could take total responsibility for permit compliance and would "police" the tenants. Another approach is to take the position that the Airport Commission does not want the responsibility for the tenants' properties and, as such, require the tenants to responsibility for getting permits for their operations. Mr. Kodukula feels that, under either scenario, there is potential for airport liability because it is all county property. Mr. Metcalfe feels that whatever pollution occurs on airport property, no matter who causes it, is ultimately airport responsibility. It seems inevitable that the EPA will ultimately hold the county, as the owner of the property and as the deep pocket, responsible for any pollution that occurs.

Mr. Kodukula also stated that as part of the training program, he will train members of the Airport Commission to sample airport stormwater runoff - which is required to be done at least annually under the permit. He also stated that it is possible to hire a laboratory to do the sampling. Chairman Winn feels that the Airport Commission needs to advise airport tenants about the process being undertaken and let them know that we have contracted for this particular study and why.

Mr. Meyer asked if the contract form has been reviewed by Legal Counsel. Mr. Ford and Mr. Saldan in Legal had previously reviewed the contract in November and Mr. Howard and Mr. Ford had discussed several of the issues in a telephone conversation. Mr. Ford commented that he needed to see if the insurance provisions in the contract needed to be the same as the provisions in the RFP and to check the limit of liability for any negligence by the consultant. Mr. Nohe recommended that the clause regarding the suspension of work be kept in mind so that, if necessary, the project could be stopped until further information is provided.

MOVED BY MR. NOHE, SECONDED BY MS. THOMEN TO APPROVE THE WOODWARD-CLYDE STORMWATER MANAGEMENT CONSULTANT CONTRACT IN THE AMOUNT OF \$41,358.00 SUBJECT TO FINAL REVIEW BY LEGAL AND RISK MANAGEMENT. APPROVED (4-0).

B. Consider approval of a proposal with Capital Electric Construction Company in the amount of \$22,679.19, for the replacement of taxiway light isolation transformers and circuits at Industrial Airport.

Mr. Metcalfe reported that this project was originally scoped by our engineers for bid purposes based on new FAA regulations for runway and taxiway directional signs. Once the contractor started working on the installation of the signs, problems were found in the existing electrical wiring, primarily due to the age of the system. The problem was aggravated by the increased voltage going through the system to power the new signs. This increased voltage is causing circuits to be blown due to the age of the connections and transformers in the system. It has been determined by the engineers and contractors that we will continue to have these problems until we replace the existing wiring and transformers. At this time, the taxiway lights at Industrial Airport do not work, so this is an urgent project.

The original estimate for the additional work by the Capital Electric was \$35,837.00. Staff has

Airport Commission Minutes - January 26, 1994 - Page 6

negotiated the price down and has come up with a combination of work to be completed by the contractors and by the Airport Commission maintenance staff to reduce costs. Mr. Metcalfe stated that this is not eligible for funding by the FAA due to the problem being with our existing equipment.

MOVED BY MR. NOHE, SECONDED BY MR. MEYER TO APPROVE A PROPOSAL FROM CAPITAL ELECTRIC CONSTRUCTION COMPANY IN THE AMOUNT OF \$22,679.19, FOR THE REPLACEMENT OF TAXIWAY LIGHTS ISOLATION TRANSFORMERS AND CIRCUITS AT INDUSTRIAL AIRPORT. APPROVED (4-0).

VII. ADJOURNMENT

The meeting was adjourned by Chairman Winn at 9:03 a.m.

Phyllis Thomen, Secretary

R. Lee Metcalfe, Executive Director

JOHNSON COUNTY AIRPORT COMMISSION
MINUTES - FEBRUARY 23, 1994 9:00 a.m. - INDUSTRIAL AIRPORT, KS

Airport Commission

- Present: Messrs. Nohe, Meyer, Heaven, Ms. Thomen, Mullin
- Absent: Messrs. Winn, Viets, Commissioner Craig
- Staff: Metcalfe, Ritter, Ford, Smyth, Howard, Fredrichs, Engelmann
- Others: Steve Porter, Olathe Daily News
Chief Paul Adams, Johnson County Fire District No. 1
Beth Richardson, Johnson County Appraiser's

The meeting was called to order at 9:00 a.m. by Vice-Chairman Nohe.

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

I. APPROVAL OF THE MINUTES

MOVED BY MS. THOMEN, SECONDED BY MR. MEYER TO APPROVE THE MINUTES OF THE JANUARY 26, 1994 MEETING AS PRINTED AND DISTRIBUTED. APPROVED (4-0).

II. REPORT OF THE CHAIRMAN

Vice-chairman Nohe reported that Chairman Winn was unable to attend and he would be chairing the Airport Commission meeting in Chairman Winn's absence.

III. CONSENT AGENDA ITEMS

There were no consent agenda items.

IV. EXECUTIVE SUMMARY

A. Consider ratifying the December expenditures as presented.

Mr. Meyer asked about the expenditures for \$500.00 to Tanknology Corporation for testing of storage tanks at Industrial Airport. Mr. Metcalfe replied that the tank is owned by the Airport Commission and is used to fuel maintenance vehicles. He also added that the tank will need to be removed or upgraded in 1998 due to EPA requirements.

B. Summary of Financials.

Airport Commission Minutes - February 23, 1994 - Page 2

Ms. Smyth commented that funds have been transferred into capital project accounts from the capital outlay and contractual service line items in Executive Airport (3110) and Industrial Park (3115). The funds transferred are for image enhancements at Industrial Airport, retaining a stormwater management consultant, Americans with Disabilities Act (ADA) improvements, and for the maintenance shop at Executive Airport.

MOVED BY MR. HEAVEN, SECONDED BY MS. THOMEN TO RATIFY THE JANUARY EXPENDITURES AND THE SUMMARY OF FINANCIALS AS PRESENTED. APPROVED (4-0).

V. DISCUSSION ITEMS:

A. Consider approval of the 1995 - 1999 Capital Improvement Program (CIP).

Mr. Metcalfe stated that the county updates the five year capital improvement program (CIP) each year. In the past, this has basically been a one year budget and four years of conceptual projects. The new concept for the program is to "lock" the five year plan in so that longer range planning can be done. The items on the CIP are for projects in excess of \$100,000. The projects are ranked among the individual departments, and then among the entire county departments.

Ms. Smyth discussed the new projects added for this year. The new items are the installation of fire hydrants at Executive Airport; the rehabilitation of rail line beds and culverts; remediation of soil contamination at the Parsonitt Site; extending utilities to the northeast area at Industrial Park; and the removal of underground storage tanks. The maintenance barn at Industrial Airport has been removed from last year's CIP because it was anticipated it could be constructed with the airport's unanticipated revenues. That was not able to be accomplished, so the project was added back this year.

MOVED BY MR. MEYER, SECONDED BY MR. HEAVEN TO APPROVE THE 1995 - 1999 CAPITAL IMPROVEMENT PROGRAM (CIP) AND RECOMMEND THE CIP TO THE COUNTY BUDGET OFFICE TO BE APPROVED AS SUBMITTED. APPROVED (5-0).

B. Consider preliminary approval of a proposal by King's Avionics, Inc. to construct an FBO hangar at Industrial Airport using a combination of Industrial Development Revenue Bonds and Airport Special Facility Revenue Bonds, and consider recommending to the BoCC that they adopt a Resolution of Intent to issue revenue bonds in the amount of \$1,000,000.

Mr. Metcalfe stated that this is an exciting opportunity for the Airport Commission. If unsuccessful, the Airport Commission could possibly lose a high quality business that is currently at Executive Airport. King's Avionics learned last month that they will lose their lease with Kansas City Aviation Center at Executive Airport in late March. Mr. Metcalfe feels that it will be a significant loss to Executive Airport, but feels that if King's Avionics relocates to Industrial Airport, it would be a gain for Industrial Airport. King's Avionics may also fair better at Industrial Airport due to larger aircraft that flies into Industrial Airport. The proposed new building would allow more room to operate.

Airport Commission Minutes - February 23, 1994 - Page 3

Mr. Metcalfe stated that King's Avionics also has an established relationship with Butler National, which is a diversified holding company that is involved in aviation and industrial electronics. Butler National also has an airplane modification business in Newton, Kansas and a manufacturing company in Arkansas that manufactures avionics equipment for McDonnell Douglas. Butler National is contemplating contracting with King's Avionics to take over the manufacturing that currently is in Arkansas.

As proposed, King's Avionics would also be a limited Fixed Business Operator (FBO) at Industrial Airport, in which they would provide FBO services for themselves and their customers. Mr. Metcalfe believes that because the fuel prices are the highest in the region at Executive Beechcraft, airplanes often avoid Industrial Airport. T-hangar tenants also fly to other airports to purchase fuel instead of paying higher prices at Industrial Airport.

Mr. Metcalfe stated that staff has spoken with Mr. Norm Gaar (bond counsel for Johnson County) and discussed the options on putting a bond package together. Staff has also spoken with the state regarding business retention incentives. Tax exemption for the proposed building was also discussed. Because of the manufacturing operations in the building, the portion that is legitimately attributed to manufacturing can be financed with classic industrial revenue bonds (IRB).

The purpose of getting the Airport Commission's conceptual approval at this time is to get a Resolution of Intent to Issue Bonds by the BoCC and an allocation of IRBs by the state. If we are able to use classic IRBs, the bond interest earnings would be exempt from federal income taxes. The building would be eligible for exemption from property taxes either under the IRB provisions or under the 1991-92 airport property tax legislation, which provides for a more or less "automatic" exemption for an airport building which is owned by the airport and used exclusively for aviation purposes, including aviation-related manufacturing.

Vice-chairman Nohe asked about the financial situation of King's Avionics. Mr. Metcalfe replied that at this time we only have basic financial information, but a comprehensive business plan with full financial statements is forthcoming. Mr. Nohe asked if King's Avionics planned on a private placement of the debt. Mr. Metcalfe stated that there is a relationship between Butler National and King's Avionics. Butler National is taking a close look at the financial aspects on the behalf of King's Avionics. Butler National may have a financial interest and if King's Avionics financial situation is not strong enough, then Butler National may substitute itself as the primary lessee and then they would sublease to King's Avionics. Mr. Metcalfe added that Butler National is financially strong.

Vice-chairman Nohe stated that he personally felt uncomfortable in making a recommendation prior to receiving financial information. Mr. Metcalfe stated that the action the Airport Commission would take would be preliminary and for the purpose of getting the IRB allocation. He also stated that once the allocation is granted, the Airport Commission is not required or committed to issue the bonds, even with the Resolution of Intent.

MOVED BY MR. HEAVEN, SECONDED BY MR. MEYER TO APPROVE THE PRELIMINARY

PROPOSAL BY KING'S AVIONICS, INC. TO CONSTRUCT AN FBO HANGAR AT INDUSTRIAL AIRPORT USING A COMBINATION OF INDUSTRIAL DEVELOPMENT REVENUE BONDS AND AIRPORT SPECIAL FACILITY REVENUE BONDS, AND TO RECOMMEND TO THE BOCC THAT THEY ADOPT A RESOLUTION OF INTENT TO ISSUE REVENUE BONDS IN THE AMOUNT OF \$1,000,000. APPROVED (5-0).

C. Consider approval of a grant amendment to the Industrial Airport taxiway guidance sign project (AIP 3-20-0109-09).

Mr. Metcalfe reported that this is an amendment to an existing grant to cover additional costs for the runway and taxiway signs at Industrial Airport. The signs have been upgraded to meet new FAA standards. The old electrical system that supplies the runway and taxiway lights could not handle the new signs. The project had to be modified to upgrade the electrical supply to handle the additional load. FAA is funding 90% of the increase.

MOVED BY MS. THOMEN, SECONDED BY MR. MEYER TO APPROVE THE GRANT AMENDMENT TO THE INDUSTRIAL AIRPORT TAXIWAY GUIDANCE SIGN PROJECT (AIP 3-20-0109-09). TO APPROVED (5-0).

D. Consider recommending approval to the BoCC of Supplemental Agreement No. 1 with Capital Electric Construction, in the amount of \$25,794.55 for the Industrial Airport Taxiway Guidance sign project (AIP No. 3-20-0109-09).

The Supplemental Agreement No. 1 with Capital Electric Construction covers the additional work on the signs that is covered under the grant amendment discussed previously.

MOVED BY MR. HEAVEN, SECONDED BY MS. MULLIN RECOMMEND APPROVAL TO THE BOCC OF SUPPLEMENTAL AGREEMENT NO. 1 WITH CAPITAL ELECTRIC CONSTRUCTION, IN THE AMOUNT OF \$25,794.55 FOR THE INDUSTRIAL AIRPORT TAXIWAY GUIDANCE SIGN PROJECT (AIP NO. 3-20-0109-09).

E. Consider approval of Authorization No. 1 for professional engineering services with Burns and McDonnell for slurry sealing and restriping of runway and taxiways at Industrial Airport (AIP No. 3-20-0109-11).

Mr. Metcalfe reported that staff had received preliminary notification from the FAA that the Airport Commission will be receiving grants 1994 to slurry seal the taxiways and runways at Industrial Airport and overlay taxiways at Executive Airport. Both Items V.E and V.F on the agenda are to authorize increments of work under the engineering contract for both projects. Mr. Metcalfe stated that Burns and McDonnell will do the specifications, bid documents and construction monitoring.

MOVED BY MR. MEYER, SECONDED BY MS. THOMEN TO APPROVE AUTHORIZATION NO.

1 FOR PROFESSIONAL ENGINEERING SERVICES WITH BURNS AND MCDONNELL FOR SLURRY SEALING AND RESTRIPING OF RUNWAY AND TAXIWAYS AT INDUSTRIAL AIRPORT (AIP NO. 3-20-0109-11). APPROVED (5-0).

F. Consider approval of Authorization No. 2 for professional engineering services with Burns and McDonnell for taxiway overlay at Executive Airport.

MOVED BY MR. MEYER, SECONDED BY MS. THOMEN TO APPROVE AUTHORIZATION NO. 2 FOR PROFESSIONAL ENGINEERING SERVICES WITH BURNS AND MCDONNELL FOR TAXIWAY OVERLAYS AT EXECUTIVE AIRPORT. APPROVED (5-0).

G. Consider recommending approval to the BoCC for bid no. 93-107 for the construction of an apron expansion and apron rehabilitation at Executive Airport.

Mr. Metcalfe explained that this is a rebid of a project from 1993. The bids exceeded what the engineer had estimated. The estimate had not sufficiently allowed for the cost of the project to be completed in phases. The project is to rehabilitate an existing ramp on the east side at Executive Airport. It is actively used on a daily basis by two FBOs and it is necessary to phase the construction so as not to completely close their businesses during the project. The phase approach was considerably more expensive than originally estimated.

MOVED BY MR. HEAVEN, SECONDED BY MR. MEYER TO RECOMMEND APPROVAL TO THE BOCC TO AWARD BID NO. 93-107 FOR THE CONSTRUCTION OF AN APRON EXPANSION AND APRON REHABILITATION AT EXECUTIVE AIRPORT TO MUSSELMAN AND HALL IN THE AMOUNT OF \$439,275.50. APPROVED (5-0).

VI. BUSINESS FROM THE FLOOR

Vice-chairman Nohe suggested that an Item C be added in the Executive Summary for the Southwest Johnson County Economic Development Corporation. Mr. Engelmann discussed the various activities for the months of January and February. Ms. Thomen stated that Mr. Engelmann has made a real effort to be involved with the Airport Commission, the Gardner community and southwestern Johnson County.

Ms. Thomen asked about the progress on the meetings between the Airport Commission and other entities in the county. Mr. Metcalfe replied that staff had attempted to arrange meetings with the cities of Olathe and Overland Park. The city administrators were not optimistic on getting the city councils together with the Airport Commission because of scheduling conflicts. It was then decided that it would be more beneficial to wait until the marketing plan was under way before proceeding. It is now a part of Corporate Communications Group's (CCG) effort to guide staff in structuring these meetings.

Mr. Metcalfe reported on the activities of CCG. He explained that CCG had been researching and conducting interviews with members of the community, which included the Overland Park Chamber and the city of Olathe. A draft has been submitted to staff of CCG's observations on

Airport Commission Minutes - February 23, 1994 - Page 6

the strategic planning session. Mr. Metcalfe stated that he was very satisfied with the working relationship between the Airport Commission and CCG.

Mr. Metcalfe reported on the Parsonitt issue. Staff has spoken with Ellen Goldman, who is the primary attorney on our case for Stinson, Mag and Fizzell, under David Tripp's supervision. Ms. Goldman is a former EPA attorney and has a very good relationship with KDHE. A meeting was held last fall in Topeka which included KDHE, Parsonitt and the Corps of Engineers. As a result of that discussion, KDHE has made the Corps of Engineers a potentially responsible party for the contamination. They will be included in the administrative order. Mr. Metcalfe stated that the Corps of Engineers has not formally accepted responsibility for the contamination, but the state feels that they are somewhat responsible.

Mr. Metcalfe also reported on the airport zoning issue. A Study Committee for the Overland Park Planning Commission recommended that the proposed zoning regulations that would put the airport interest area in place in Overland Park would not be adopted as proposed. The city, in the Study Committee's opinion, would be giving up zoning authority for that area to the county. The Airport Commission has asked for the chance to present an opposing opinion and at this time, has not heard when the next discussion is scheduled. Mr. Metcalfe added that the city of Gardner has already adopted the regulations. Mr. Metcalfe stated that he would write a status report to be submitted to the Airport Commission on this issue.

Vice-chairman Nohe deferred the Executive Director's performance evaluation due to Chairman Winn's absence.

VII. ADJOURNMENT

The meeting was adjourned by Vice-chairman Nohe at 10:23 a.m.

Phyllis Thomen, Secretary

R. Lee Metcalfe, Executive Director

JOHNSON COUNTY AIRPORT COMMISSION

MINUTES - March 23, 1994 9:00 a.m. - INDUSTRIAL AIRPORT, KS

Airport Commission

Present: Messrs. Winn, Nohe, Heaven, Ms. Thomen, Mullin

Absent: Messrs. Meyer, Viets

Staff: Metcalfe, Ritter, Howard, Fredrichs, Engelmann

Others: Commissioner Craig, BoCC
Steve Porter, Olathe Daily News
Kady McMaster, Kansas City Star
David Armacost, Kansas City Aviation Center
Kevin Riecker, Kansas City Aviation Center
Bruce Turner, Kansas City Aviation Center

The meeting was called to order at 9:00 a.m. by Chairman Winn.

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

I. APPROVAL OF THE MINUTES

MOVED BY MR. HEAVEN, SECONDED BY MS. THOMEN, TO APPROVE THE MINUTES OF THE FEBRUARY 23, 1994 MEETING AS PRINTED AND DISTRIBUTED. APPROVED (5-0).

II. REPORT OF THE CHAIRMAN

The Chairman had nothing to report.

III. CONSENT AGENDA ITEMS

There were no consent agenda items.

IV. EXECUTIVE SUMMARY

A. Consider ratifying the February expenditures as presented.

Mr. Nohe asked about the three t-hangar vacancies at Industrial Airport. Mr. Metcalfe explained that the vacancies were due to the opening of the new t-hangars at both Executive Airport and Gardner Airport. He also added that Gardner was charging about half the price of what the Industrial Airport t-hangars are and feels that the price is also a primary factor for the vacancies at Industrial Airport. Mr. Metcalfe informed the Airport Commission that staff has placed ads in various aviation newspapers. Mr. Nohe asked about the occupancy at

Airport Commission Minutes - March 23, 1994 - Page 2

Executive Airport. Mr. Metcalfe stated that all the t-hangars at Executive are full. There is also a waiting list at Executive Airport.

Mr. Nohe asked about the original estimate on the water storage tank. Mr. Metcalfe stated that the original estimate was 1.2 million and the bids came in less than half that price. The original estimate was based on an elevated storage tank, and was later revised to \$797,000 for an at-grade tank.

B. Summary of Financials.

There were no questions or comments about the financial reports.

C. Report from President, Southwest Johnson County Economic Development Corporation.

Mr. Engelmann reported that an existing business survey would be sent to businesses at both Gardner and the Industrial Airport on April 1. These surveys will introduce the Southwest Johnson County Economic Development Corporation (EDC) to the business community and seek input on the EDC's priorities. Chairman Winn suggested that the EDC check into individually polling and personally surveying the companies at Industrial Airport as time evolves. Mr. Engelmann reported that an EDC board meeting is scheduled for April 13.

MOVED BY MR. NOHE, SECONDED BY MR. HEAVEN TO RATIFY THE FEBRUARY EXPENDITURES AND THE SUMMARY OF FINANCIALS AS PRESENTED. APPROVED (5-0).

V. DISCUSSION ITEMS:

A. Discuss a proposal from First Kansas Bank to place an advertisement sign at the corner of Moonlight Road and 56 Highway.

Mr. Metcalfe stated that the First Kansas Bank would like to place an 3 x 6 or a 4 x 8 advertisement sign on airport property at 56 Highway and Moonlight Road. A specific design would be submitted if the concept of a sign was acceptable to the commission. Discussion arose regarding the history of the area being used for bank purposes only. Mr. Metcalfe stated that in the mid-80s First Kansas Bank had leased the property for a temporary branch office. The lease for the property has since been terminated and there are no continuing legal relationships. Ms. Thomen stated that the sign would require a special use permit issued by the City of Gardner.

Mr. Nohe asked how long First Kansas Bank would keep the sign up and stated that he personally feels that they should lease the property for the sign. Chairman Winn agreed and said that he was not interested in having numerous signs on the property. He also stated that a policy should be developed for signage on airport property. Chairman Winn referred the matter to the Development Committee for further consideration.

NO MOTION WAS MADE.

C. Discuss the Grindsted lease renewal on the NORAD buildings at Industrial Airport.

Mr. Howard reported that for the past ten years, Grindsted has leased three former Navy buildings on the west side of the Industrial Park for storage and laboratory operations. Grindsted is not interested in renewing the lease for the storage shed for which they were paying \$125.00 per month. Grindsted has proposed to renew the lease for the two remaining buildings, but at a lower rate than what was in the previous lease due to the inefficient layout of the building and the high percentage of unusable space. These buildings were the old NORAD system command center and are divided into small cubicles with thick concrete walls to withstand nuclear attack.

Grindsted has modified the buildings and wants to only pay for the net usable space. Grindsted has also agreed to pay taxes on the buildings (approximately \$5,600/year) in addition to rent. The buildings were not on the tax rolls during the term of the previous lease. Mr. Howard stated that original lease was a ten year lease, but Grindsted has requested a year to year lease.

Ms. Mullin asked if we were going to open ourselves up to other companies who may also want to renegotiate their contract. Mr. Metcalfe stated that there were no other leases to renew or that would expire in the near future. Chairman Winn stated that he was inclined to grant them a one year lease.

MOTION BY MR. NOHE, SECONDED BY MR. HEAVEN, TO AUTHORIZE THE CHAIRMAN TO SIGN A RENEWAL LEASE WITH GRINDSTED OF TWO FORMER NAVY BUILDINGS LOCATED NEAR THE BASE NORAD RADAR SITE AT INDUSTRIAL AIRPORT. APPROVED (5-0).

B. Discuss the instrument landing system (ILS) at Executive Airport.

Mr. Metcalfe introduced Mr. David Armacost, president, Mr. Kevin Riecker, general manager, and Mr. Bruce Turner, chief pilot, from Kansas City Aviation Center at Executive Airport. Mr. Metcalfe summarized the process that has evolved regarding the Instrument Landing System (ILS). A detailed background paper on the ILS was distributed to the Airport Commission prior to the meeting and was made available to those in attendance. A copy is attached to and made a part of these minutes.

Mr. Armacost, owner and chief executive officer of Kansas City Aviation Center, commented that he has reviewed the master plan extensively. He stated that in 1974 there were planned parallel and crosswind runways, enabling Executive Airport to be a focal point of Johnson County. The Executive Director at that time acquired the Olathe Naval Air Base, which is now the Industrial Airport. The events leading up until now were to try to make Executive Airport go away. The only reason the airport hasn't gone away is the people who use it. He also stated that people are leaving Industrial Airport and moving to Richards-Gebaur and feels that the Industrial Airport is not attracting aviation. Mr. Armacost stated that it is a situation that either Executive Airport will survive or not and the airport may find that there are some people who

Airport Commission Minutes - March 23, 1994 - Page 4

have a great deal of money invested into the airport that will move and only sell fuel from Executive because is it not viable to keep getting restricted. Mr. Armacost stated that the cost of moving 151st versus extending the entire runway south is very fractional and questions why this is not an alternative. He also stated that there have been extensive costs put into Executive Airport, like the localizer, to prepare for an ILS. Mr. Armacost feels that Executive Airport is the most convenient airport in Johnson County and it is time to look at the entire picture. Having an ILS and expanding the runway is not expanding the airport, it would enhance the safety of the airport.

Mr. Turner, chief pilot for KCAC, commented that he has discussed at great length how to convince the Airport Commission that Executive Airport needs to be upgraded. He stated that there is no real way of knowing how many area businesses or transient aircraft would use the airport if it were upgraded. He informed the Airport Commission that there are a couple of area companies that have relocated their aircraft to Kansas City, Missouri. He stated that the typical requirements of a corporate flight department, based on his experience, indicates a 5,000' runway and an ILS. He also understands that there are homeowners that fear an ILS will jeopardize the safety at the airport and he would like to put this at rest as saying that any instrument approach, properly flown, is a safe approach and certainly an ILS is safer than a non-precision approach. He stated that he has had to bus people to Industrial Airport because of the visibility minimums to take off or land at Executive Airport. He commented that homeowners have complained about the increased traffic and noise levels and stated that business jets do not loiter in the traffic pattern. Mr. Turner stated that, in his opinion, Option A (referring to the background paper distributed to the commission), which is to go ahead and make all of the improvements, is the only option available. Mr. Turner agrees with Mr. Armacost that Executive Airport is located ideally in Johnson County to meet all present and future needs in business aviation. It is his hope that these discussions will be accomplished in the near future.

Ms. Mullin commented that if she was a homeowner in that area, that she would be concerned that safety is an issue. As a homeowner, she would feel that there needs to be the safest landing system as possible.

Mr. Heaven stated that all airports need an ILS and he would like to see one at Executive Airport. His reservation is that development has crunched the airport in and we now are having to live with development that could have been controlled years ago. He thinks that the way to approach this is to have a discussion session and also feels that education may be another key. If the Airport Commission wants to go forward with an ILS, the public needs to be educated and further statistical data needs to be collected.

Chairman Winn deferred this matter to be discussed in a Development Committee meeting to be scheduled at a later date.

BUSINESS FROM THE FLOOR

Airport Commission Minutes - March 23, 1994 - Page 5

Mr. Nohe requested a status report on Corporate Communications Group (CCG). Mr. Metcalfe stated that he will be meeting with CCG next week and will be receiving the draft outline of the marketing plan. He also stated that there will be discussion regarding CCG and their progress at the April meeting. Ms. Mullin stated that CCG should attend the Development Committee meeting.

Mr. Metcalfe reported on the progress of the proposal for the development of an FBO hangar at Industrial Airport for King's Avionics. He stated that King's Avionics is a highly respected member of the aviation business community and currently has over 2 million dollars a year in sales, but does not have a very impressive balance sheet.. They are a typical service business whose assets consist primarily of inventory, tools and furnishings. Profits are typically paid out to the two owners, so there are no retained earnings. This fact makes a straight revenue bond deal very tough to sell. Mr. Norm Gaar, bond counsel to the County, has suggested that the Airport Commission consider self-liquidating general obligation bonds, also known as "double barrel" bonds, which are revenue bonds that are backed by the full faith and credit of the county, for financing the building for King's Avionics. The bonds do not count as general obligation debt in the county's total debt load because of the dedicated revenue stream that would service the debt. The interest rate is much better on double barrel bonds and they can be carried for longer terms than straight revenue bonds.

Mr. Nohe feels that the BoCC may have reservations in issuing \$2,000,000 of general obligation bonds for a small employer that has limited credit worthiness. Chairman Winn stated that Butler National has to be a player. Mr. Metcalfe stated that Butler National will definitely be a lessee in the building, taking around 6,000 feet initially at \$9.50 per square foot. He also feels confident that there would be no problem in filling the building up with tenants.

Mr. Metcalfe stated that King's Avionics, as of the end of the month, has no place to operate their business. Staff has arranged temporary accommodations and feels that it is a necessity to expedite this issue with a recommendation to the BoCC to finance this project with self liquidating general obligation bonds. Chairman Winn recommended that Mr. Nohe be appointed as the Airport Commission's representative to meet with Mr. Metcalfe and prepare a presentation.

MOVED BY MR. HEAVEN, SECONDED BY MS. MULLIN, TO RECOMMEND TO THE BOCC TO FINANCE A BUILDING WITH SELF LIQUIDATING GENERAL OBLIGATION BONDS FOR KING'S AVIONICS SUBJECT TO MR. NOHE'S RECOMMENDATION. APPROVED (5-0).

VII. EXECUTIVE SESSION

MOVED BY MR. NOHE, SECONDED BY MS. MULLIN, TO ADJOURN TO EXECUTIVE SESSION AT 10:43 A.M. TO DISCUSS LAND ACQUISITION AT INDUSTRIAL AIRPORT UNTIL 10:50 A.M. APPROVED (5-0).

The meeting reconvened at 10:50 a.m. No formal action was taken as the result of the executive session discussion.

VIII. ADJOURNMENT

MOVED BY MR. HEAVEN, SECONDED BY MS. THOMEN TO ADJOURN THE MEETING AT 10:53 A.M. APPROVED (5-0).

Phyllis Thomen, Secretary

R. Lee Metcalfe, Executive Director

JOHNSON COUNTY AIRPORT COMMISSION

MINUTES - April 27, 1994 9:00 a.m. - INDUSTRIAL AIRPORT, KS

Airport Commission

- Present: Messrs. Winn, Meyer, Heaven, Ms. Thomen, Mullin
- Absent: Messrs. Nohe, Viets
- Staff: Metcalfe, Ritter, Ford, Smyth, Howard, Fredrichs, Engelmann
- Others: Commissioner Craig, BoCC
John Boyette, Olathe Daily News
David Armacost, Kansas City Aviation Center
Kevin Riecker, Kansas City Aviation Center
Bruce Turner, Kansas City Aviation Center
Mike Farmer, G.T.I.
Charlotte O'Hara, Landowner
John Fifield, Landowner
Gary O'Neal, Corporate Communications Group
Rick Kleiner, Falcon Aviation Insurance
Lee Sixta, Air Associates
Paul Walter, Air Associates
Ed McConwell, Attorney
Kevin Bird, Gage and Tucker/KCCB, Inc.
Jim Hubbard, Watson Ess.

The meeting was called to order at 9:00 a.m. by Chairman Winn.

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

I. APPROVAL OF THE MINUTES

MOVED BY MR. HEAVEN, SECONDED BY MS. MULLIN, TO APPROVE THE MINUTES OF THE MARCH 23, 1994 MEETING AS PRINTED AND DISTRIBUTED. APPROVED (5-0).

II. REPORT OF THE CHAIRMAN

The Chairman had nothing to report.

III. CONSENT AGENDA ITEMS

There were no consent agenda items.

IV. EXECUTIVE SUMMARY

Airport Commission Minutes - April 27, 1994 - Page 2

A. Consider ratifying the March expenditures as presented.

Mr. Meyer asked about the extension of the electrical service to the maintenance shop at Executive Airport and if it was in the budget. Ms. Smyth replied that the extension of the electrical service was not included in the construction contract as it must be done by KCP&L. It was not specifically included in the budget, but there are sufficient funds to cover it.

B. Summary of Financials.

There were no questions or comments about the financial reports.

C. Report from President, Southwest Johnson County Economic Development Corporation.

Mr. Engelmann reported that on May 11, 1994 a tour will be sponsored by the Kansas Department of Commerce that will bring in fourteen outside businesses from around the country to take a look at Johnson, Wyandotte and Douglas Counties. The airport will be participating in the program and will have approximately 45 minutes to speak with the businesses.

Mr. Engelmann also stated that the E.D.C. is tabulating the results of the existing business survey that was mailed on April 1, 1994. Of the airport tenant participation, there was a 40% return response; with over two-thirds expecting some form of employment increase in the next three years. The Airport Commission also received favorable marks in the rating.

MOVED BY MR. MEYER, SECONDED BY MR. HEAVEN TO RATIFY THE MARCH EXPENDITURES AND THE SUMMARY OF FINANCIALS AS PRESENTED. APPROVED (5-0).

V. DISCUSSION ITEMS:

A. Consider approval of the transfer of the ground lease for the Mid-States Millwork hangar at Industrial Airport to Dr. John A. Romito.

Chairman Winn stated that this item was pulled from the agenda.

B. Consider approving and authorizing the Chairman to execute agreements regarding Howell Mouldings, Inc. leases at Industrial Airport.

Mr. Howard stated that Howell Mouldings, Inc. operates several businesses at Industrial Airport and is selling one of the businesses. The leases between Mr. Howell and the Airport Commission have been under Howell Mouldings, Inc. In 1990, there was a corporate reorganization, resulting in Howell Mouldings, Inc. becoming H & L Investments, Inc. Howell Mouldings, Inc. was then formed as a new, wholly-owned subsidiary of H & L Investments. Mr. Howell has requested that the Airport Commission assist him in updating all of the lease agreements that were made with Howell Mouldings, Inc. by assigning them to H & L

Airport Commission Minutes - April 27, 1994 - Page 3

Investments, Inc. (which is now the parent company). H & L Investments, Inc. will continue to hold all the leasehold interests at the Industrial Airport. Also, Mr. Howell is selling Howell Mouldings, Inc. to KCCB, Inc. and requests that the Airport Commission agree to the assignment of the sublease that Howell Mouldings, Inc. has with H & L Investments, Inc. after the transfer of the leasehold interests. In conjunction with KCCB, Inc. buying Howell Mouldings, Inc., KCCB, Inc. has an option to take over the sublease of United Manufacturing (another company owned by H & L Investments, Inc.). Mr. Howell is also requesting that the Airport Commission agree to the assignment of the sublease that United Manufacturing has with the parent company (H & L Investments, Inc.) to KCCB, Inc. H & L Investments also requested that the Airport Commission sign estoppels for all current leases.

Mr. Howard introduced Mr. Kevin Bird, attorney for KCCB, Inc. Mr. Ford stated that KCCB, Inc. is receiving financing in connection with the asset purchase from Howell Mouldings, Inc. The lender has required typical lender documents. Staff objects to certain provisions, such as subordination provisions, that subordinate the sublease to the loan and also require the Airport Commission to give notice to the lender in the event of a default. Mr. Ford reminded the Airport Commission that this is all under the sublease, not under the primary lease with H & L Investments, Inc. Overall, Mr. Ford has conceptual problems with the subordination clauses. Mr. Ford had talked with Mr. Bird prior to the meeting and feels that the notice and subordination issues can be worked out and does not have a problem working with the new operator but stated that staff cannot meet their time frame (they would like to close May 2, 1994). Staff will not be able to meet their time frame if the final documents need to be sent back to the Airport Commission. Mr. Ford suggested that staff work with the borrower and H & L Investments, Inc. to come up with some type of plan that will let them close the loan and also take care of the Airport Commission's interests.

Mr. Bird stated that KCCB, Inc. is committed to stay at Industrial Airport and continue the operations there. They also are committed to extend the term of the sublease and lease through the year 2000. He also stated that there are a few issues of "clean up" that need to be addressed. On the subordination issue, he stated that that is something that their lender has required but KCCB, Inc. is willing to work with the Airport Commission to resolve this issue to everyone's satisfaction.

Chairman Winn asked which entity has the assets. Mr. Ford stated that since the reorganization took place, he does not know but thinks that the only assets that H & L Investments, Inc. has are the leaseholds. Mr. Ford stated that there is a sublease between H & L Investments, Inc. and Howell Mouldings, Inc. The Howell Mouldings, Inc. sublease is being assigned to KCCB, Inc. Howell Mouldings, Inc. will not be involved after the assignment to KCCB, Inc. Chairman Winn asked if there was any way to consolidate the properties to make this issue clearer. Mr. Ford stated that the only problem is the Industrial Revenue Bonds (IRBs), which still have three payments to be made.

The financial situation of KCCB, Inc. was discussed. Mr. Bird stated that KCCB, Inc. owns a manufacturing company in Chicago, Illinois. Mr. Meyer asked if the lessee provides a financial statement at the time of the lease or at any point to ascertain any substance. Mr.

Airport Commission Minutes - April 27, 1994 - Page 4

Metcalfe replied that that type of information was requested for a lessee when staff was not familiar with the lessee. Mr. Ford stated that this transaction will not weaken the Airport Commission's position because our position is with H & L Investments. The Airport Commission does not have any relationship with KCCB, Inc. in this matter. Mr. Metcalfe stated that the only reason that the Airport Commission is involved is because of the lease clause that the Airport Commission is to approve a sublease.

MOVED BY MR. MEYER, SECONDED BY MR. HEAVEN TO AUTHORIZE THE CHAIRMAN, SUBJECT TO LEGAL COUNSEL'S APPROVAL, TO EXECUTE VARIOUS DOCUMENTS REGARDING HOWELL MOULDINGS, INC. LEASES AT INDUSTRIAL AIRPORT. APPROVED (5-0).

C. Consider approving and authorizing the Chairman to execute an amendment to the Shade Food lease clarifying language concerning Shade's payment of capital and other charges to the Consolidated Main Sewer District.

Mr. Metcalfe stated that Shade Foods came aboard during the wastewater treatment plant project. Due to lease negotiations in 1987 and the subsequent structure of the lease, Shade Foods took the position that they weren't liable for any capital charges relating to the sewer system. Considerable discussion has evolved over the years among Shade, the Wastewater District, the Airport and County legal staff, and an agreement has been reached.

MOTION BY MR. MEYER, SECONDED BY MS. MULLIN, TO AUTHORIZE THE CHAIRMAN TO EXECUTE AN AMENDMENT TO THE SHADE FOODS LEASE CLARIFYING LANGUAGE CONCERNING SHADE'S PAYMENT OF CAPITAL AND OTHER CHARGES TO THE CONSOLIDATED MAIN SEWER DISTRICT. APPROVED (5-0).

D. Consider approval of the transfer of the facility leases for 100-150 Industrial Parkway from Olathe Manufacturing Company, Inc. to Rogers Manufacturing, Inc.

Mr. Metcalfe introduced attorney Jim Hubbard, who represents Olathe Manufacturing, Inc. and Toro Company. Mr. Metcalfe reported that Toro Company subleased from Olathe Manufacturing, Inc. a manufacturing facility at Industrial Airport a few years ago. Toro has since bought the outstanding stock of Olathe Manufacturing, Inc. and will be the primary occupant of both the north and south buildings once occupied by Olathe Manufacturing, Inc. Toro Company has expressed that they do not want to be the primary lessee at this time and Olathe Manufacturing, Inc. has requested that the leases be transferred to Rogers Manufacturing, Inc., which is a new corporation formed by Steve Rogers. (Steve Rogers is the son of Buck Rogers, who founded Olathe Manufacturing, Inc.)

Mr. Metcalfe informed the Airport Commission that there is an issue of the tax-based building rental payment. A clause in Olathe Manufacturing's lease became effective that requires a building rental rate based on what their taxes would be if the building were taxable. This

Airport Commission Minutes - April 27, 1994 - Page 5

became effective during the time when it was not clear what the property tax situation was (staff was still in the middle of the Board of Tax Appeals (BOTA)/Legislature project which has since been completed). Once the project was fixed, staff determined the assessed value of the property and began billing Olathe Manufacturing, Inc. for the rent. Olathe Manufacturing complained about the billing stating it was too high and that they did not agree with the valuation. The Airport Commission enabled Olathe Manufacturing to protest the valuations of the buildings through the normal Appraiser's appeal process. Olathe Manufacturing, Inc. filed their protest and were not satisfied with that ruling and appealed to BOTA. Staff has verified the docket number but their case has not been scheduled for a hearing. In the meantime, the Airport Commission agreed to let Olathe Manufacturing, Inc. make payments on what their appraisers have valued the property at, which they have been making. However, there is a difference in what they have paid and what they would need to pay if they lose their appeal, which is \$102,765.00 as of this date. Because Rogers Manufacturing, Inc. is an unknown entity to the Airport Commission, staff is concerned whether they are prepared to make the payment.

Mr. Hubbard briefed the Airport Commission on the history of Olathe Manufacturing. He stated that the first building of Olathe Manufacturing, Inc. was the first building at Industrial Airport under Industrial Revenue Bonds (IRBs). Buck Rogers was the original incorporator of Olathe Manufacturing, which develops and manufactures turf equipment. He has sold his stock to his son, Steve Rogers. Steve Rogers has been the president of Olathe Manufacturing, Inc. and has run the company for many years. Toro Company became interested in their product line and bought a minority interest in Olathe Manufacturing about three years ago. They have just completed buying all of the outstanding shares of Olathe Manufacturing. Olathe Manufacturing, Inc. is now totally owned by Toro Company. Steve Rogers, being the principal party selling to Toro Company, has formed a new corporation called Rogers Manufacturing, Inc. Steve Rogers intends to develop new product lines in conjunction with Toro Company. Toro Company has a policy that they do not wish to be a principal owner or tenant and have asked Steve Rogers to take an assignment of the lease from Olathe Manufacturing, Inc. and also honor the sublease.

Mr. Hubbard stated that the Airport Commission has had in force since 1991, a sublease that passed all the primary responsibilities from the primary lease onto the Toro Company. He stated that Toro Company and Olathe Manufacturing, Inc. have agreed to the amendment to the sublease to extend it from 1994 to 1997 with multiple options that would run until 2046. Toro Company will continue to be responsible for the sublease for some period of time. Mr. Hubbard stated that even if Olathe Manufacturing, Inc. loses the appeal with BOTA, Toro Company would ultimately be responsible for the rent.

Chairman Winn asked if Rogers Manufacturing, Inc. has assets of substance or was basically put in place for the sole purpose of serving as a "shell" to lease to Toro Company. Mr. Hubbard replied that Rogers Manufacturing, Inc. will be used to develop a new product line and stated that it was not intended to be a shell for this lease.

Chairman Winn asked Mr. Ford if, in his opinion, the Airport Commission would be able to look to the Toro Company for the rent that is due if the BOTA rules against Olathe Manufacturing.

Airport Commission Minutes - April 27, 1994 - Page 6

Mr. Ford stated that he did not think that looking to Toro Company for the rent would be possible through the sublease. He stated that the only legal relationship is with the primary lessee, Olathe Manufacturing, Inc. He feels that the lessee may be able to turn to its sublessee for the rent, but does not feel that the Airport Commission would be able to legally go to the sublessee, the Toro Company.

Chairman Winn stated that there should be a clause in the agreement to make first demand on Rogers Manufacturing, Inc. He also feels that if the first demand was not successful, then the Airport Commission should be able to seek payment from Toro Company for the rent. Mr. Hubbard stated that he could go back to Toro Company and indicate the Airport Commission's concerns and see if Toro Company or Olathe Manufacturing, Inc. will sign off on the rent issue and be primarily responsible for the rent.

MOVED BY MS. THOMEN, SECONDED BY MR. HEAVEN TO APPROVE THE ASSIGNMENT OF SUBJECT DOCUMENTS FROM OLATHE MANUFACTURING, INC. TO ROGERS MANUFACTURING, INC., SUBJECT TO LEGAL COUNSEL'S APPROVAL AND AN AGREEMENT SATISFACTORY TO THE CHAIRMAN AND LEGAL COUNSEL. APPROVED (5-0).

E. Consider adopting a water conservation policy.

Mr. Howard stated that he had reviewed other water conservation policies from various small cities in Kansas and used their policies as a base for the Airport Commission's water conservation policy. He incorporated the Airport Commission's particular set of requirements.

Mr. Howard stated that the policy incorporated all of the improvements that the Airport Commission plans to make to the water system and identifies three alert conditions for low water levels at Gardner Lake.

Chairman Winn asked who had requested that a policy be established. Mr. Metcalfe replied that the agreements with both the cities of Gardner and Olathe require that we develop a water conservation plan. Mr. Heaven stated that the policy was excellent and commented that Mr. Howard did a good job on preparing the policy.

Mr. Meyer asked when the Olathe extension would be complete. Mr. Howard replied that the extension would be complete in October of this year and stated that the plan will need to be rewritten at that time. Mr. Metcalfe explained that the reason the policy needs to be completed at this time is because we will not have the Olathe water connection completed until later this year and we risk getting into a water shortage with Gardner Lake this summer. Gardner is only obligated by contract to furnish us 100,000,000 gallons of water if there is a shortage in the lake. The indication is that they will fill our needs because the lake is full and there does not appear, at this time, to be a problem.

MOVED BY MR. MEYER, SECONDED BY MR. HEAVEN TO ADOPT THE WATER CONSERVATION POLICY. APPROVED (5-0).

F. Consider recommending approval to the BoCC of the 1995 budget.

Airport Commission Minutes - April 27, 1994 - Page 7

Ms. Smyth commented on the proposed revenues and expenditures. Staff has provided the entire Capital Improvement Program (CIP) list, which was requested by the Development Committee at their April 7, 1994 meeting. Staff has been working for five months to determine exactly what the needs were for both airports for the next five years. Ms. Smyth also stated that staff will report back to the Airport Commission later in the summer with an entire pavement management and equipment replacement program.

MOVED BY MR. MEYER, SECONDED MR. HEAVEN TO RECOMMEND TO THE BOCC APPROVAL OF THE 1995 BUDGET. APPROVED (5-0).

G. Consider adopting a sign policy as recommended by the Development Committee.

MOVED BY MR. HEAVEN, SECONDED BY MS. MULLIN TO ADOPT A SIGN POLICY FOR THE INDUSTRIAL AIRPORT AS RECOMMENDED BY THE DEVELOPMENT COMMITTEE. APPROVED (5-0).

H. Consider recommending approval to the BoCC for Change Order No. 1 in an amount not to exceed \$65,831.03 with Burns and McDonnell for additional fees for the construction and inspection of Apron Expansion and Apron Rehabilitation project at Executive Airport (AIP No. 3-20-0062-11).

Mr. Fredrichs stated that this change order originated because the project scope changed from a simple asphalt overlay into a concrete reconstruction of the ramp. This change order will cover the engineering and construction monitoring for the project. The project has been approved by the Federal Aviation Administration (FAA) for grant funding, which is 90% of the total cost. Mr. Metcalfe stated that the original plan was to put an asphalt cap on top of the existing concrete ramp, which is what the original Burns and McDonnell work authorization for engineering was based on. The FAA encouraged the Airport Commission to reconsider and rebuild the entire ramp with concrete. Concrete ramps are much better than asphalt ramps because fuel does not eat concrete like it does asphalt. The scope of the project is for complete removal and replacement of the concrete ramp, which is phased to avoid disrupting the businesses. In addition, the FAA has strengthened its requirements for on-site project management and inspection which adds many hours of engineering time. Mr. Meyer asked if this work was being done on airport property and not leased property. Mr. Metcalfe replied that this work is being done on public-use ramps, which are partly on leased tracts.

MOVED BY MR. HEAVEN, SECONDED BY MS. THOMEN TO RECOMMEND APPROVAL OF CHANGE ORDER NO. 1 IN AN AMOUNT NOT TO EXCEED \$65,831.03 WITH BURNS AND MCDONNELL FOR ADDITIONAL FEES FOR CONSTRUCTION AND INSPECTION OF APRON EXPANSION AND APRON REHABILITATION PROJECT AT EXECUTIVE AIRPORT (AIP NO. 3-20-0062-11). APPROVED (5-0).

Airport Commission Minutes - April 27, 1994 - Page 8

I. Report on marketing plan.

Mr. Metcalfe introduced Mr. Gary O'Neal, Corporate Communications Group, who replaced Bev Haskins. Due to the shortage of time, the status report on the marketing plan will be postponed to the next meeting.

J. Consider recommending to the Board of County Commissioners that the Federal Aviation Administration grant for an instrument landing system (ILS) at Executive Airport be amended to exclude the localizer/glideslope installation, that the approach lighting system specified for the ILS be installed, and that a Global Positioning System (GPS) approach be designed and commissioned for the airport.

Chairman Winn suggested various ways for the discussion of this item, whether it be held as a public meeting or to have a representative from both sides of the discussion have a chance to speak on the behalf of those in attendance. Mr. Meyer stated that he felt it was appropriate to let one representative from each side have a few minutes to state their position on the subject. He feels that since the Global Positioning System (GPS) has been introduced, he would like to hear the FBOs opinion if the GPS would be of any benefit.

Ms. Thomen reminded the group that the BoCC has a clearly-stated position on the issue of expanding the airport. Mr. Metcalfe stated that the County Commissioners position was articulated formally when the airport master plans were adopted in April, 1989. There were specific statements made by the County Commissioners that they did not want the runway lengthened or the runway expanded. The Airport Commission has stated in several open forums that we did not have any intention to expand the airport or extend the runway. He feels that for the Airport Commission to consider anything other than that would be a major reversal in our stated policy and philosophy, and would be counter to the stated position of the BoCC.

Staff has had conversations with the chairman of the BoCC, and he advised us that as far as he is concerned, it is still the policy of the BoCC not to expand the airport or extend the runway. Commissioner Craig confirmed that the statements that were made in 1988 (the year that the public hearings were held regarding the expansion and future of Executive Airport) are still statements that would be issued today even though BoCC has a new member, and that there has been no interest in changing the philosophy or the direction that was previously stated and feels that the BoCC would stand by the recommendation in 1989. Chairman Winn asked if the documents that were delivered to the Airport Commissioners by Kansas City Aviation Center (KCAC) on the subject of the ILS had been distributed to the BoCC. Mr. Dave Armacost, KCAC, replied that the documents had been distributed to the BoCC. Mr. Metcalfe explained exactly what the global positioning system (GPS) is. The GPS is a system of satellites around the entire earth, originally put in place by the Department of Defense to be used for military purposes, however the signal is available to anyone who wants to receive it. There has been an explosion in the industry of manufacturing receivers for the satellites. The price of GPS receivers is lowering dramatically over a very short period of time. The FAA informed staff that the GPS is the coming technology, which will literally

Airport Commission Minutes - April 27, 1994 - Page 9

replace all navigation radios in the United States and will be the enroute and approach source of signals. The problem right now is that there are not very many receivers in airplanes. There is only one receiver that is currently FAA-approved for instrument approaches, but several other manufacturers claim that they will soon have the same certification for instrument approaches. Getting a GPS approach at Executive Airport will not have an immediate benefit for the vast majority of users. There would be no cost to put a GPS approach in because of the radio signals on which the approach would be based are already being broadcast by the satellites. What staff is recommending, under the existing grant, is to install the approach lighting system, which will vastly improve the visibility of the airfield during approach, and would allow us to have much lower approach minimums.

Chairman Winn allowed comments from several of the concerned public. Mr. Armacost stated that a GPS cannot be used without an overlay map. He also stated that a GPS is not approved for a Part 135 flight, which is charter. For Kansas City Aviation Center, (KCAC) the GPS would be the least favorable choice.

Mr. Metcalfe stated that the localizer part of the ILS can be used without making modifications to the airfield, and we would have a non-precision approach to runway 35. Mr. Meyer asked if installing the localizer to runway 35 meet the immediate needs that the FBOs are asking for at this time. Mr. Metcalfe replied that it would be better than what they have now, but does not completely satisfy all their needs.

Mr. John Fifield asked how long the runway would be expanded and what, on a percentage basis, would the ILS be capable of being used. Mr. Metcalfe stated that in order to meet the minimum standards of the FAA, the runway would have to be extended 400' to 4,500' total. He replied that the control tower calculated that the ILS would affect the landing minimums of the airport 3.9% of the time. The ILS would be used more than that for practice approaches and for instrument-assisted visual approaches.

Ms. Charlotte O'Hara stated that there are numerous landowners that have made significant financial investments in the area based on the BoCC policy stated in 1988 that the airport would not be expanded. Presently, she is in the process of developing 80 acres to the west and will be building homes in the \$250,000 - \$500,000 range and feels that development would be adversely impacted by the expansion of the airport.

Chairman Winn stated that he is very concerned about the economic development impact that the airport would have. He hopes that whatever decision is made, that staff needs to be in touch with the pilots and businesses at Executive Airport and let them know that the Airport Commission does want their business at the Johnson County airports. Chairman Winn stated that he wants Executive Airport to remain a safe and viable airport within the scope of policy and intent that was established by the BoCC in 1989. He wants to promote and market Executive Airport and, if people have outgrown the airport at some point, he would like to see them enticed to Industrial Airport and provide facilities for them. He views both airports as major economic development tools.

Ms. Mullin asked what the underlying motivations were for the BoCC's recommendation in

Airport Commission Minutes - April 27, 1994 - Page 10

1988. Commissioner Craig stated that during the hearings, the BoCC heard objections from people regarding continued growth at the airport. Along with those factors, there was the influence of Olathe and Overland Park with their annexations near the airport. All of those contributed to the master plans and how the area would be developed. Basically, with all of those factors, the Board reached the conclusion that the airport could be a viable for years to come, but in the same capacity that it is currently.

Ms. Mullin stated that the Airport Commission was here to represent the interests of the airport users and to facilitate the economic development of the airports. She quoted several statements from the Airport Commission's mission statement. She stated that the homeowners have a government that they can go to, such as city government boards, and local and state governments, and she thinks that the Airport Commission's responsibility is with the airport users and to promote safety. Looking at the strategic plan, the Airport Commission addresses three specific issues which directly relate to the Executive Airport Master Plan, which was adopted in 1989. The plan also states as an objective to support the development of a small business incubator in Johnson County, develop a multi-year plan including financing alternatives to replace and rehabilitate maintenance equipment and facilities. She feels that those address where the position of the Airport Commission should be.

Mr. Meyer asked if the localizer should be considered for runway 35. Mr. Metcalfe clarified the options for the decision on this issue. Mr. Meyer did not know what the GPS would accomplish immediately and feels that even what the Airport Commission decides today would require time to implement. Mr. Metcalfe stated that the localizer approach and the GPS approach will be the same as far a minimums. The localizer would be utilized immediately and the cost would be included in the grant.

Mr. Ed McConwell suggested that the Airport Commission consider the localizer. He feels that if you use the localizer and nothing else it will help the aviation public. He also feels that the runway is not an expansion; it is a safety factor.

Ms. Mullin feels that if the Airport Commission was a private company, there would be a unanimous decision to extend the runway and to move ahead. She also feels that if an aircraft were to land in one of the landowners back yard, they would think differently about the safety issue. Ms. Mullin would like to see the Airport Commission keep the BoCC up to speed on what the airport interest should be and would like to see the Airport Commission recommend to the BoCC that they reconsider the issue of the runway expansion at Executive Airport. She feels that Option #2 (which is that the BoCC reconsider their position on the extension of the runway and they consider approving the modifications necessary for the installation of the ILS) and then as an alternate, Option #1 (which would be to add the localizer).

Ms. Thomen asked if the extension of the runway changes the configuration of a street. She feels that it brings in another issue. Mr. Metcalfe stated that in order to reconfigure the street, it would have to be brought before the City of Overland Park for their approval.

Chairman Winn stated that a different decision could have been made in 1988 regarding Executive Airport. Once the BoCC made the decision they did, it set a tone and public policy.

Airport Commission Minutes - April 27, 1994 - Page 11

He frankly does not see enough to have the Airport Commission suggest to the BoCC that they made a fundamental error in 1988 and now need to reverse themselves.

MOVED BY MR. MEYER, SECONDED BY MS. THOMEN TO RECOMMEND TO THE BOCC THAT THE FEDERAL AVIATION GRANT FOR AN INSTRUMENT LANDING SYSTEM (ILS) AT EXECUTIVE AIRPORT BE AMENDED TO EXCLUDE THE GLIDESLOPE INSTALLATION, THAT THE APPROACH LIGHTING SYSTEM SPECIFIED FOR THE ILS BE INSTALLED, AND THAT A GLOBAL POSITIONING SYSTEM (GPS) APPROACH BE DESIGNED AND COMMISSIONED FOR THE AIRPORT AND THAT THE LOCALIZER PORTION OF THE ILS BE INSTALLED, ALONG WITH THE MALSR. APPROVED (5-0).

It was the consensus of the Airport Commission that if the BoCC wished to revisit the fundamental policy decision on the runway extension, then the Airport Commission would reconsider this issue. Mr. Heaven stated that the Airport Commission could not consider the ILS in its full-blown nature without the extension of the runway. Mr. Meyer feels that the extension of the runway 400' could have a positive impact, safety-wise.

VII. EXECUTIVE SESSION

MOVED BY MR. MEYER, SECONDED BY MR. HEAVEN TO ADJOURN TO EXECUTIVE SESSION AT 11:00 A.M. TO DISCUSS LAND ACQUISITION AT INDUSTRIAL AIRPORT AND POTENTIAL LITIGATION REGARDING AIR ASSOCIATES UNTIL 11:30 A.M. APPROVED (5-0).

The meeting reconvened at 11:30 a.m. Chairman Winn authorized Messrs. Metcalfe and Ford to continue dialogue and have a recommendation for the May 25, 1994 Airport Commission Meeting regarding Air Associates.

VIII. ADJOURNMENT

MOVED BY MS. THOMEN SECONDED BY MR. HEAVEN TO ADJOURN THE MEETING AT 11:35 A.M. APPROVED (5-0).

Phyllis Thomen, Secretary

R. Lee Metcalfe, Executive Director

JOHNSON COUNTY AIRPORT COMMISSION

MINUTES - May 25, 1994 9:00 a.m. - INDUSTRIAL AIRPORT, KS

Airport Commission

Present: Messrs. Winn, Heaven, Meyer, Nohe, Viets, Ms. Mullin, Thomen

Staff: Metcalfe, Ritter, Ford, Smyth, Howard, Fredrichs, Engelmann

Others: Commissioner Craig, BoCC
David Westbrook, Corporate Communications Group
Gary O'Neal, Corporate Communications Group
Lee Sixta, Air Associates
Jan Durrett, League of Women Voters
Rick Kleiner, User/Taxpayer
Steve Porter, Olathe Daily News
Kevin Riecker, Kansas City Aviation Center

The meeting was called to order at 9:00 a.m. by Chairman Winn.

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

I. APPROVAL OF THE MINUTES

MOVED BY MR. HEAVEN, SECONDED BY MS. THOMEN, TO APPROVE THE MINUTES OF THE APRIL 27, 1994 MEETING AS PRINTED AND DISTRIBUTED. APPROVED (6-0).

II. REPORT OF THE CHAIRMAN

The Chairman had nothing to report.

III. CONSENT AGENDA ITEMS

There were no consent agenda items.

IV. EXECUTIVE SUMMARY

A. Consider ratifying the April expenditures as presented.

Ms. Smyth commented that Mr. Meyer had requested that the expenditures for items that were previously approved by the Airport Commission board be noted on the expenditures list in the remarks column.

Ms. Smyth also commented on the payment of off-airport back taxes to the Johnson County Treasurer for gas wells off of airport property. It was ruled by the Board of Tax Appeals

Airport Commission Minutes - May 25, 1994 - Page 2

(BOTA) that the Airport Commission did owe taxes on these wells. An amount was set aside in a reserve fund in previous years for payment.

B. Summary of Financials.

Mr. Nohe commented that the financial reports show the Airport Commission is receiving more property tax than currently budgeted. Ms. Smyth reported that the percentage amount includes a carry-over from 1993.

Mr. Nohe also commented that the expenditure report shows a year-to-date percentage of the budget but the revenue report does not have this information. Ms. Smyth replied that the revenue report shows an actual year-to-date and that the headings on the reports will be changed for consistency.

C. Report from President, Southwest Johnson County Economic Development Corporation.

Mr. Engelmann reported that there were eight new projects opened, five new visits and one follow-up visit to the Industrial Airport. He stated that he is hearing from a number of realtors and state representatives that there is more demand for large tracts of land that is rail served.

Mr. Engelmann stated that the E.D.C. continues to work with King's Avionics. Their appropriations from the State was approved by Governor Finney for \$100,000. A meeting will take place in the next few weeks with the Department of Commerce to have the contract drawn up with King's Avionics and the State that will outline what standards the State will look at regarding the increase of employment and capital investment. King's Avionics is also proceeding with applications for training grants and tax incentives from the State.

Kansas Department of Commerce was at Industrial Airport twice last week with two different clients, one being a manufacturer of plastic products seeking land for a 55,000 sq. ft. facility. A decision is expected from the company in late June. The second project is a manufacturer who supplies the health care industry who is seeking 15 acres of land to ultimately build 150,000 sq. ft. facility.

Mr. Engelmann also reported that a Kansas-based company is looking for 20 acres with rail service to employ 35 people. He also stated that he will be flying with Mr. Metcalfe this week to their facility to take a look at what they are actually doing. Mr. Engelmann stated that the company will decide between the Industrial Airport and Bonner Springs, Kansas. A decision is expected by the end of June.

MOVED BY MR. NOHE, SECONDED BY MR. VIETS TO RATIFY THE APRIL EXPENDITURES AND THE SUMMARY OF FINANCIALS AS PRESENTED. APPROVED (6-0).

V. DISCUSSION ITEMS:

A. Consider authorizing staff to purchase replacement conference room chairs at a cost not to

Airport Commission Minutes - May 25, 1994 - Page 3

exceed \$6,000.

MOVED BY MR. NOHE, SECONDED BY MR. VIETS TO AUTHORIZE STAFF TO PURCHASE REPLACEMENT CONFERENCE ROOM CHAIRS AT A COST NOT TO EXCEED \$6,000. APPROVED (7-0).

B. Consider approving Authorization No. 8 for engineering services with Howard Needles Tammen and Bergendoff for a perimeter fence at Executive Airport.

Mr. Fredrichs explained the fence is part of the land acquisition at Executive Airport. The project of putting the fence in was delayed until a decision was made on the Instrument Landing System (ILS). Mr. Fredrichs stated that the fence would extend along the east side of the airport and across the south end which would join the other fence at Pflumm Road. Mr. Metcalfe stated that the fence materials are 6' chain length fence. He also stated that this is a grant project.

MOVED BY MS. THOMEN, SECONDED BY MR. HEAVEN TO APPROVE AUTHORIZATION NO. 8 FOR ENGINEERING SERVICES WITH HOWARD NEEDLES TAMMEN AND BERGENDOFF FOR A PERIMETER FENCE AT EXECUTIVE AIRPORT. APPROVED (7-0).

C. Discuss developing a development incentives and airport tax policy.

Mr. Metcalfe stated that the BoCC has requested that the Airport Commission propose a policy for development incentives. Staff has incorporated the work with the development of the marketing plan and the E.D.C. Mr. Engelmann prepared a discussion document which was intended as a frame of reference. He stated that an incentives policy is often one of the first points of discussions with clients and brokers. It would be better work-wise if a policy is established and would give more creditability to the Airport Commission.

Mr. Nohe asked about tax abatements. Mr. Metcalfe feels that it needs to be discussed if the Airport Commission is to consider them at all, and if so, to what extent. The other incentives are primarily state programs. The only other thing that we need to work with is the pricing of the land and the structuring of the lease, which is more of a business decision. One of the reasons that Mr. Metcalfe likes the idea of an E.D.C. is that it separates the real estate business from the economic development.

Mr. Nohe asked if the proposed incentives policy has been introduced to the school district. Mr. Metcalfe replied that he had had some conversations with Gary George, Gardner School District Superintendent, about the concept of abatements. From his position, he understands the value of that tool, but is concerned about the impacts on his tax base. Mr. Metcalfe agreed that the school district needs to be in the approval loop on whatever the Airport Commission decides.

Mr. Viets asked if there was any real proof that Industrial Airport has lost potential businesses because of abatement opportunities. Mr. Metcalfe stated that at this time, there is no real evidence but feels that it is a factor. Mr. Viets asked if Industrial Airport has brought any businesses in without tax abatements. Mr. Metcalfe replied that since he has been here,

Airport Commission Minutes - May 25, 1994 - Page 4

there has only been one new business come to the airport, which was Graphic Technologies, Inc. In reality, they were not new; they acquired an existing airport business and consolidated here.

Mr. Heaven asked if staff has considered tax increment financing as an alternative. Mr. Viets believes that it is a perfect opportunity and feels that it is a ready-made solution. He commented that it requires the school district's approval and also that we inform the BoCC, and whatever taxes are to be paid in the increment at the airport would then be automatically reinvested in railroads, roads, water and sewer. Chairman Winn stated that there are some problems with the Kansas T.I.F. In order to get the tax status that you want on the bonds, you have to make a blight finding.

Mr. Metcalfe stated the staff has been directed by the BoCC to propose to them a policy. He prefers that the policy have maximum flexibility but thinks that for the BoCC to consider a that type of policy, the Airport Commission needs to set guidelines and parameters. Commissioner Craig feels that the BoCC would like some direction of how the Airport Commission will handle the applications that they might receive. He feels that the BoCC does not want to "ham-string" the policy to being so rigid that the Airport Commission cannot work within the system, and also agreed that parameters need to be established.

Chairman Winn suggested to staff that they consider a "sliding scale", similar to that of Olathe's policy. Mr. Nohe suggested that a section be added to the financing options discussing Industrial Revenue Bond (IRB) financing for qualifying companies and that T.I.F. financing (subject to statutory requirements) is also available.

Mr. Ford commented on the aviation-related business clause in the policy. He feels that the statement in the policy implies that the aviation-related businesses would automatically receive a 100% exemption. Mr. Nohe felt that the clause stated it was only for facilities owned by the Airport Commission. Mr. Ford feels that the issue is if IRBs were involved and we owned the improvements, it implies that there is an automatic exemption because it is aviation-related. He wondered if they still go through the evaluation process. Mr. Metcalfe responded that it is eligible, but the Airport Commission will still need to file the application for it to be exempt. Mr. Metcalfe stated the policy should be rewritten to clarify that there are no automatic exemptions and it will be on the tax rolls unless it meets certain criteria. Mr. Nohe stated that the clause should be clarified that it could be up to 100%.

Chairman Winn asked what the system was for feasibility study and to analyze a positive or negative effect of abatements. Mr. Nohe replied that some sort of analysis is required and could be completed by Airport Commission staff, CERI, an external third party, or Kansas University. Mr. Viets suggested that we contract with CERI. Mr. Nohe suggested that the proposed policy be sent to all CERI organizations and ask for their input on the policy. He also requested that the policy be sent to the school district for their review. Mr. Viets suggested that the policy be used for a test period through one or two business cycles to see if the policy is even necessary.

MOVED BY MR. NOHE, SECONDED BY MR. VIETS, TO APPROVE THE

RECOMMENDATIONS AS A DISCUSSION DOCUMENT AND THAT STAFF REVIEW THE ISSUES WITH ABATEMENTS AND FINANCING MECHANISMS. APPROVED (7-0).

D. Discuss broker's commission on land deals at Industrial Airport.

Mr. Metcalfe reported that brokers were concerned about bringing their clients to Industrial Airport because they were afraid about how they would be compensated for their efforts. Staff has discussed this issue with the Airport Commission in past meetings. Staff's proposal is that the Airport Commission pay the brokers 6% on the net present value of a lease. A financing period of twenty years would be used to capitalize the value of the lease for that period. Staff feels that this will put the Industrial Airport in a competitive position so that brokers will be interested in working with the Airport Commission.

Ms. Mullin asked if the commission would be paid up front or over time. Chairman Winn replied that traditionally the commission is paid up front but a determination could be made on a case by case basis. Mr. Meyer stated that some leases are long term and we may want to limit the term to a certain number of years for calculating the commission.

Mr. Howard suggested that the Airport Commission publish the policy stating that brokers will receive a commission and how it will be calculated and paid. Mr. Metcalfe informed the Airport Commission that this has been an ongoing issue. Numerous brokers have discussed this issue with the Airport Commission and expressed concern that they be informed on how they would receive their commission.

Chairman Winn suggested that the proposed policy be resubmitted to the Airport Commission in policy form and that it be sent to the appropriate persons to seek their input.

E. Discuss strategy for the marketing plan.

Mr. Westbrook, Corporate Communications Group, gave a report on the progress of the marketing strategies. Mr. Westbrook informed the Airport Commission that a marketing plan will be developed by the end of June for the Executive Director's review, which will then be submitted to the Airport Commission.

Mr. Westbrook identified and explained the different type of analysis being done by CCG. He also stated that research will be completed by CCG in one week. Chairman Winn asked if CCG's research is going to tell the Airport Commission exactly where we are going and who competes with the Airport Commission. Mr. Westbrook stated that the research will address these issues and will invite any thoughts to head CCG in a direction that has not already been covered.

VI. BUSINESS FROM THE FLOOR

VII. EXECUTIVE SESSION

MOVED BY MR. NOHE, SECONDED BY MR. HEAVEN TO ADJOURN TO EXECUTIVE

Airport Commission Minutes - May 25, 1994 - Page 6

**SESSION AT 10:27 A.M. TO DISCUSS AIR ASSOCIATES UNTIL 10:40 A.M.
APPROVED (7-0).**

The meeting reconvened at 10:40 a.m. Chairman Winn authorized Messrs. Metcalfe and Ford to pursue enforcement of the lease with Air Associates.

Discussion arose regarding the adult detention facility.

VIII. ADJOURNMENT

**MOVED BY MS. THOMEN SECONDED BY MR. HEAVEN TO ADJOURN THE MEETING AT
10:40 A.M. APPROVED (7-0).**

Phyllis Thomen, Secretary

R. Lee Metcalfe, Executive Director

JOHNSON COUNTY AIRPORT COMMISSION

MINUTES - June 22, 1994 9:00 a.m. - INDUSTRIAL AIRPORT, KS

Airport Commission

Present: Messrs. Winn, Heaven, Meyer, Nohe, Ms. Thomen

Staff: Metcalfe, Ritter, Smyth, Fredrichs, Engelmann

Absent: Mr. Viets, Ms. Mullin

Others: Commissioner Craig, BoCC
Jan Durrett, League of Women Voters
Steve Porter, Olathe Daily News
Rea Wilson, Johnson County Sun Newspaper
Chief Paul Adams, Johnson County Fire District No. 1

The meeting was called to order at 9:00 a.m. by Chairman Winn.

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

I. APPROVAL OF THE MINUTES

MOVED BY MR. NOHE, SECONDED BY MS. THOMEN, TO APPROVE THE MINUTES OF THE MAY 25, 1994 MEETING AS PRINTED AND DISTRIBUTED. APPROVED (4-0).

II. REPORT OF THE CHAIRMAN

The Chairman thanked the members of the Airport Commission that attended a Focus Session meeting with the BoCC on Thursday, June 16, 1994. He stated that the meeting will be discussed under Item V.C.

III. CONSENT AGENDA ITEMS

There were no consent agenda items.

IV. EXECUTIVE SUMMARY

A. Consider ratifying the May expenditures as presented.

Mr. Nohe asked about the amount of money that was spent on keys. Mr. Fredrichs stated that keys and locks were purchased for t-hangars at Executive Airport. Over the twenty-three years since installation, the locks have become worn out and needed replaced. Mr. Fredrichs also stated that additional keys were needed to keep as master keys.

Airport Commission Minutes - June 22, 1994 - Page 2

Mr. Meyer complimented staff on a job well done on explaining items on the expenditures list and pointing out items that had prior approval from the board.

B. Summary of Financials.

No comments were made regarding the summary of financials.

MOVED BY MR. MEYER, SECONDED BY MR. NOHE TO RATIFY THE MAY EXPENDITURES AND THE SUMMARY OF FINANCIALS AS PRESENTED. APPROVED (5-0).

C. Report from President, Southwest Johnson County Economic Development Corporation.

Mr. Engelmann reported that there were six new projects started this past month. Three of those six projects were consultant-driven, which means that our name is being placed into the consultants data files. He also stated that a Canadian-based bakery that would employ 150 persons is seeking to build an 85,000 sq. ft. facility. A Johnson County-based plastic company is seeking a 150,000 sq. ft. facility and would employ 300 persons. Both of these projects have a rail requirement.

Mr. Engelmann reported that he is still working with King's Avionics on contracts to be submitted to the state of Kansas for funding. He stated that a steel distribution project has also kept the E.D.C. very busy. The steel distribution company is looking for a site to build a 120,000 sq. ft. facility. There are two major issues that are of concern for the company to locate at Industrial Airport. One is the tax abatement issue; the other is the amount of time it would take to get a building permit.

Mr. Engelmann stated that the Industrial Airport is competing with a city (for the steel project) that has a turn around time for building permits of three weeks. Johnson County has a turn-around time of 120 days. Chairman Winn stated that one built-in delay for Johnson County is that there is a requirement to publish a 30-day notice.

Chairman Winn discussed the expansion of a company currently at Industrial Airport and how this expansion was impacted by the permit process. He also stated that the BoCC was very willing to expedite this issue on a fast-track basis on their agenda. Overall, Chairman Winn feels that if the sequences fell into place at the right time (the township meeting and the BoCC meeting), the permit process could be as quick as 30 days for a company. He also felt that he did not see any reason why this process could not be replicated if the steel distribution company was ready for the process.

Chairman Winn encouraged staff to have a pre-meeting with the county Planning Department to review procedures and options for moving forward as if the steel distribution company is going to need a permit. He feels that this is the only way that any time will be saved at the beginning of this process.

Chairman Winn stated that there is no point in arguing the permitting process unless the

Airport Commission Minutes - June 22, 1994 - Page 3

Airport Commission fully understands exactly how the process works. He commented that staff is aware of the permitting process but feels that the Airport Commission does not have a comfort level on this discussion. Mr. Metcalfe briefly explained the basic procedures and the history of the permitting process and zoning issues. He felt that the 120 days to get a permit is very optimistic because of all the boards that must review the issues. Chairman Winn deferred this conversation for further discussion at a Development Committee meeting to be scheduled at a later date, prior to the next Airport Commission meeting. He also asked staff to review and summarize the regulations and guidelines of the permitting process. Mr. Nohe asked that the county planning director attend the Development Committee meeting so the planning office can be involved in the discussion.

Chairman Winn briefly discussed tax abatement issues. Mr. Metcalfe reported that staff is at a point that they must give the steel distribution company an answer on the issue of tax abatement next week. Chairman Winn asked what the company is asking in terms of tax abatements. Mr. Metcalfe replied that they want the Airport Commission to match the amount that Bonner Springs is willing to grant them, which is 50% over a 10 year period. Mr. Heaven suggested a 50% abatement over a five year period. Mr. Metcalfe commented that a 20% per year escalator might be acceptable, also. Mr. Heaven suggested that the Airport Commission adopt as a basic policy a 50% abatement over 5 years, and recommend to the BoCC that they make the decision based on the financial strengths and weaknesses of the company.

Chairman Winn suggested that staff talk with the school district to get their opinion on tax abatements. Mr. Engelmann reported that the school district is directly in the loop on this project and that he has a meeting with the superintendent of U.S.D. 231 next week to discuss the issue in full detail.

MOVED BY MR. HEAVEN, SECONDED BY MR. NOHE TO AUTHORIZE THE EXECUTIVE DIRECTOR TO NEGOTIATE WITHIN THE DISCUSSED PARAMETERS REGARDING TAX ABATEMENTS, SUBJECT TO THE APPROVAL OF THE BOCC, AND TO OFFER UP TO A 50% TAX ABATEMENT OVER A FIVE YEAR PERIOD. APPROVED (5-0).

V. DISCUSSION ITEMS:

- A. Consider recommending to the BoCC amending the water supply agreement dated 12/21/93 between the City of Olathe, Kansas and the BoCC to increase the size of the water supply line to Industrial Airport from 8" to 12" at a cost increase from \$691,130.00 to \$717,362.14.

Mr. Metcalfe stated that staff had originally planned on having a 12" water line but based on construction cost estimates specified an 8" line to stay within the approved budget. The City of Gardner approached staff and stated that they were concerned that an 8" line could not supply them if there was an emergency. The City of Gardner asked the Airport Commission to reconsider the size of the line. Their engineers had commented that the cost of going from 8" ductile iron to 12" plastic would be very nominal, and since this is to be a low pressure line, iron pipe was not needed. Staff confirmed this thinking with the airport's engineers and the city of Olathe, who is doing the design work on the project. It was decided to bid the project

Airport Commission Minutes - June 22, 1994 - Page 4

with 8" ductile iron pipe and a 12" PVC pipe alternatives. Staff envisions this line supplying all of the Industrial Airport's needs if something happens to Gardner's supply.

MOVED BY MR. NOHE, SECONDED BY MS. THOMEN TO RECOMMEND TO THE BOCC AMENDING THE WATER SUPPLY AGREEMENT DATED 12/21/93 BETWEEN THE CITY OF OLATHE, KANSAS AND THE BOCC TO INCREASE THE SIZE OF THE WATER SUPPLY LINE TO INDUSTRIAL AIRPORT FROM 8" TO 12" AT A COST INCREASE FROM \$691,130.00 TO \$717,362.14. APPROVED (5-0).

B. Discuss with Fire District No. 1 the replacement of the fire station at Industrial Airport.

Mr. Metcalfe explained that the existing fire station at the Industrial Airport has had major structural, mechanical and appearance problems. A mobile home was bought to house the firefighters because of these problems along with the major spider infestation that could not be cured. Since the mobile home was brought in, the fire station has continued to deteriorate. The water, electric and air conditioning are in major disrepair. A severe roof leak has resulted in the ceiling falling down on the fire trucks, resulting in damage. During a recent large rain storm, the rain soaked through the plaster ceiling, which collapsed the ceiling in one of the former living quarters.

Mr. Metcalfe stated that the Airport Commission contracts with the Fire District to provide crash/fire/rescue services for the air field according to FAA standards. We also contract with them to provide enhanced structural fire service, hazardous materials emergency response and rescue services for the Industrial Park.

Chief Adams, Fire District No. 1, stated that the fire district board began to look at various options, such as reconstructing the current fire station, along with other options. He has had preliminary discussion with County Commissioner Craig as to what alternatives were available, such as bond issues. Chief Adams feels that, unfortunately, this is not a good time to discuss a bond issue, due to the school district's recent bond election, which will involve a levy increase of around 9 mills. If the Fire District was to do a bond issue for a new station, it would be around a 4 mill increase. Chief Adams commented that an estimated cost to reconstruct the existing fire station would be from \$50,000 - \$300,000, but that there has not been a contractor to come in and give a firm dollar estimate on the structural stability. The estimated cost is from previous estimates.

Mr. Nohe asked Chief Adams if he had the statutory ability to raise his levy if he was leasing the facility. Chief Adams stated it would have to be done as part of the operating levy. The Fire District is currently at 7.033 mills. Statutorily, the Fire District can go to 8.5 mills without a protest petition. Chief Adams stated that the Fire District does not want to hit taxpayers with a significant increase in mill levy at the same time as the school district issue.

Mr. Nohe asked if the facility that is about to be built at Industrial Airport could be increased in size to house the fire station and felt that this may be one way to get around the levy issue. Mr. Metcalfe felt it would be difficult to combine the uses in the same facility as they have considerably different requirements, and that the activities probably would conflict with each

Airport Commission Minutes - June 22, 1994 - Page 5

other.

Chairman Winn asked if there were any buildings, currently vacant, that could be reconstructed into a fire station. Mr. Metcalfe stated that there are two that could be modified at considerable expense, but they do not meet the response criteria for the airfield as they are on the west side of the Industrial Parkway and do not have direct access to the runway/taxiway system.

Chairman Winn suggested that Chief Adams talk more with the Fire District board and keep the dialogue open with Mr. Metcalfe regarding this issue.

C. Review the BoCC Focus Session on marketing issues and adopt broker commission policy.

Chairman Winn briefly summarized the tax abatement discussion at the BoCC Focus Session. He feels that the BoCC generally accepted what was proposed, as long as the Airport Commission goes very slowly and is cautious. Commissioner Craig stated that he does not feel that the policy needs to state the maximum abatement percentage because everyone will know what that amount will be and will expect it.

Mr. Metcalfe suggested that the Airport Commission approve the broker commission policy or inform him of any changes that are necessary. Mr. Nohe asked if this was discussed with other industries. Mr. Metcalfe reported that staff has discussed this issue with others, and he feels comfortable that this policy is on target with other policies in the area.

MOVED BY MR. NOHE, SECONDED BY MR. HEAVEN TO APPROVE THE BROKER POLICY AS PRESENTED. APPROVED (5-0).

VI. BUSINESS FROM THE FLOOR

Mr. Metcalfe reported that the Executive Airport maintenance shop is almost completed and is expected to be occupied before the July Airport Commission meeting. Consensus was to have the July meeting in the new facility at Executive Airport. Mr. Nohe commented that he would not be able to attend the July 27, 1994 meeting. Chairman Winn suggested that staff poll the Airport Commission to see if there will be a quorum for next month's meeting.

VII. EXECUTIVE SESSION

MOVED BY MR. HEAVEN, SECONDED BY MR. NOHE TO ADJOURN TO EXECUTIVE SESSION AT 10:14 A.M. TO DISCUSS AIR ASSOCIATES AND LAND ACQUISITION UNTIL 10:45 A.M. APPROVED (5-0).

The meeting reconvened at 10:45 a.m. Chairman Winn authorized staff to enforce the lease with

Airport Commission Minutes - June 22, 1994 - Page 6

Air Associates according to its terms. Chairman Winn also authorized staff to discuss with the BoCC a proposed settlement offer for the acquisition of the Busch and Pretz properties.

Discussion arose as to Kansas City Aviation Center's interest in the ILS at Executive Airport. (KCAC prepared documentation regarding the ILS and distributed the materials to the BoCC and the Airport Commission.) Mr. Nohe asked Commissioner Craig where the BoCC stands on this issue. Commissioner Craig responded that he had written a letter to KCAC finalizing the BoCC's opinion that the BoCC was not interested in any further discussion at this time.

VIII. ADJOURNMENT

MOVED BY MR. NOHE SECONDED BY MS. THOMEN TO ADJOURN THE MEETING AT 10:48 A.M. APPROVED (5-0).

Phyllis Thomen, Secretary

R. Lee Metcalfe, Executive Director

JOHNSON COUNTY AIRPORT COMMISSION

MINUTES - July 28, 1994 7:30 a.m. - OVERLAND PARK, KS

Airport Commission

Present: Messrs. Winn, Heaven, Meyer, Viets, Ms. Thomen, Mullin

Staff: Metcalfe, Ritter, Smyth, Fredrichs, Howard, Engelmann

Absent: Mr. Nohe

Others: Mr. Jack Crocker, Steel & Pipe Supply Co., Inc.
Mr. Ed McConwell, Attorney
Mr. Lee Sixta, Air Associates
Mr. Gary O'Neal, Corporate Communications Group

The meeting was called to order at 7:30 a.m. by Chairman Winn.

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

I. APPROVAL OF THE MINUTES

MOVED BY MR. HEAVEN, SECONDED BY MR. MEYER, TO APPROVE THE MINUTES OF THE JUNE 22, 1994 MEETING AS PRINTED AND DISTRIBUTED. APPROVED (5-0).

II. REPORT OF THE CHAIRMAN

Chairman Winn reported on the status of the city of Olathe's rezoning of the property north of Executive Airport. Mr. Winn received a fax from Mr. McCurdy, city of Olathe. Mr. McCurdy advised that the City's legal staff informed him that the city's uniform development code ordinance states that a rezoning application becomes final upon publication. The ordinance was published on July 23, 1994. The memorandum also stated that the only way to change the ordinance would be for the Olathe Council to pass either an amending or repealing ordinance.

Mr. Viets asked if the land had been platted and stated that there is normally a hearing and review process whenever there are restrictions that a city places on a developer. He also suggested that there may be an operational or mechanical level in which the Airport Commission could be heard, or a formality that the city could pass on to the developer. Chairman Winn directed staff to contact the city of Olathe regarding the platting of the property and to require the developer to place deed restrictions on the property; and to send a letter to the city of Olathe requesting the adoption of the airport-area zoning regulations at Industrial Airport with a response by August 15, 1994.

Airport Commission Minutes - July 28, 1994 - Page 2

Chairman Winn instructed Mr. Ford to prepare and send a memorandum to the Airport Commission on the procedures for adopting airport zoning for the August meeting.

III. CONSENT AGENDA ITEMS

- A. Consider Approval of an estoppel certificate and non-disturbance agreement for KCCB, Inc., successor to Howell Mouldings, Inc., and its lender.

Mr. Metcalfe reported that KCCB, Inc. is refinancing and that they need new estoppel certificates and non-disturbance agreements. The Airport Commission had issued the estoppel certificates and non-disturbance agreements to their prior lender.

MOVED BY MR. MEYER, SECONDED BY MS. THOMEN TO APPROVE THE ITEMS ON THE CONSENT AGENDA. APPROVED (6-0).

IV. EXECUTIVE SUMMARY

- A. Consider ratifying the June expenditures as presented.

Mr. Meyer inquired about the railroad track repair that was reported on the expenditures. Ms. Smyth reported that there had been problems with the rail line near Navy Park. The complete rehabilitation will be a part of the Airport Commission's 1995 Capital Improvement Project (CIP). The repairs were done on an emergency basis.

- B. Summary of Financials.

No comments were made regarding the summary of financials.

MOVED BY MR. MEYER, SECONDED BY MR. HEAVEN TO RATIFY THE JUNE EXPENDITURES AND THE SUMMARY OF FINANCIALS AS PRESENTED. APPROVED (6-0).

V. DISCUSSION ITEMS:

- A. Consider recommending to the BoCC of an Economic Development Incentive Policy for Industrial Airport.

Mr. Metcalfe stated that this is a continuation of a discussion that was previously held at the BoCC Focus Session. The BoCC was overall supportive, but they did not want the policy to be too specific. Mr. Metcalfe stated that the Economic Development Incentive Policy is important because state regulations require that a policy is in place before tax abatements are granted.

MOVED BY MS. THOMEN, SECONDED BY MR. VIETS TO RECOMMEND TO THE BOCC OF AN ECONOMIC DEVELOPMENT INCENTIVE POLICY FOR INDUSTRIAL AIRPORT. APPROVED (6-0).

B. Consider recommending approval to the BoCC of a long-term lease of 11.5 acres at 401 Industrial Parkway to Steel & Pipe Supply Co., Inc. of Manhattan, Kansas, and the construction of a 235,000 square foot steel service and distribution center thereupon. Consider approval of a 5-year, 50% property tax abatement for the improvements and certain plant equipment.

Mr. Metcalfe introduced the vice-president of Steel & Pipe Supply Co., Inc., Mr. Jack Crocker, who gave a brief overview of SPS and its proposed project.

Mr. Crocker stated that SPS has been in the process of trying to locate to the Kansas City area for about two years. SPS has been a Kansas firm since 1932. Over the course of their history, they have evolved from a broker of skins and hides to a major steel service center, with service as their primary product. SPS delivers steel products, such as beams, channels and plate. SPS is the largest steel service center in 7 states, and has a distribution area covering 11 states. The major reason for moving into the Kansas City area is because they want to improve their access to ground transportation. They envision the Industrial Airport as being a hub for their company in the future. SPS currently employs 250 people. The main corporate offices will remain in Manhattan, Kansas, with the main service center located at Industrial Airport. Mr. Crocker stated that SPS anticipates employment at the Industrial Airport site to be initially 25 - 30 people with maximum employment in the future being 50 - 60.

Mr. Crocker showed the Airport Commission a sketch of the proposed building, which would be 130,000 sq. ft facility. It is projected the size of the facility could double in five years.

Mr. Meyer asked about outside storage. Mr. Crocker replied that in the beginning stages, all supplies would be stored inside, but added that the larger section beams and heavy plates would be stored outside as the inventory expands. He also stated that landscaping with trees was planned to cover the outside storage. Chairman Winn suggested to Mr. Crocker that SPS consider a berm for the landscaping along with trees.

Mr. Crocker showed the Airport Commission a plan for their proposed site at Industrial Airport and commented on the parking spaces. He stated that the county planning department has required SPS to put in 544 parking stalls based on the ultimate square footage of their building.

Mr. Crocker stated that SPS will have 30 employees.

Mr. Crocker stated that rail service is very important to SPS. He would like to see as many as 800 rail cars per year brought in. Another issue that came up in the planning evaluation was the lot coverage. Mr. Crocker stated that the county standard for lot coverage is 30% in an industrial area. If SPS would expand their facilities, their lot coverage would be 38%. He pointed out that the Industrial Airport's CCRs allow 50% lot coverage.

MOVED BY MR. HEAVEN, SECONDED BY MS. MULLIN TO RECOMMEND APPROVAL TO THE BOCC OF A LONG-TERM LEASE OF 11.5 ACRES AT 401 INDUSTRIAL PARKWAY TO STEEL & PIPE SUPPLY CO, INC. OF MANHATTAN, KANSAS, AND THE CONSTRUCTION OF A 135,000 SQUARE FOOT STEEL SERVICE AND DISTRIBUTION CENTER THEREUPON WITH THE CONSIDERATION THAT PERIPHERAL BERM LANDSCAPING BE ADDED TO ENCLOSE OUTSIDE STORAGE IN ADDITION TO CONTINUED PLANNING OF THE LANDSCAPING; APPROVING THE PROPOSED TAX ABATEMENT OF 50% OVER A 5 YEAR BASIS; AND AUTHORIZE THE CHAIRMAN TO SIGN THE APPROPRIATE DOCUMENTS. APPROVED (6-0).

C. Consider approving and recommending approval to the BoCC of a facility lease agreement with King's Aviation, Inc.

A lease was presented to the Airport Commission in draft form. Mr. Metcalfe stated that Bond Counsel had sent the draft lease to staff earlier in the week and Legal Counsel has not had sufficient time to review the lease in its entirety. He also commented that the bond sale is scheduled for August 11, 1994, and the lease document needs to be finalized before that date.

Mr. Metcalfe stated that the Airport Commission is using a financing mechanism that has never been used before, and the Mr. Gaar's office has never used this before, either. The bond counsel's first draft lease was purely a "financing lease." Mr. Metcalfe stated that this is not a lease-purchase transaction, but rather a county building built with general obligation bonds, and King's Aviation will lease the building from the Airport Commission. The bonds are structured by pledging the lease revenues to service the debt on the bonds, which is why Mr. Gaar has written the lease to reflect more of a financing lease. Mr. Metcalfe stated that Bob Ford is concerned that other issues need to be addressed in the lease or in a separate agreement.

Mr. Metcalfe explained how this type of financing mechanism is different than that of a revenue bond. The building is being financed with what is called self liquidating general obligation bonds. The full faith and credit of the county is backing the bond issue; however, the Airport Commission is dedicating an identifiable revenue stream to service the debt. Mr. Metcalfe stated that Mr. Gaar's challenge is to write a lease that protects the county even though the county's full faith and credit is behind the bond issue.

Mr. Metcalfe stated that the taxpayers would be the fourth or fifth in the chain of who would be effected if King's Aviation should default. The Airport Commission has some airport revenues that could be used to cover them in the short term. Mr. Metcalfe stated that the annual debt service is about \$220,000, and that it would be highly unlikely that there would have to be a mill levy to cover the debt service.

MOVED BY MR. MEYER, SECONDED BY MR. HEAVEN TO RECOMMEND APPROVAL TO THE BOCC OF A FACILITY LEASE AGREEMENT WITH KING'S AVIATION,

INC. AND AUTHORIZE THE CHAIRMAN TO EXECUTE THE DOCUMENT, CONTINGENT UPON LEGAL COUNSEL'S REVIEW, AND THAT STAFF PREPARE AN EXECUTIVE SUMMARY OF THE LEASE AND ITS TERMS. APPROVED (6-0).

VI. BUSINESS FROM THE FLOOR

Chairman Winn asked for a brief report on the marketing effort from Corporate Communications Group (CCG). Mr. Gary O'Neal, CCG, and Mr. Metcalfe would be reviewing options for name changes at Industrial Airport. After the names are reviewed and discussed, they will be brought to the Airport Commission for selection of a new name. The marketing plan will also be reviewed with the BoCC on a one-on-one basis.

Mr. Ed McConwell, attorney for Air Associates, commented that he sent packets out to the Airport Commission about two weeks ago regarding the Air Associates issue. He stated that all Air Associates' seeks is a fair resolution to the matter and to resolve the issue as soon as possible. Mr. McConwell stated that he has not had any settlement proposals from the Airport Commission on this matter. He feels that there is no dispute that in all actuality Air Associates is an Fixed Base Operator (FBO).

Chairman Winn stated that he agreed with Mr. McConwell on the fact that this matter needs to be resolved immediately. Mr. Ford stated that he and Mr. McConwell had spoken the day before regarding this matter and he feels that it is heading in the right direction. He also stated that the Airport Commission has stated on several occasions that the lease needs to be enforced according to its terms. Mr. Ford stated that the status of this issue is to find the most expeditious route, either through further negotiation or an FAA ruling.

Mr. Metcalfe explained that Air Associates has in fact been performing services that are typically provided by FBOs. The Airport Commission staff's position is that Air Associates does not meet the Commission's standards for FBO services, and consequently is in non-compliance with its lease and is not entitled to any particular favorable treatment on that basis. A compromise has not been offered because the Airport Commission has instructed staff to enforce the lease on its existing terms. Chairman Winn would like to see this matter moved forward, either through litigation or mediation.

VII. ADJOURNMENT

MOVED BY MR. MEYER SECONDED BY MR. HEAVEN TO ADJOURN THE MEETING AT 9:50 A.M. APPROVED (6-0).

Airport Commission Minutes - July 28, 1994 - Page 6

Phyllis Thomen, Secretary

R. Lee Metcalfe, Executive Director

JOHNSON COUNTY AIRPORT COMMISSION

MINUTES - August 24, 1994 9:00 a.m. - OLATHE, KS

Airport Commission

Present: Messrs. Winn, Meyer, Nohe, Viets, Ms. Thomen, Mullin

Staff: Metcalfe, Ritter, Smyth, Howard, Engelmann

Absent: Mr. Heaven

Others: Steve Porter, Olathe Daily News

The meeting was called to order at 9:00 a.m. by Chairman Winn.

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

I. APPROVAL OF THE MINUTES

MOVED BY MS. THOMEN, SECONDED BY MR. VIETS, TO APPROVE THE MINUTES OF THE JULY 28, 1994 MEETING AS PRINTED AND DISTRIBUTED. APPROVED (6-0).

II. REPORT OF THE CHAIRMAN

Chairman Winn suggested that the Airport Commission ask the current officers for the Airport Commission to stand for re-election, with the understanding that other commissioners be moved to an officer position in the next election. Mr. Nohe asked to see a listing of when the commissioners were appointed, what positions they have served, and when their positions expire. Chairman Winn directed staff to distribute a list of the previously-mentioned items for the Airport Commission.

Chairman Winn reported that discussions continue with Planning Department regarding planning issues. He directed staff to schedule a meeting with Messrs. Ford, Winn, Metcalfe, Heaven, Peel and Hokanson. **(STAFF HAS LEARNED SINCE THE MEETING THAT A WORK SESSION HAS BEEN TENTATIVELY SCHEDULED FOR OCTOBER 3 AT 2:30 P.M. - FURTHER INFORMATION WILL FOLLOW.)**

Mr. Metcalfe introduced Fred Copson and Eddie Sturdevant, Executive Airport maintenance employees. Mr. Metcalfe explained that staff has been rotating maintenance employees from both airports for the past two years. Messrs. Copson and Sturdevant were responsible for the moving of airport maintenance operations from an old t-hangar and house to the new facilities at Executive Airport. Mr. Metcalfe commented on the excellent job that Messrs. Copson and Sturdevant have done in the transition.

III. CONSENT AGENDA ITEMS

There were no consent agenda items.

IV. EXECUTIVE SUMMARY

A. Consider ratifying the July expenditures as presented.

Mr. Meyer asked about the Corporate Communications Group (CCG) retainer fee and the separate voucher for them. Mr. Metcalfe stated the Airport Commission prepays the retainer bill, which is deducted from the second bill. Ms. Smyth commented that we have not been billed for the sessions that the Airport Commission attended with CCG.

Ms. Thomen asked about the bids for the removal of the house, which was the old maintenance building. Ms. Smyth stated that the bids are scheduled to be opened this afternoon.

B. Summary of Financials.

Ms. Smyth stated that revenues are at budget and operating expenditures are under budget. Mr. Nohe asked about the budgeted debt service. Ms. Smyth replied that she is working with Finance and Budget on what accounts the debt service will actually be charged to

Ms. Smyth explained the 1994-1995 Project Summary Report that was attached in the packets, which shows when projects are to be completed. She stated that the BoCC has adopted the 1995 budget and CIP for the airports *as submitted*.

Mr. Viets asked about the north entrance road. Mr. Metcalfe described the north entrance road for the Commission. He stated that he believed the north entrance from 151st Street will become the primary entrance to the airport. Public Works did a traffic count at Industrial Airport and found that 50% of cars and 80% of trucks transiting to and from the airport did so on 159th Street. He commented that the 159th entrance was poorly designed for that type and amount of traffic. He felt that when the north entrance is opened virtually all of the 159th Street traffic and possibly some of the traffic coming in off of 175th Street will move to the new road.

MOVED BY MR. MEYER, SECONDED BY MS. THOMEN TO RATIFY THE JULY EXPENDITURES AND THE SUMMARY OF FINANCIALS AS PRESENTED. APPROVED (6-0).

C. Report from President, Southwest Johnson County E.D.C.

Mr. Engelmann reported that in addition to the eight projects reported in the executive summary, there are two existing projects that recently have returned for additional information and increased interest. Ernst & Young has a food processing company that looking to building a 150,000 sq. ft. facility. The Industrial Airport is the only site in the Kansas City area

Airport Commission Minutes - August 24, 1994 - Page 3

being considered. Staff is also working with a local broker that has a plastics company who is seeking to build a 180,000 sq. ft. building. Mr. Engelmann reported that they are a good rail user and have requested additional information about Industrial Airport. Mr. Engelmann will be meeting with the broker today.

Mr. Engelmann reported that the Airport Commission will be participating in the Society of Industrial and Office Realtors Development Day on September 19th, which is a gathering of real estate brokers.

The Johnson County Partnership, in which the Airport Commission is a member, will soon be having an interactive brochure on diskette, which highlights the advantages of Johnson County. Staff should be receiving the final product within the month. He explained that there is one section on the diskette that relates directly with Industrial Airport.

Mr. Nohe asked if press releases were being done on the announcements of the new businesses. Mr. Metcalfe stated that press releases were done on Steel & Pipe Supply Co. and King's Avionics, by CCG. Mr. Nohe asked that the Airport Commission be sent copies of future press releases to be included in the Airport Commission packets.

Mr. Nohe suggested that Mr. Engelmann research the Johnson County expansion of the Kansas University Medical Center. KU plans on a Johnson County expansion of their health care facility, and feels that the Chairman might want to send a letter to the President of the KU Medical Center and the Chancellor stating that the Airport Commission would like to make a presentation of the facilities at Industrial Airport.

V. DISCUSSION ITEMS:

A. Consider permanent closure of Runway 14/32 at Industrial Airport.

Mr. Metcalfe stated that Runway 14/32 is one of the original runways at Industrial Airport. It is a runway that is used only when the wind is blowing from the northwest or southeast, which is fairly rare. Runway 14/32 is slated for ultimate closure in the Industrial Airport Master Plan, and consequently is no longer eligible for FAA funding. The runway is concrete that has been overlaid with asphalt, and the expansion between the concrete has been filled with asphalt over the years. Blow-ups in the joints have occurred, forming "speed-bumps" in the runway, and the overlay has alligator-cracked and is becoming unsafe.

Burns & McDonnell estimate the cost for temporary repairs to be \$25,000 - 30,000 annually to keep it operable. Mr. Metcalfe feels that, with making the repairs, it would just prolong its ultimate demise. Mr. Nohe asked if there was any cost in closing the runway. Mr. Metcalfe replied that all is required is to paint a yellow "X" on it and put a notice in various airport publications stating that the runway is closed.

MOVED BY MR. NOHE, SECONDED BY MR. MEYER TO PERMANENTLY CLOSE RUNWAY 14/32 AT INDUSTRIAL AIRPORT. APPROVED (6-0).

B. Consider approving the transfer of a ground lease from Jet-Tech, Inc. to Devine Corporation.

Mr. Metcalfe stated that this item has been withdrawn from the agenda. Staff is in the process of learning more about the Devine Corporation. Jet-Tech, Inc. has not formally signed a contract and is not ready to request the transfer at this time.

VI. BUSINESS FROM THE FLOOR

Mr. Ford stated that Crow-Spaulling recently expanded their current leasehold. In connection with financing, their lender has asked the Airport Commission to approve a Fourth Lease Modification Agreement. Mr. Ford stated that he has reviewed the modification and has no objection to the document. He also stated that the lender is requesting that the Airport Commission and the BoCC approve the modification. Mr. Ford suggested that the Airport Commission approve the document. Chairman Winn stated that he has reviewed the document and also feels comfortable with the terms.

MOVED BY MR. NOHE, SECONDED TO MR. VIETS TO APPROVE THE FOURTH LEASE AMENDMENT WITH CROW-SPAULDING AND AUTHORIZE THE CHAIRMAN TO EXECUTE THE AGREEMENT. APPROVED (6-0).

MOVED BY MR. NOHE, SECONDED BY MS. THOMEN, TO ADJOURN TO EXECUTIVE SESSION AT 9:40 A.M. UNTIL 10:15 A.M. APPROVED (6-0).

VII. EXECUTIVE SESSION

- A. Discuss land acquisition at Industrial Airport.
- B. Discuss pending litigation - City of Olathe.
- C. Discuss pending litigation - Kansas City Aviation Center.

STAFF AND LEGAL WERE INSTRUCTED BY THE AIRPORT COMMISSION TO RESPOND TO A LETTER WRITTEN BY KANSAS CITY AVIATION CENTER'S LEGAL COUNSEL. THE AIRPORT COMMISSION RECONVENED INTO REGULAR SESSION AT 10:15 A.M.

VII. ADJOURNMENT

MOVED BY MS. MULLIN SECONDED BY MR. NOHE TO ADJOURN THE MEETING AT 10:17 A.M. APPROVED (6-0).

Phyllis Thomen, Secretary

R. Lee Metcalfe, Executive Director

JOHNSON COUNTY AIRPORT COMMISSION
MINUTES - September 28, 1994 9:00 a.m. - INDUSTRIAL AIRPORT, KS

Airport Commission

Present: Messrs. Winn, Heaven, Meyer, Nohe, Ms. Mullin, Thomen

Staff: Metcalfe, Ritter, Smyth, Fredrichs, Engelmann

Absent: Mr. Viets

Others: Commissioner Craig, BoCC
Jan Durrett, League of Women Voters
Steve Porter, Olathe Daily News
Steve Baska, Johnson County Sun Newspaper
Chief Paul Adams, Fire District No. 1
Geri Gosa, KCTV

Barry Hokanson, Planning Department
Paul Greeley, Planning Department
Dave Peel, Planning Department
Jerry Mallory, Planning Department
Kady McMaster, Kansas City Star
KMBC Cameraman

The meeting was called to order at 9:00 a.m. by Chairman Winn.

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

I. APPROVAL OF THE MINUTES

MOVED BY MS. THOMEN, SECONDED BY MR. NOHE, TO APPROVE THE MINUTES OF THE AUGUST 24, 1994 MEETING AS PRINTED AND DISTRIBUTED. APPROVED (5-0).

II. REPORT OF THE CHAIRMAN

A Election of Officers.

Consensus of the Airport Commission was to reelect the existing slate of officers for the next year.

The officers for the coming year are:

Larry Winn III, Chairman	Phyllis Thomen, Secretary
Marty Nohe, Vice-Chairman	Stan Meyer, Treasurer

MOVED BY MS. THOMEN, SECONDED BY MR. HEAVEN TO NOMINATE AND ELECT BY ACCLAMATION THE CURRENT SLATE OF OFFICERS FOR ANOTHER ONE YEAR TERM. APPROVED (6-0).

III. CONSENT AGENDA ITEMS

Airport Commission Minutes - September 28, 1994 - Page 2

- A. Consider recommending approval to the BoCC of a resolution authorizing the acceptance of a grant offer in the amount of \$225,720 from the Federal Aviation Administration, Grant Agreement No. 3-20-0109-10, for the purpose of purchasing a dump truck with 14' snow plow and completing electrical vault controlling the runway and taxiway circuits at Industrial Airport.
- B. Consider recommending approval to the BoCC of an FAA grant amendment to the Executive Airport Instrument Landing System (ILS) project (AIP 3-20-0062-07) modifying the description of development to reflect a change in the project scope.

Mr. Metcalfe explained that there were changes to the project scope of the grant agreement, to reflect the decision not to install the ILS due to the major rehabilitation that would be needed for Executive Airport. The scope was revised by the FAA with an amendment to the grant agreement. Originally, three pieces of equipment were involved with the ILS - the glideslope, the localizer and the locator/outer marker. The glideslope, which provides the vertical guidance on the approach, was removed.

Mr. Meyer asked about the current status Global Positioning System (GPS). Mr. Metcalfe reported that the FAA is in the process of designing overlay approaches, which use the same approach plate procedure as the existing approach, but with the GPS data points added. Mr. Metcalfe stated that we are waiting for the differential GPS, which allows for the precision approach, but added that it is probably two or three years away.

MOVED BY MR. NOHE, SECONDED BY MR. HEAVEN TO APPROVE THE ITEMS ON THE CONSENT AGENDA. APPROVED (6-0).

IV. EXECUTIVE SUMMARY

- A. Consider ratifying the August expenditures as presented.

Mr. Meyer asked about the apron expansion and rehabilitation at Executive Airport. Mr. Metcalfe reported that this was the FAA grant project for the expansion on the east side of the airfield next to KCH and KAC.

Mr. Meyer asked about the steel door that was purchased. Mr. Howard replied that the door was purchased for a quonset hut that stores airfield maintenance equipment.

- B. Summary of Financials.

No comments were made regarding the summary of financials.

MOVED BY MR. MEYER, SECONDED BY MS. MULLIN TO RATIFY THE AUGUST EXPENDITURES AND THE SUMMARY OF FINANCIALS AS PRESENTED. APPROVED (6-0).

Airport Commission Minutes - September 28, 1994 - Page 3

C. Report from President, Southwest Johnson County Economic Development Corporation.

Mr. Engelmann reported that on September 19, 1994, the Airport Commission participated in the Society of Industrial and Office Realtors (SIOR) Day, which was held at the Marriott Allis Plaza downtown. He added that there were over 100 brokers attending the event, and felt that this was a good opportunity for the brokers to be exposed to the Airport Commission. Chairman Winn stated that he was pleased that the Airport Commission was represented at SIOR.

Mr. Engelmann reported on two projects that are in the plastics industry. One of the companies is a plastic injection molding operation that is looking at the Kansas City area for a site to build an 80,000 sq. ft. facility. They are planning a return visit to the Industrial Airport in late October. The other company is a plastics company looking for 15 acres and is a rail user.

Ms. Smyth introduced Tod Pellam, an intern in the Budget Office. Mr. Pellam is going to be working with staff on the pavement management and equipment replacement programs for the next few months.

V. DISCUSSION ITEMS:

A. Report on the administration building roof and Royal Tractor roof.

Administration Building Roof.

Mr. Metcalfe reported that the administration building roof was replaced five years ago using bond funding. An architect was hired to design the project and informed staff that the roof could not be fixed properly with the amount of funds allocated for the project. Considerable masonry work was needed on the parapet wall to prevent water from seeping behind the roofing materials. The project maximum was already set by the bond resolution, and there were no funds available to supplement the project. The roof was in such bad shape it was decided to proceed with the reroofing and hope for the best. The contractor warned staff that there may be a problem with the roof later on because of the poor shape of the parapet wall. Mr. Metcalfe stated that the new roof membrane is still in good condition, but the screws holding the insulation panels to the roof deck pop up through the single-ply membrane as the insulation expands and contracts depending on its moisture content. The center section guttering material, which was not replaced during the reroofing, has deteriorated because it is an asphalt base, causing major leaks in the center of the Administration Building.

Roof-Tech estimated that it would cost at least \$50,000 to repair the roof, including the necessary sealing of the parapet wall, and recommended going out for bid to repair the roof. Ms. Smyth stated that the source of funds could come from unbudgeted revenue from 1994, and suggested bidding the project to determine exact cost.

MOVED BY MR. NOHE, SECONDED BY MS. THOMEN TO AUTHORIZE STAFF TO DEVELOP

SPECIFICATIONS FOR THE REPAIR OF THE ADMINISTRATION BUILDING ROOF, PROCEED WITH THE BIDDING PROCESS AND FURTHER IDENTIFY SOURCE OF FUNDS FOR THE PROJECT. APPROVED (6-0).

Royal Tractor Roof.

Mr. Metcalfe stated that Royal Tractor's building is one of the original navy buildings, used as a military warehouse in the navy days. The building was leased to Royal Tractor in 1979, with the lease specifically stating that the tenant accepts the building as is and is to make necessary repairs at their expense. Roof-Tech estimated that the cost to replace the roof would be \$225,000. Royal Tractor had said that it has leaked for quite a while, and they have even had spot repairs done to the roof. Mr. Metcalfe stated Bob Ford is reviewing the lease to see if we are required to take any action.

Mr. Metcalfe stated that staff met with Royal Tractor several years ago when the windows in the building were in need of repair. Royal Tractor asked the Airport Commission to replace the windows. The Industrial Committee toured the facility and recommended that the repairs were Royal Tractor's responsibility. Royal went ahead and repaired the windows themselves.

Mr. Nohe asked what the length of the lease was. Mr. Metcalfe replied that the lease was a twenty year lease, which would expire in 1999. Mr. Nohe suggested totally renegotiating the lease with Royal Tractor, with the thought that if their rent was adjusted it may be feasible for the Airport Commission to repair the roof.

Mr. Heaven stated that, from briefly glancing at the lease, it would appear that it is Royal Tractor's responsibility to repair the roof. Chairman Winn recommended legal counsel to review the lease and report back to the Airport Commission with guidance in this matter.

CONSENSUS OF THE AIRPORT COMMISSION WAS TO HAVE LEGAL COUNSEL REPORT BACK TO THE AIRPORT COMMISSION. CHAIRMAN WINN ALSO SUGGESTED MEETING WITH ROYAL TRACTOR AND DISCUSS RENEGOTIATING THEIR LEASE.

B. Consider approving the transfer of a ground lease from Jet-Tech, Inc. to Architectural Building Systems, Inc.

Mr. Metcalfe explained that this item has been pulled from the agenda. Architectural Building Systems, Inc. has not provided staff with financial information in order to have staff prepare a recommendation to the Airport Commission.

C. Update on planning procedures.

Mr. Metcalfe stated that the Airport Commission has had some concerns on the planning process with a few of the new projects at Industrial Airport. Mr. Hokanson, of the

Airport Commission Minutes - September 28, 1994 - Page 5

Planning Department, initiated contact between the two departments to discuss the issues. There has been two meetings between Airport Commission staff and Planning staff.

Mr. Hokanson introduced Paul Greeley and Dave Peel, members of the Planning staff, and Jerry Mallory, chief building official. Mr. Hokanson stated that the Planning Department is very anxious to avoid conflict between the standards of the Airport Commission and the Planning Department. He feels the two agencies standards are intended to accomplish the same thing, and that the policies are in good shape. Mr. Hokanson stated that the Airport Commission wants to be happy with the result, and that the Planning Office wants to assure the BoCC that there has been reasonable compliance with the standard zoning, and feels that that would not be a difficult thing to accomplish.

Mr. Hokanson handed out a work-in-progress sheet that depicted what staff and Planning staff has been working on and briefly described the steps for the proposed improvements.

Chairman Winn stated that the main problem that the Airport Commission has with the process is that there hasn't been a clear distinction between the *zoning* issue and the *planning* issues. Rarely does the Airport Commission have any *zoning* issues in the internal grounds of the airport. What the Airport Commission has is a site plan, landscape considerations, and general planning considerations. Chairman Winn feels that where the Airport Commission needs the Planning Department's assistance is in the review of the plans (parking, access, landscaping, utilities and other technical issues). He also feels that township zoning board review and public meetings are not necessary, since the land use/zoning decisions for the airport have already been made. Mr. Hokanson stated that his staff is working on a way to streamline this so as not to make it time impediment for the development.

Mr. Hokanson stated that it may be possible to conduct a joint meeting between both department staff members to discuss a new project. He feels that other agencies such as the fire district and the sewer district need to be involved. Mr. Hokanson stated that their staff report can address both the Airport Commission and the zoning board at the same time. He would like for his staff to work with the Airport Commission staff on jointly developing informational packets and fact sheets.

Mr. Metcalfe stated that there is a difference between the Airport Commissions' standards and the County's standards. The Airport Commission's regulations are more liberal in some respects and more restrictive in others. A lot of the existing businesses believed that the Airport Commission's regulations were what they were to follow, and the review process consisted of bringing in a set of blueprints for the Airport Commission to approve, take the approved plans to the building official and get a building permit.

Chairman Winn feels that the County should review the Airport Commission's standards in the context of an airport and agree upon a set of site criteria. He likes the concept of the proposed plan, but is not sure about the preconceived preliminary development plan; it may be more bureaucratic than what is really needed. He believes that the remaining impediment to streamlining the process would be to get the plan review process out of the

Airport Commission Minutes - September 28, 1994 - Page 6

public hearing mode. He feels that is the only major problem, the idea of development plans going to a public hearing board. Mr. Nohe asked if it was possible for the county, in cooperation with the township zoning board, to designate the Airport Commission as the airport zoning authority. Mr. Metcalfe replied that the statutes state that if the County chooses to adopt zoning regulations applicable to the airport, then the Airport Commission *shall* be the zoning authority for the airport.

Mr. Hokanson stated that the Planning Department would like to come back to the Airport Commission at a future meeting with more specific proposals. Commissioner Craig stated that the BoCC has not seen the information provided to the Airport Commission today, and suggested that the Planning staff and the Airport Commission staff meet together before coming before the BoCC in November.

VI. BUSINESS FROM THE FLOOR

Chairman Winn requested a report on the status of the land acquisition at Industrial Airport. Mr. Metcalfe reported that the offer to one of the land owners has been accepted verbally and indications from the other land owner are that they may accept the offer, also. The land owners' attorney is out of town and is not able to give the Airport Commission anything in writing confirming their acceptance. Bob Ford has prepared purchase contracts that the land owners' attorney is reviewing. Staff hopes to have signed contracts within the next two weeks.

MOVED BY MR. NOHE, SECONDED BY MR. HEAVEN TO ADJOURN FOR A FIVE MINUTE BREAK AT 10:20A.M. UNTIL 10:25A.M. APPROVED (6-0).

The meeting reconvened at 10:25 a.m. Mr. Metcalfe reported that the Airport Commission had retained Corporate Communications Group (CCG) to assist with a strategic plan for marketing the Industrial Airport. Staff has spent considerable time with CCG to develop the marketing plan. A key aspect for the plan was our identity. Over the last six years, the Airport Commission has struggled with many problems. There was a steady stream of news coming from the airport at that time that tended to be negative. Staff felt that this needed to be addressed in the marketing plan, due to the community's memory that there were problems at the airport. Mr. Metcalfe stated that the problems have been fixed, and the airport is prepared to move into a new era. The challenge has been to come up with an identity that not only get us past our historical issues, but reflects our forward thinking. Mr. Metcalfe introduced Gary O'Neal, CCG, who presented CCG's concept.

Mr. O'Neal stated that it was an important but difficult challenge to select a new name for the airport. He stated that finding a name that has not been used is a challenge in itself. Mr. O'Neal stated that he felt the new name should be a memorable name with graphic appeal. He stated that the new name for the facility will be a new beginning. The new beginning should make us look forward to the future, and Mr. O'Neal introduced the new name for the airport as "New Century AirCenter." Mr. O'Neal showed concepts for the new name with slogans, and utilizing the new logo on articles and newsletters. He stated that CCG recommends to the Airport Commission that they consider recommending to the BoCC of renaming of Johnson

Airport Commission Minutes - September 28, 1994 - Page 7

County Industrial Airport to New Century AirCenter.

MOVED BY MR. HEAVEN, SECONDED BY MR. MEYER, TO RECOMMEND TO THE BOCC RENAMING JOHNSON COUNTY INDUSTRIAL AIRPORT TO "NEW CENTURY AIRCENTER." APPROVED (6-0).

VIII. ADJOURNMENT

MOVED BY MR. NOHE SECONDED BY MR. HEAVEN TO ADJOURN THE MEETING AT 10:37 A.M. APPROVED (6-0).

Phyllis Thomen, Secretary

R. Lee Metcalfe, Executive Director

JOHNSON COUNTY AIRPORT COMMISSION
REVISED MINUTES - October 26, 1994 9:00 a.m. - INDUSTRIAL AIRPORT, KS

Airport Commission

Present: Messrs. Winn, Heaven, Meyer, Ms. Mullin

Staff: Metcalfe, Ritter, Smyth, Fredrichs, Engelmann

Absent: Mr. Nohe, Viets, Ms. Thomen

Others: Steve Porter, Olathe Daily News
Gary O'Neal, Corporate Communications Group

The meeting was called to order at 9:00 a.m. by Chairman Winn.

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

I. APPROVAL OF THE MINUTES

MOVED BY MR. HEAVEN, SECONDED BY MR. MEYER, TO APPROVE THE MINUTES OF THE SEPTEMBER 28, 1994 MEETING AS PRINTED AND DISTRIBUTED. APPROVED (4-0).

II. REPORT OF THE CHAIRMAN

- A. Discuss November and December meeting dates.

Consensus of the Airport Commission was to hold the November meeting on Wednesday November 30, 1994 at **9:30 a.m.** Chairman Winn suggested that, at the November meeting, the Airport Commission would determine if a December meeting was necessary.

- B. Elect/appoint an Assistant Secretary.

Mr. Metcalfe suggested that an assistant secretary be elected/appointed by the Airport Commission, or that another officer be authorized to sign documents for the Secretary in her absence. Chairman Winn suggested that the Vice-chairman or Treasurer serve as a backup to the Secretary. Legal counsel reviewed the Airport Commission Rules and Procedures and the consensus was to have either the Vice-chairman or the Treasurer attest documents in the Secretary's absence.

MOVED BY MR. HEAVEN, SECONDED BY MS. MULLIN TO DELEGATE RESPONSIBILITY FOR ATTESTATION OF DOCUMENTS TO THE VICE-CHAIRMAN AND/OR TREASURER IN THE ABSENCE OF THE SECRETARY. APPROVED (4-0).

III. CONSENT AGENDA ITEMS

Airport Commission Minutes - October 26, 1994 - Page 2

- A. Consider approving the renewal of a contract with Corporate Communications Group, Inc. (CCG) for marketing services for a one year term.

Mr. Metcalfe reported that the Airport Commission was midstream with the marketing plan and with what had been anticipated during the RFP process as a multi-year relationship with CCG. He stated that \$70,500 is currently budgeted for marketing in 1995. Staff will propose an increase in the amount for next year at a later date, which would require allocating additional funds from unbudgeted and other revenues. Mr. Metcalfe stated that when staff prepared the 1995 budget in early 1994, we did not have a good sense for what was involved in the marketing plan. Mr. Metcalfe discussed various items for the marketing plan for 1995, including the implementation of the new name, the Post Office and the parkway.

MOVED BY MR. MEYER, SECONDED BY MR. HEAVEN TO APPROVE THE ITEMS ON THE CONSENT AGENDA. APPROVED (4-0).

IV. EXECUTIVE SUMMARY

- A. Consider ratifying the September expenditures as presented.

Mr. Meyer asked about the sewer plant equipment repair. Mr. Fredrichs stated that Executive Airport has a Smith & Loveless package sewer plant, in which a pump failed and needed replaced. The twenty-five year old system, which was purchased used, services the tenants at Executive Airport.

Chairman Winn asked about the attorney's fees for Parsonitt. Mr. Metcalfe generally recounted the most recent activities by outside counsel and suggested that, if more detailed information was wanted, it should be discussed in executive session.

- B. Summary of Financials.

Ms. Smyth reported that staff is anticipating more revenues than originally budgeted, and expects expenditures to be on budget.

MOVED BY MR. MEYER, SECONDED BY MS. MULLIN TO RATIFY THE SEPTEMBER EXPENDITURES AND THE SUMMARY OF FINANCIALS AS PRESENTED. APPROVED (4-0).

- C. Report from President, Southwest Johnson County Economic Development Corporation.

Mr. Engelmann reported that an Existing Business Breakfast was held on October 19, 1994. Several businesses from Industrial Airport attended the meeting, which focused on how to recruit employees out to the Industrial Airport/Gardner area from the metropolitan area. Mr. Engelmann stated that he will be passing on information to the businesses on how to remain competitive in today's market.

Airport Commission Minutes - October 26, 1994 - Page 3

Mr. Engelmann stated that the interactive diskette brochure that Johnson County Partnership has been working on over the past few months is now complete. The E.D.C. expects delivery next week. The diskette contains an 80-screen information brochure that can be mailed to companies who responded to the Johnson County Partnership ads.

Mr. Engelmann informed the Airport Commission that he will be meeting with a industrial client who is looking for 10 acres of land.

V. DISCUSSION ITEMS:

A. Consider approving the transfer of a ground lease from Jet-Tech, Inc. to Architectural Building Systems, Inc.

Mr. Metcalfe reported that this item has been pulled from the agenda. Architectural Building Systems, Inc. has not provided staff with financial information in order to have staff prepare a recommendation to the Airport Commission, but is in the process of gathering data.

B. Update on planning and zoning procedures.

Mr. Metcalfe reported that this item has been pulled from the agenda. Mr. Metcalfe informed the Airport Commission that a worksession with the BoCC has been scheduled for November 10, 1994. The Planning Department has suggested that an update report be given to the BoCC at that time. The Planning Department gave airport staff their recommended changes for the planning and zoning issues on Tuesday, and staff has not had sufficient time to review their draft before the Airport Commission meeting.

C. Update on Marketing Plan.

Mr. O'Neal, CCG, discussed upcoming activities and gave a brief presentation on the marketing plan. Mr. Metcalfe commented on the process of the marketing plan. He stated that staff and CCG were at a point where the marketing could not develop further until a name was selected for Industrial Airport. The Airport Commission and the BoCC had to make a decision on the name before the marketing plan could advance. Suggestions have been that the Airport Commission should have consulted the tenants on the name change. Mr. Metcalfe stated that staff thought considerably about involving the tenants, but there were several problems. One is that informing the tenants would have made the name public knowledge, and having that happen before the Airport Commission and the BoCC had been consulted was not proper protocol. Another factor was that involving the tenants in the decision process would have created an unmanageable process and would have broadened the focus rather than narrowing it. Mr. Metcalfe stated that staff is asking for the tenants' input on the renaming of the Post Office and the parkway, which are actually the more critical issues for them as they affect their mailing addresses.

VI. BUSINESS FROM THE FLOOR

Airport Commission Minutes - October 26, 1994 - Page 4

Chairman Winn stated that several of the members of the Airport Commission received telephone calls from people who were concerned about the name change. He stated that overall, most of the comments he has heard were positive, but felt that some of the tenants were concerned because they were not informed of the name change sooner.

Mr. Meyer stated that he had also received a call about the name change and asked Mr. Metcalfe if staff met with the tenants regarding this issue. Mr. Metcalfe stated that staff has met with the tenants that have requested further information, but has not met with each individual company. He also stated that letters were hand-delivered to tenants about the timing of the name change and also informing the tenants that there was still a lot of work ahead before the final implementation of the name. Mr. Metcalfe stated that until the signs are placed at the entrances, (which is not scheduled until spring of 1995) the name change will not be "official."

Chairman Winn discussed the storage of semi-trailers and materials at various business locations at Industrial Airport. He is concerned about the appearance of the airport, and stated the marketing effort may be a way to approach the businesses about their appearances. Chairman Winn requested that Mr. Ford research the leases, with respect to restrictive covenants, and prepare a memorandum regarding excess vehicles and materials at the businesses for the Airport Commission's review at the November meeting.

MOVED BY MR. HEAVEN, SECONDED BY MR. MEYER TO ADJOURN INTO EXECUTIVE SESSION AT 10:05 A.M. TO DISCUSS PENDING LITIGATION WITH PARSONITT UNTIL 10:15 A.M. APPROVED (4-0).

VII. EXECUTIVE SESSION

Chairman Winn requested that staff to continue to keep the Airport Commission informed on further developments regarding Parsonitt.

VIII.ADJOURNMENT

MOVED BY MR. HEAVEN SECONDED BY MR. MEYER TO ADJOURN THE MEETING AT 10:18 A.M. APPROVED (4-0).

Phyllis Thomen, Secretary

R. Lee Metcalfe, Executive Director

JOHNSON COUNTY AIRPORT COMMISSION
MINUTES - November 30, 1994 9:30 a.m. - INDUSTRIAL AIRPORT, KS

Airport Commission

Present: Messrs. Winn, Meyer, Nohe, Viets, Ms. Mullin, Thomen

Staff: Metcalfe, Ritter, Smyth, Fredrichs, Howard, Engelmann

Absent: Mr. Heaven

Others: Steve Porter, Olathe Daily News
Gary O'Neal, Corporate Communications Group
Suzanne Goodack, Corporate Communications Group
Jan Durrett, League of Women Voters
Kevin Riecker, Kansas City Aviation Center
Chief Paul Adams, Johnson County Fire District No. 1
Jerry Rengaert, JcAir
Ellen Goldman, Stinson Mag & Fizzell

The meeting was called to order at 9:30 a.m. by Chairman Winn.

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

I. APPROVAL OF THE MINUTES

MOVED BY MR. VIETS, SECONDED BY MR. NOHE, TO APPROVE THE REVISED MINUTES OF THE OCTOBER 26, 1994 MEETING AS PRINTED AND DISTRIBUTED. APPROVED (5-0).

II. REPORT OF THE CHAIRMAN

A. Discuss December meeting date.

Consensus of the Airport Commission was to hold the December meeting on Wednesday December 21, 1994 at 9:00 a.m.

III. CONSENT AGENDA ITEMS

A. Consider approving an agreement with Crow-Spaulling and the Wastewater District for cost sharing of road improvements to Leawood Drive.

B. Consider approving variance request for the 6" asphalt parking lot for Crow-Spaulling.

C. Consider approving an assignment of a ground lease with James T. Yoder Testamentary

Airport Commission Minutes - November 30, 1994 - Page 2

Trust to Garry and Lisa Havens/President of Midwest Air Traffic Control in conjunction with a sale of the building occupying the leased tract.

- D. Consider consenting to a leasehold mortgage on the Kings Avionics site for a construction loan and authorizing the chairman to sign appropriate documentation.
- E. Consider granting to Kings Avionics an ingress/egress easement from Kings' leasehold tract to Gardner Drive.

Mr. Meyer asked about staff recommendation for the ingress/egress easement. Mr. Metcalfe stated that the issue was that Kings' property does not front directly on Gardner Drive. The bank requested access to the property. He stated that the reason for not having King's property front directly on Gardner Drive is because it would require an additional two acres of basically "open" land, and a major water rehabilitation project is planned in that area next year.

- F. Consider approving and authorizing the chairman to sign a contract to acquire .74 acres of land for the Locator/Outer Marker (LOM) site for the new instrument approach at Executive Airport.

Mr. Nohe asked that Item D be pulled from the Consent Agenda to be discussed further.

MOVED BY MR. VIETS, SECONDED BY MR. NOHE TO APPROVE ITEMS A,B,C,E, and F ON THE CONSENT AGENDA. APPROVED (5-0).

- D. Consider consenting to a leasehold mortgage on the Kings Avionics site for a construction loan and authorizing the chairman to sign appropriate documentation.

Mr. Nohe asked if the leasehold mortgage has been drafted and reviewed by Airport and Legal staff. Mr. Metcalfe stated that the final form has not been submitted to Airport and legal staff. The bank involved has not been through this type of process before, but staff does not see a problem conceptually. Mr. Ford stated that Kings Avionics will build the building, and then the county will buy the building from Kings Avionics using the bond funds. What Kings is requesting is that the Airport Commission consent to the leasehold mortgage.

MOVED BY MR. NOHE, SECONDED BY MS. THOMEN, TO APPROVE THE CONCEPT OF THE LEASEHOLD MORTGAGE ON THE KINGS AVIONICS SITE FOR A CONSTRUCTION SUBJECT TO APPROVAL FROM AIRPORT STAFF AND LEGAL COUNSEL AND AUTHORIZING THE CHAIRMAN TO SIGN APPROPRIATE DOCUMENTATION. APPROVED (5-0).

IV. EXECUTIVE SUMMARY

Airport Commission Minutes - November 30, 1994 - Page 3

A. Consider ratifying the October expenditures as presented.

Ms. Thomen asked what other organizations were contributing to the payment of the Partnership disks. Mr. Engelmann stated that there are eleven partners in the partnership that are contributing in the payment of the disks.

MOVED BY MR. MEYER, SECONDED BY MS. THOMEN TO RATIFY THE OCTOBER EXPENDITURES AS PRESENTED. APPROVED (6-0).

B. Summary of Financials.

Ms. Smyth stated the Airport Commission had some carry-over funds from 1993. A carry-over is also expected for 1995. Ms. Smyth reported that staff is anticipating expending the entire budget for this year.

MOVED BY MR. MEYER, SECONDED BY MS. MULLIN, TO APPROVE THE SUMMARY OF FINANCIALS AS PRESENTED. APPROVED (6-0).

C. Report from President, Southwest Johnson County Economic Development Corporation.

Mr. Engelmann reported he will be meeting with Grindsted and Shade Foods regarding a job training grant. An Existing Business Breakfast will be held on December 7, 1994. Several businesses from Industrial Airport will be attending the meeting.

Chairman Winn suggested that the Airport Commission invite tenants to come to the Airport Commission meetings and report on their businesses. He feels that it would be very helpful to have the tenants tell the Airport Commission what they do, and if they have any concerns. Chairman Winn directed staff to begin developing an order in which the tenants would be invited to attend, keeping the tenant reports to ten minutes.

V. DISCUSSION ITEMS:

A. Consider approving the implementation of Phases I through IV of the Strategic Marketing Plan for the New Century AirCenter.

Mr. Metcalfe stated that the marketing plan is at the point where the Airport Commission needs to commit to specific activities. Staff wanted to make the Airport Commission aware of where the marketing plan stands and what is recommended further. Mr. O'Neal, Corporate Communications Group, gave a presentation on the past, present and future of the marketing plan and discussed integrated marketing. Suzanne Goodack, Corporate Communications Group, stated that there were four key categories: direct marketing activity, identity program, sales presentation kit, and repositioning. She also described how the newsletter will be repositioned to get out to more people.

Mr. Viets asked what the status of the brokerage program, and asked if would be possible

Airport Commission Minutes - November 30, 1994 - Page 4

to get an evaluation of the suggested program from the broker. He feels uncomfortable spending this amount of money without looking around to see what others do. Mr. Metcalfe stated that staff is in the process of developing a scope for the broker RFP. He feels we are at least three months away from identifying the broker, given the competitive procurement process, but stated that a few brokers could be polled to see what their opinion is. Mr. Nohe stated that the program has not been done in a vacuum, but rather has been done in consultation with the real estate community.

Ms. Goodack stated that some of the initial costs are for letterhead, business cards, brochures and signage for the airport and are going to last a number of years. The Airport Commission will not have to keep incurring those costs. The brochure will last a number of years, with the newsletter being a tool to update the brochure.

Ms. Thomen stated that she does not want to hold up the marketing plan, but she has had some concerns on exactly what the items would cost and where the money would come from. Mr. Metcalfe stated that staff has identified sources of funds, such as a carry over from this year, revenues from 1995 that were not anticipated, and capital expenditure items that can be reallocated towards this project.

Mr. O'Neal stated that the first step is to develop marketing materials, then to educate and inform the various constituencies in the Kansas City area and explain to them our goal. The third step would be to make sure that there would be no problems for the resident businesses and their customers and vendors, including the temporary signage and eventual permanent signage.

Chairman Winn asked when the Airport Commission would have a chance to review the draft brochures. Mr. O'Neal responded that the proposed time would be January 15, 1995. Chairman Winn suggested that it may be a good idea to start on the process, but to wait and get the input from the selected broker, adding that he does not want to postpone the marketing process either.

Chairman Winn suggested that CCG work with Airport staff on the implementation date of the brochures to coordinate with the selection of the real estate broker. He stated that these type of decisions are harder for the Airport Commission to make, because we are dealing with an intangible and sometimes unmeasurable commodity. Mr. O'Neal stated that he is willing to spend time with each Airport Commissioner to better explain what the marketing phases entail.

Mr. Viets asked what would be the consequences if this matter was tabled until the January meeting. Mr. O'Neal stated that the work would stop in most activities. Chairman Winn stated that he does not want to table the issue unless it was with specific direction by the Airport Commission. Mr. Nohe stated that if the Airport Commission votes, it would be voting to adjust the budget, and asking the county to republish the budget and allow the Airport Commission to spend the money. He does not have any problem with the dollar expenditures proposed, and we aren't committed to spend it on specific activities. He feels it is appropriate to proceed with this matter, and have it go

Airport Commission Minutes - November 30, 1994 - Page 5

before the BoCC and express both the Airport Commission's concerns and support. Mr. Metcalfe stated that staff and CCG are also asking the Airport Commission to look at the activities and approve the activities and the expenditure of the money for each of those activities. He also stated that the Airport Commission would be recommending approval to the BoCC so they are aware what the Airport Commission is intending to do. A December 15, 1994 Worksession with the BoCC has been scheduled to inform the BoCC of the Airport Commission's intentions.

Mr. Viets stated that he is still uncomfortable with proceeding with the marketing process without the broker involved, adding that he has liked the work the CCG has done for the Airport Commission. Ms. Mullin stated that real estate professionals are not marketing professionals, they are sales professionals. They utilize the tools that are given to them. She feels comfortable knowing that the real estate professional will be integrated into CCG's plan. If the real estate broker does not fit in, then they won't be able to successfully carry out the goals that CCG has collectively seen.

Ms. Mullin stated that January 1, 1995 is a key date to the year as a whole in the real estate market. If the first of the year is missed, then the majority of the real estate industry will not be aware of what is going to take place. If we are going to market, then we need to be looking at the first of the year, and not looking toward the end of the year. She knows that there are reservations, but feels that sometimes you need to take a risk and spend money to move forward. Ms. Mullin also stated that the money that is proposed to be spent is self-generated money, and that we are not asking the taxpayers for it. She does not want the Airport Commission to miss out on the market for 1995.

Chairman Winn suggested that the marketing issues be tabled until the December meeting and delay the BoCC worksession until after the December meeting. He wants to make sure that the Airport Commission as a whole, is comfortable with the marketing plan. He encouraged the members of the Airport Commission to contact staff and CCG if they have any questions relating to the marketing plan.

Mr. Meyer asked if that if by waiting three weeks on this matter we would need to republish the budget. Ms. Smyth stated that it would not be necessary to republish the 1994 budget, but the 1995 would need to be republished for the portion of the revenues that were unanticipated for 1995, which amounts to half the marketing budget. Mr. Nohe asked for a more detailed breakdown of the 1995 revenues and a detailed report of the marketing costs.

**MOVED BY MR. NOHE TO TABLE THE MATTER FOR FURTHER DISCUSSION.
(APPROVED 6-0).**

- B. Consider recommendation from the Development Committee and approve the name change of the Industrial Parkway to New Century Parkway.

Airport Commission Minutes - November 30, 1994 - Page 6

Mr. Nohe asked if there were any additional comments from tenants regarding the name change of the parkway and the post office. Mr. Metcalfe reported that a letter was sent out after the Development Committee meeting to all the tenants and reported on the recommendation of the Development Committee. Staff received letters from JBM Engineers and Grindsteds.

MOVED BY MR. NOHE, SECONDED BY MS. MULLIN TO CHANGE THE NAME OF INDUSTRIAL PARKWAY TO NEW CENTURY PARKWAY. APPROVED (6-0).

- C. Consider recommendation from the Development Committee and approve the name change of the Post Office from Industrial Airport, Kansas to Johnson County, Kansas.

Mr. Nohe stated that at the Development Committee meeting, the rationale was that the Airport Commission wanted to play regionally on the growing visibility of Johnson County and maximize on the economic area. He realizes the logistical problem that it causes the tenants. Mr. Nohe also asked what the second choice was for a name for the post office. Mr. Metcalfe replied that New Century, Kansas was the second choice.

Mr. Jerry Rengaert, JcAir, stated that JcAir recognizes that the name change is going to happen and that they do not have any difficulty with the name change. The only issue that JcAir has is the name of the city itself. It is their belief that having the county name in the place of a city name in the address will require considerable explaining the name to the customers and vendors. Mr. Metcalfe explained that the post office name is the name that shows up as the city in addresses.

Discussion arose as to the benefits and negatives of having the post office name change to Johnson County, Kansas. Chairman Winn stated that the airport staff and CCG can help the tenants with the implementation of the name change. Mr. Meyer stated that he is very uneasy about the name "Johnson County, Kansas" and feels it would be confusing to a lot of people. Ms. Mullin stated that Orange County, California is used synonymously for localities in that area, and Johnson County, Kansas may also be used that way.

Mr. Nohe asked exactly how important the name change of the post office is to the marketing plan. Mr. Metcalfe stated that it is more of a mechanical issue, adding that people tend to care more how the name looks than as to what it really is. In his opinion, it would be nice to have a real city name, but with the two cities on both sides of the airport, it would be hard to select one of their names without causing conflict with the other city. He feels that if he had a choice, he would choose Gardner, Kansas, strictly because the Industrial Airport Post Office is a branch post office of Gardner and a lot of the mail that we already get is addressed to Gardner.

Mr. Nohe recommended to change the name of the post office from Industrial Airport, Kansas to New Century, Kansas. Mr. Meyer asked if the board needed further time to consider the recommendation.

**MOVED BY MR. MEYER TO TABLE THE MATTER FOR FURTHER DISCUSSION.
APPROVED (6-0).**

- D. Consider approving the Johnson County Partnership Prospect Protocol to be used on behalf of the Airport Commission by the E.D.C. for intra-county business relocations.

Chairman Winn suggested that this item be deferred until the December 21, 1994 Airport Commission meeting.

- E. Staff report on vehicle parking and outside storage.

Chairman Winn stated that we may not have an ordinance problem, but rather an enforcement problem. He requested a report on specifically where we may have a problem with the ordinance as it exists. Mr. Metcalfe stated that staff will be presenting an idea on how to solve this problem at the December meeting.

NO ACTION WAS TAKEN AS THE RESULT OF DISCUSSION.

VI. BUSINESS FROM THE FLOOR

MOVED BY MR. NOHE, SECONDED BY MS. THOMEN TO ADJOURN INTO EXECUTIVE SESSION AT 11:15 A.M. TO DISCUSS PENDING LITIGATION AND PARSONITT UNTIL 11:45 A.M. APPROVED (6-0).

VII. EXECUTIVE SESSION

Chairman Winn reconvened the meeting at 11:45 a.m., and went into an informal session until 12:10. The Chairman learned in Executive Session that it was necessary because of the time deadlines, to take action that he was not aware of before adjourning into Executive Session. The Chairman brought the Airport Commission back into open session and requested Mr. Metcalfe to call the media that attended the Airport Commission meeting, and advise him of the actions taken.

**MOVED BY MR. NOHE, SECONDED BY MR. MEYER TO AUTHORIZE THE CHAIRMAN TO ENTER INTO A CONSENT AGREEMENT AND CONSENT ORDER WITH KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT SUBJECT TO REQUESTING LEGAL COUNSEL TO DELAY AND EXTEND THE PERFORMANCE DATES OF THE ENGINEER.
APPROVED (5-0).**

Mr. Nohe suggested that counsel and staff inform the Airport Commission of what the delay dates are and have staff and the engineer calculate what the budgetary impact would be.

By consensus, the Airport Commission directed legal counsel to recommend to the BoCC that the Airport Commission attempts to terminate the Parsonitt litigation by accepting a payment as indicated by legal counsel in turn for a full release as to be negotiated by legal counsel, subject to

Airport Commission Minutes - November 30, 1994 - Page 8

additional financial information on Parsonitt and its owners.

Mr. Nohe asked for financial information on Parsonitt and its owners prior to releasing them of any liability. Mr. Meyer also wanted to make sure that by releasing Parsonitt, that we would not jeopardize any chances of participation in the cost of the remediation with the Corps of Engineers.

VIII.ADJOURNMENT

MOVED BY MR. NOHE SECONDED BY MR. MEYER TO ADJOURN THE MEETING AT 12:22 P.M. APPROVED (4-0).

Phyllis Thomen, Secretary

R. Lee Metcalfe, Executive Director

JOHNSON COUNTY AIRPORT COMMISSION
MINUTES - December 21, 1994 9:00 a.m. - INDUSTRIAL AIRPORT, KS

Airport Commission

Present: Messrs. Winn, Meyer, Nohe, Viets, Ms. Thomen

Staff: Metcalfe, Ritter, Smyth, Fredrichs, Howard, Engelmann

Absent: Mr. Heaven, Ms. Mullin

Others: Steve Porter, Olathe Daily News
David Westbrook, Corporate Communications Group
Gary O'Neal, Corporate Communications Group
Suzanne Goodack, Corporate Communications Group
John Runck, Shade Foods
Charles Pretz
R.A. Pretz
Bill Bushno
Betty Cappello

The meeting was called to order at 9:00 a.m. by Chairman Winn.

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

I. APPROVAL OF THE MINUTES

MOVED BY MS. THOMEN, SECONDED BY MR. NOHE, TO APPROVE THE MINUTES OF THE NOVEMBER 30, 1994 MEETING AS PRINTED AND DISTRIBUTED. APPROVED (4-0).

II. REPORT OF THE CHAIRMAN

The Chairman had nothing to report.

III. CONSENT AGENDA ITEMS

- A. Consider recommending approval to the BoCC for the renewal of the Midwest Air Traffic Control Service, Inc. agreement to provide air traffic control services at New Century AirCenter for the period of January 1, 1995 to December 31, 1995.
- B. Consider approving and authorizing the Executive Director to sign Supplemental Agreement No. 2 with Bucher, Willis and Ratliff, pending FAA approval, in an amount not to exceed \$11,980.70, for additional design and construction services to complete rehabilitation of the airfield electrical vault and guidance signs and pavement marking for closure of Runway 14/32 at New Century AirCenter, AIP Project No. 3-20-0109-11.

MOVED BY MR. VIETS, SECONDED BY MS. THOMEN TO APPROVE THE ITEMS ON THE CONSENT AGENDA. APPROVED (4-0).

IV. EXECUTIVE SUMMARY

A. Consider ratifying the November expenditures as presented.

There were no questions or comments regarding the expenditures.

B. Summary of Financials.

Ms. Smyth stated that staff projects that the budget will not be fully expended this year. The Executive Director has prepared a worksheet on what the projected revenues are, which will be explained further in the marketing presentation. The Airport Commission stated that they appreciated the explanations on the expenditure list and the financials.

MOVED BY MR. MEYER, SECONDED BY MR. VIETS, TO RATIFY THE NOVEMBER EXPENDITURES AND TO APPROVE THE SUMMARY OF FINANCIALS AS PRESENTED. APPROVED (5-0).

C. Report from President, Southwest Johnson County Economic Development Corporation.

Mr. Engelmann discussed the interactive brochure diskette and handed out an aerial photo of New Century AirCenter to the Airport Commission. The aerial photo will be attached to the real estate data sheet that goes out with requests for information about New Century. The photo was provided by the Kansas City Area Development Council as part of their inventory update.

Ms. Thomen invited the Airport Commission to the annual Southwest Johnson County Economic Development Corporation Dinner, which will be held on January 11, 1995 at Shadow Glen Country Club.

V. DISCUSSION ITEMS:

Royal Tractor Roof.

Mr. Metcalfe informed the Airport Commission that Mr. Bill Hiner, Royal Tractor, would like to address the Airport Commission regarding the roof of the building being leased by Royal Tractor. The Airport Commission discussed this issue at a recent meeting, with the conclusion that it was Royal Tractor's responsibility to make repairs to the building, as stated in their lease.

Mr. Metcalfe reported that the roof of the Royal Tractor building is basically "shot". A consultant was hired to obtain an estimate to repair the roof, which came in at over \$220,000

Airport Commission Minutes - December 21, 1994 - Page 3

to completely recover the roof and repair the decking. Staff advised Royal Tractor of the Airport Commission's decision on the issue.

Mr. Hiner stated that Royal Tractor located here in 1975, and was one of the first companies to move to Industrial Airport. Mr. Hiner proposed to the Airport Commission that the amount of his rental arrangement for the building be reduced approximately \$500.00 per month for a period of one year to cover immediate repairs needed to the roof. This repair work includes removing the canopy off of the roof and to repair the gutter. Mr. Hiner asked the Airport Commission to reconsider their previous decision on not making the repairs to the roof.

Mr. Viets asked staff what the rate was per square foot in Royal Tractor's lease. Mr. Metcalfe reported that Royal Tractor pays 80¢ per square foot. For the first ten years in the lease, Royal Tractor paid 60¢ per square foot. Mr. Ford stated he has reviewed the lease and determined that it was the sole responsibility of Royal Tractor to make the necessary repairs to the building. Chairman Winn reviewed the lease and read a portion of the lease where it states that Royal Tractor is responsible for repairs to the building. He also asked if it would be possible to renegotiate the lease and perhaps finance the repairs through the lease rate. Mr. Metcalfe stated that the building does not meet structural, electrical, plumbing, fire or life safety code requirements and he doubts whether it would be cost-effective to spend any significant money on the roof. In order for the building to be utilized for an extended length of time, a major overhaul would be necessary to bring it up to code. Mr. Metcalfe stated that there also are fire access problems with the building, it currently has very little on-site vehicle parking and no set-backs from the lot lines. He stated it would be staff's recommendation that the lease not be renegotiated for a long-term due to these reasons. Staff would recommend that once the lease expires with Royal Tractor, which would be in seven (7) years, the building be demolished.

Mr. Viets asked how Royal Tractor's lease rate compares to other businesses at New Century AirCenter. Mr. Metcalfe replied that the most of the lease rates are in the \$2.00 - 2.50 range per square foot. Mr. Hiner reiterated his proposal of having the Airport Commission reduce its monthly rental amount by \$500.00 to cover the repairs to the roof. Chairman Winn stated that, with reviewing the lease again, that it was solely Royal Tractor's responsibility to make necessary repairs to the building. He suggested that staff meet with Royal Tractor and explore the option of having the Airport Commission finance the improvements and adjusting Royal's rental amount upward to recover the Commission's investment.

CONSENSUS OF THE AIRPORT COMMISSION WAS TO HAVE STAFF MEET WITH ROYAL TRACTOR AND EXPLORE THE OPTION OF ADJUSTING ROYAL TRACTOR'S MONTHLY RENTAL AMOUNT TO COMPENSATE FOR THE AIRPORT COMMISSION FINANCING IMPROVEMENTS TO THE ROOF OF THE ROYAL TRACTOR BUILDING.

- B. Consider approving the preliminary alignment recommendation on the north entrance road from JBM Engineers.

Airport Commission Minutes - December 21, 1994 - Page 4

Mr. Metcalfe stated that the Master Plan was adopted in 1978, with engineering completed by HNTB. The master plan showed the general alignment of the extended parkway and the concept of the divided parkway. The Industrial Park Master Plan was updated by HSGA in 1992. The Airport Commission submitted a request for funding for the road under the County's Capital Improvements Program (CIP) which was approved for 1995 in the amount of \$1 million dollars. The Airport Commission retained JBM Engineers to study the alignment of the road and to do the design engineering once the alignment is approved. Staff recommends bidding the construction phase of the project in late winter or early spring in order to get the most favorable bids.

Mr. Fred Schmidt, Project Manager for JBM, presented to the Airport Commission the preliminary alignment study for the extension of New Century Parkway from 159th Street to 151st Street. Mr. Schmidt stated that there are four (4) alignment options for the parkway. The proposed roadway ultimately calls for a divided four (4) lane road at 159th Street proceeding north to connect to 151st Street. Due to budget limitations, the first phase would be a two (2) lane road connecting with the existing two (2) lane at its best point, with the south-bound lanes constructed first. The design criterion being used is a 45 miles-per-hour design speed, but the road would be posted at a speed limit of 35 miles per hour. Design will be based on the latest versions of AASHTO - Geometric Design of Highways and Streets and the KDOT (Kansas Department of Transportation) - Design Manual. Storm sewers will be designed using a 25 year frequency storm.

Mr. Schmidt discussed Option A, which is the western most option. The Phase One cost of Option A would be \$745,800, which is the lowest cost of all options. Option A is also the best alignment from a traffic flow standpoint, since it is the straightest of the four alignments and does not have sharp S-curves. Other advantages to Option A are that it is within the budget limitations of Phase One, has good sight distances at 151st Street, and a good separation from the runway approach line. Mr. Schmidt stated that the work can be done without disrupting current road traffic patterns at 159th Street. Mr. Metcalfe stated that a 1992 traffic study showed that 80% of the truck traffic the airport receives enters the airport at 159th Street. Mr. Schmidt stated that the ultimate grand total for Phase One and Two is \$2,298,900.

Mr. Metcalfe stated that the FAA is concerned that the road not be built in the approach lighting area, and they also do not want the road alignment close to the center line of the runway. The FAA feels that it may be hazardous to the pilots, because they may be confused by the lighting.

Mr. Viets asked if this entrance could become the 21st Century Parkway since the City of Gardner is concerned with the 21st Century Parkway "splitting" their city. Mr. Metcalfe stated that he met with the City of Gardner and the planners of the 21 Century Parkway. He stated that the parkway cannot become the 21st Century Parkway because of the design speed and the at-grade access from the industrial area. Mr. Viets strongly felt that New Century AirCenter needs to connect with the 21st Century Parkway. Mr. Meyer stated that he agrees with Mr. Viets that the Airport Commission needs to strongly encourage the 21st Century Parkway.

Airport Commission Minutes - December 21, 1994 - Page 5

Mr. Viets is adamant that there be a strong commitment to the aesthetics of the entrances to the AirCenter. He feels that we need to proceed now, and stated that he would not hesitate to add to the costs to enhance the appearance of the parkway. Mr. Schmidt stated that JBM has no problem with this request, if instructed to do so.

Chairman Winn asked what option the airport and engineering staff recommend. Airport and engineering staff recommend Option A. Mr. Nohe asked about the impact on the Pretz home. Mr. Schmidt stated that Option A does not impact the Pretz home. It does restrict access to the eastern portion of the Pretz property by the Pretz' cattle, but that is true of all the options except D. He also stated that the a livestock tunnel was not included in the cost of Option A cost estimate, and indicated that the cost to implement the tunnel would be \$50,000 - 75,000.

MOVED BY MR. NOHE, SECONDED BY MR. VIETS TO RECOMMEND TO THE BOCC OPTION A IN THE PRELIMINARY ALIGNMENT STUDY FOR THE EXTENSION OF NEW CENTURY PARKWAY FROM 159TH STREET TO 151ST STREET CONTINGENT UPON ENHANCING THE VISUAL ASPECT OF THE PARKWAY. APPROVED (5-0).

- C. Consider approving the Johnson County Partnership Prospect Protocol to be used on behalf of the Airport Commission by the E.D.C. for intra-county business relocations.

MOVED BY MR. VIETS, SECONDED BY MS. THOMEN TO APPROVE THE JOHNSON COUNTY PARTNERSHIP PROSPECT PROTOCOL TO BE USED ON BEHALF OF THE AIRPORT COMMISSION BY THE E.D.C. FOR INTRA-COUNTY BUSINESS RELOCATIONS. APPROVED (6-0).

- A. Discuss development standards; Shade Foods.

Mr. Metcalfe reported that Shade Foods has recently submitted plans to construct an addition to their existing facility located at 400 Prairie Village Drive. The ultimate development scheme for the facility was approved by the Airport Commission in 1988 to allow expansion of their facilities towards Prairie Village Drive. Upon reviewing Shade's development application, the Planning Department brought forth issues for the Airport Commission's consideration. Mr. Barry Hokanson, Planning Director, stated that Planning staff is working jointly with Airport staff on recommendations. Mr. Hokanson described the restrictions of the property. Mr. Paul Greeley, Planning Department, handed out a colored map of the Shade Foods site, describing the proposed addition and alternatives. One alternative is to build from the east side of the existing building, but due to the existing abandoned fuel tanks in that area, building cannot be performed until the tanks are removed. Mr. Metcalfe stated that the two (2) 210,000 gallon tanks were used by the Navy for jet fuel, and it is solely the Army Corps of Engineers' responsibility to remove the tanks. Staff had discussed the issue with the Corps, and it was their opinion that the removal of the tanks is a low priority. They currently plan to leave the tanks in place. Other options are to build north of the existing building, which would be totally separate from their existing building due to the railroad tracks.

Shade Foods needs approximately 50,000 sq. ft. immediately. It is also their intention to eventually expand their facility to the east as far as the old fuel tanks will allow. They could wait a year, but probably not any longer. If Shade is unable to expand within the year period, they will have to reevaluate their options at other locations. The Township Zoning Board will be reviewing this issue next week.

Airport Commission Covenants, Conditions and Restrictions require a 35' setback from the road. With the proposed south addition, there would be 70 feet between the expansion and Prairie Village Drive. Chairman Winn asked if it is an option to push the expansion farther south to the 35 feet limit, under the conditions that there are acceptable landscaping performed. Due to the nature of their products (confectionery food products), Shade cannot put landscaping right up to the building as it provides a harbor for pests, but stated that they could have shrubs and a berm away from the building. Consensus of the Airport Commission was to have Airport Staff and Planning Staff review the proposed landscaping.

MOVED BY MR. VIETS, SECONDED BY MR. NOHE TO RECOMMEND TO THE ZONING BOARD THAT A VARIANCE BE GRANTED TO ALLOW SHADE FOODS TO CONSTRUCT AN EXPANSION TO THEIR FACILITY SOUTHWARD UP TO 35 FEET FROM PRAIRIE VILLAGE DRIVE. APPROVED (5-0).

- F. Consider approving the implementation of Phases I through IV of the Strategic Marketing Plan for the New Century AirCenter. (Tabled from November 30, 1994 meeting.)

Currently, New Century AirCenter has the capacity, with the completion of the water tank and the water connection to the City of Olathe, to triple the amount of business that we currently host. Mr. Metcalfe stated that the newspapers and television media were very positive on the marketing plan and the new name of the airport. Airport and CCG staff has spent considerable time developing the marketing plan. Mr. Metcalfe stated that when the RFQ (Request for Quotations) was developed, the Scope of Services stated that the Airport Commission planned on spending \$300,000 over a three year period. Staff has spent considerable time reviewing the budget, confirming that funds are available for the marketing plan as proposed.

Mr. David Westbrook, CCG, stated that the program outlined is to enhance the identity of New Century AirCenter. One of the main goals is to recruit an anchor tenant and he believes it will have a profound effect on the arrival of new tenants. Mr. Westbrook pointed that several of the more costly items in the marketing budget are things such as brochures, letterhead, exhibit materials and the like, which will have a multi-year shelf life. He also stated that it may seem expensive to the Airport Commission to market New Century AirCenter if it has never been done before. He felt that, based on his professional experience and on CCG's research into the marketing budgets of comparable developments, the proposed marketing program and budget for New Century AirCenter is very reasonable.

Airport Commission Minutes - December 21, 1994 - Page 7

Mr. Nohe stated that the documentation received answered the questions that he had had the month before and that he was satisfied that the program was appropriate.

MOVED BY MR. NOHE, SECONDED BY MS. THOMEN, TO ADOPT THE MARKETING PLAN AS PRESENTED, CONTINGENT UPON QUARTERLY PERFORMANCE PROGRESS EVALUATION BY CCG TO THE AIRPORT COMMISSION SO THAT THERE IS AN ACCOUNTABILITY PROCESS. Discussion continued.

Mr. Meyer asked about the selection of the exclusive broker. Mr. Metcalfe stated that staff is prepared to finalize the Scope of Services. Staff expects the procurement process to be lengthy. He stated that it would take at least four (4) months to identify the broker and begin negotiating a contract. Mr. Nohe asked how critical it was to have the broker on board with the marketing plan. Mr. Westbrook stated that CCG will develop the materials with the advice and counsel of several leading brokers in the community and would do so even if our specific broker had already been identified, adding that CCG has already checked with several realtors to see what, in their opinion, is needed in the materials.

Mr. Viets stated that the realtor has a strong presence with the marketing plan, and feels that the implementation of the marketing phases and the hiring of the exclusive broker need to take place together. Chairman Winn suggested that there may be a need to have quarterly updates from CCG, so the Airport Commission can evaluate the progress of the marketing phases. Mr. Viets feels that the realtor needs to have input with the brochures and the implementation.

Chairman Winn asked if it would be possible if once the RFP's are sent to the brokers, to have the top five or six would be willing to serve on a roundtable and give their input on the marketing phases. He also added that the brokers would need to be aware that they would not be compensated for their participation, nor would it enhance their chances of becoming the exclusive broker. Mr. Westbrook stated that he sees no problem with the idea and stated that CCG could actively seek the input of the realtors.

Mr. Viets suggested that CCG reprioritize the tasks in the phases, so that while CCG is moving forward, it will postpone some of the items that the broker could provide input. Mr. Westbrook stated that CCG could start on the signs at New Century, along with the letterhead for the Airport Commission and business cards.

MOVED BY MR. VIETS, SECONDED BY MR. MEYER, TO AMEND THE FIRST MOTION, TO DEFER THE LESS CRITICAL ITEMS OF MARKETING PHASE I UNTIL AN EXCLUSIVE BROKER CAN BE RETAINED. APPROVED (5-0). ORIGINAL MOTION APPROVED AS AMENDED (5-0).

Airport Commission Minutes - December 21, 1994 - Page 8

- E. Consider recommendation from the Development Committee to approve the name change of the Post Office from Industrial Airport, Kansas to Johnson County, Kansas. (Tabled from November 30, 1994 meeting.)

Mr. Metcalfe stated that some of the tenants feel that the name Johnson County, Kansas may cause additional confusion. CCG stated that they recommend New Century, Kansas, and agreed that it may be confusing to use Johnson County, Kansas.

MOVED BY MR. NOHE, SECONDED BY MR. MEYER TO CHANGE THE NAME OF THE POST OFFICE FROM INDUSTRIAL AIRPORT, KANSAS TO NEW CENTURY, KANSAS. APPROVED (5-0).

- D. Discuss options for rail line construction and rehabilitation.

Mr. Metcalfe stated that Steel & Pipe Supply Company (SPS) will arrange and pay for the construction for a rail spur to and within their facility at New Century AirCenter, with the Airport Commission paying SPS back through a rent credit for the "common" portion of the spur. The contractor will begin work when weather permits.

Mr. Metcalfe stated that the existing spur in that area, which hasn't been used in years, is in immediate need of rehabilitation. He strongly feels that the rehabilitation of the existing railroad track along that area needs to take place, due to the fact that there will be 1,000+ cars per year traveling on the track. Staff believes that it will reduce operating costs for the railroad. He also stated that this rehabilitation will benefit not only SPS, but Heartland Cement as well. Mr. Metcalfe stated that it is unlikely we would receive CIP funding for the rehabilitation.

Mr. Nohe asked how many bids SPS received on the spur. Mr. Metcalfe replied that three bids were received, with R.D. Long being the low bidder. R.D. Long has done rehabilitation to the railroad track at New Century AirCenter, and staff is confident of their work. Chairman Winn stated that this will be a good, long-term investment for the airport, and added that it will increase the response time of companies receiving cars.

Mr. Viets asked if the runaround track would be more beneficial further south towards the main line. Mr. Metcalfe stated that it would, but would add to the cost. Where it is proposed now, we can take advantage of an existing track switch and track. He also stated that an existing perimeter road will be used for the roadbed for the runaround, which will save money for grading and compaction. If the runaround were to be built further south, a roadbed will need to be built. Mr. Viets stated that it may be worth adding additional costs if it was more beneficial to move the runaround track south.

Consensus of the Airport Commission was to have staff consider moving the runaround track south if feasible.

MOVED BY MR. VIETS, SECONDED BY MR. NOHE, TO APPROVE THE CONCEPT OF

**FUNDING FOR IMPROVEMENTS TO THE NEW CENTURY AIRCENTER RAILROAD.
APPROVED (5-0).**

VI. BUSINESS FROM THE FLOOR

Mr. Metcalfe reported that KDHE has approved the extension of the performance dates regarding the soil contamination site at Parsonitt.

VII. EXECUTIVE SESSION

The Airport Commission did not adjourn into Executive Session.

VIII. ADJOURNMENT

**MOVED BY MR. VIETS SECONDED BY MR. NOHE TO ADJOURN THE MEETING AT 11:40
A.M. APPROVED (5-0).**

Phyllis Thomen, Secretary

R. Lee Metcalfe, Executive Director

JOHNSON COUNTY AIRPORT COMMISSION

MONTHLY MEETING AGENDA Industrial Airport, Kansas

Wednesday, January 26, 1994 - 8:00 a.m.

TAB

A

I.

APPROVAL OF MINUTES of December 20, 1993 meeting.

II.

REPORT OF THE CHAIRMAN:

Recognition of employee service -
Mike Fredrichs, Director, Aviation, 15 years

B

III.

CONSENT AGENDA ITEMS:

- A. Consider approval of billing the Navy for two separate 2" meters at Industrial Airport.
- B. Consider adopting a resolution for the accounts receivable policy for the Airport Commission.

C

IV.

EXECUTIVE SUMMARY:

D

V.

DISCUSSION ITEMS:

- A. Review the Woodward-Clyde stormwater management consultant contract.
- B. Discuss releasing information regarding the t-hangar tenant airplanes to the Johnson County Appraiser's Office.

8:10 a.m.

VI.

BUSINESS FROM THE FLOOR

VII.

ADJOURNMENT

JOHNSON COUNTY AIRPORT COMMISSION

MONTHLY MEETING AGENDA

Industrial Airport, Kansas
Wednesday, April 27, 1994 - 9:00 A.M.

TAB

A

I. **APPROVAL OF MINUTES** of March 23, 1994 meeting.

II. **REPORT OF THE CHAIRMAN:**

C

B

III. **CONSENT AGENDA ITEMS:**

IV. **EXECUTIVE SUMMARY:**

A.Consider ratifying the March expenditures as presented.

D

B.Summary of Financials.

C.Report from President, Southwest Johnson County E.D.C.

V. **DISCUSSION ITEMS:**

A.Consider approval of the transfer of the ground lease for the Mid-States Millwork hangar at Industrial Airport to Dr. John A. Romito.

B.Consider approving and authorizing the Chairman to execute agreements regarding Howell Mouldings, Inc. leases at Industrial Airport.

9:30 a.m.

C.Consider approving and authorizing the Chairman to execute an amendment to the Shades Food lease clarifying language concerning Shades' payment of capital and other charges to the Consolidated Main Sewer District.

D.Consider approval of the transfer of the facility leases for 100 - 150 Industrial Parkway from Olathe Manufacturing Company, Inc. to Rogers Manufacturing, Inc.

E.Consider adopting a water conservation policy.

F.Consider recommending approval to the BoCC of the 1995 budget.

G.Consider adopting a sign policy as recommended by the Development Committee.

H.Consider recommending approval to the BoCC for Change Order No. 1 in an amount not to exceed \$65,831.03 with Burns and McDonnell for additional fees for construction and inspection of Apron Expansion and Apron Rehabilitation project at Executive Airport. (AIP No. 3-20-0062-11.)

I.Report on marketing plan.

J.Consider recommending to the Board of County Commissioners that the Federal Aviation Administration grant for an instrument landing system (ILS) at Executive Airport be amended to exclude the localizer/glideslope installation, that the approach lighting system specified for the ILS be installed, and that a Global Positioning System (GPS) approach be designed and commissioned for the airport.

VI. BUSINESS FROM THE FLOOR

VII. EXECUTIVE SESSION:

Land acquisition.

Air Associates.

VIII. ADJOURNMENT

JOHNSON COUNTY AIRPORT COMMISSION

MONTHLY MEETING AGENDA

Industrial Airport, Kansas
Wednesday, May 25, 1994 - 9:00 A.M.

TAB

A

- I. **APPROVAL OF MINUTES** of April 27, 1994 meeting.

- II. **REPORT OF THE CHAIRMAN:**

C
B

- III. **CONSENT AGENDA ITEMS:**

- IV. **EXECUTIVE SUMMARY:**

A. Consider ratifying the April expenditures as presented.

B. Summary of Financials.

D

C. Report from President, Southwest Johnson County E.D.C.

- V. **DISCUSSION ITEMS:**

A. Consider authorizing staff to purchase replacement conference room chairs at a cost not to exceed \$6,000.

B. Consider approving Authorization No. 8 for engineering services with Howard Needles Tammen and Bergendoff for a perimeter fence at Executive Airport.

C. Discuss developing a development incentives and airport tax policy.

D. Discuss broker's commissions on land deals at Industrial Airport.

E. Discuss strategy for the marketing plan.

- VI. **BUSINESS FROM THE FLOOR**

- VII. **EXECUTIVE SESSION:**

Air Associates.

- VIII. **ADJOURNMENT**

JOHNSON COUNTY AIRPORT COMMISSION

MONTHLY MEETING AGENDA

Doubletree Hotel
Overland Park, Kansas
Thursday, July 28, 1994 - 7:30 A.M.

TAB

A

I. **APPROVAL OF MINUTES** of June 22, 1994 meeting.

II. **REPORT OF THE CHAIRMAN:**

B

III. **CONSENT AGENDA ITEMS:**

C

IV. **EXECUTIVE SUMMARY:**

A. Consider ratifying the June expenditures as presented.

B. Summary of Financials.

C. Report from President, Southwest Johnson County E.D.C.

D

V. **DISCUSSION ITEMS:**

A. Consider recommending approval to the BoCC of an incentive policy.

B. Consider recommending approval to the BoCC of a ground lease and tax abatement with Steel Pipe & Supply Co., Inc. (SPS)

C. Consider recommending approval to the BoCC of a facility lease and Fixed Base Operator (FBO) agreement with King's Aviation, Inc.

VI. **BUSINESS FROM THE FLOOR**

VII. **EXECUTIVE SESSION**

VIII. **ADJOURNMENT**

JOHNSON COUNTY AIRPORT COMMISSION
MONTHLY MEETING AGENDA

Please note meeting place:

Executive Airport Maintenance Building
15335 Pflumm Road
Olathe, Kansas

Wednesday, August 24, 1994 - 9:00 A.M.

TAB

A

I. **APPROVAL OF MINUTES** of July 28, 1994 meeting.

II. **REPORT OF THE CHAIRMAN:**

A.Election of Officers.

C
B

III. **CONSENT AGENDA ITEMS:**

IV. **EXECUTIVE SUMMARY:**

A.Consider ratifying the July expenditures as presented.

D

B.Summary of Financials.

C.Report from President, Southwest Johnson County E.D.C.

V. **DISCUSSION ITEMS:**

A.Consider permanent closure of Runway 14/32 at Industrial Airport.

B.Consider approving the transfer of a ground lease from Jet-Tech, Inc. to Devine Corporation.

VI. **BUSINESS FROM THE FLOOR**

VII. **EXECUTIVE SESSION:**

A.Discuss land acquisition at Industrial Airport.

B.Discuss pending litigation - City of Olathe.

VIII. **ADJOURNMENT**

VIV. TOUR OF EXECUTIVE AIRPORT

JOHNSON COUNTY AIRPORT COMMISSION

REVISION "A"

MONTHLY MEETING AGENDA

Industrial Airport, Kansas

Wednesday, September 28, 1994 - 9:00 A.M.

TAB

A

- I. **APPROVAL OF MINUTES** of August 24, 1994 meeting.

II. **REPORT OF THE CHAIRMAN:**

A.Election of Officers.

B

III. **CONSENT AGENDA ITEMS:**

A.Consider recommending approval to the BoCC of a resolution authorizing the acceptance of a grant offer in the amount of \$225,720 from the Federal Aviation Administration, Grant Agreement No. 3-20-0109-10, for the purpose of purchasing a dump truck with 14' snow plow and completing electrical vault controlling the runway and taxiway circuits at Industrial Airport.

B.Consider recommending approval to the BoCC of an FAA grant amendment to the Executive Airport Instrument Landing System (ILS) project (AIP 3-20-0062-07) modifying the description of development to reflect a change in the project scope.

C

IV. **EXECUTIVE SUMMARY:**

A.Consider ratifying the August expenditures as presented.

D

B.Summary of Financials.

C.Report from President, Southwest Johnson County E.D.C.

V. **DISCUSSION ITEMS:**

A.Report on administration building roof and Royal Tractor roof.

B.Consider approving the transfer of a ground lease from Jet-Tech, Inc. to Architectural Building Systems, Inc.

C.Update on planning procedures.

VI. **BUSINESS FROM THE FLOOR**

VII. **EXECUTIVE SESSION:**

A.Discuss land acquisition at Industrial Airport.

VIII. ADJOURNMENT

JOHNSON COUNTY AIRPORT COMMISSION

MONTHLY MEETING AGENDA
New Century AirCenter, Kansas
Wednesday, October 26, 1994 - 9:00 A.M.

TAB

A

I. **APPROVAL OF MINUTES** of September 28, 1994 meeting.

II. **REPORT OF THE CHAIRMAN:**

A. Discuss November and December meeting dates.

B. Elect\appoint an Assistant Secretary.

B

III. **CONSENT AGENDA ITEMS:**

A. Consider approving the renewal of a contract with Corporate Communications Group, Inc. for marketing services for a one year term.

C

IV. **EXECUTIVE SUMMARY:**

A. Consider ratifying the September expenditures as presented.

B. Summary of Financials.

C. Report from President, Southwest Johnson County E.D.C.

D

V. **DISCUSSION ITEMS:**

A. Consider approving the transfer of a ground lease from Jet-Tech, Inc. to Architectural Building Systems, Inc.

B. Update on planning and zoning procedures.

C. Update on marketing plan.

VI. **BUSINESS FROM THE FLOOR**

VII. **ADJOURNMENT**

JOHNSON COUNTY AIRPORT COMMISSION

MONTHLY MEETING AGENDA
New Century AirCenter, Kansas
Wednesday, November 30, 1994 - 9:30 A.M.

TAB

A

- I. **APPROVAL OF MINUTES** of October 26, 1994 meeting.

II. **REPORT OF THE CHAIRMAN:**

A. Discuss December meeting.

B

III. **CONSENT AGENDA ITEMS:**

A. Consider approving an agreement with Crow-Spaulding and the Wastewater District for cost sharing of road improvements to Leawood Drive.

B. Consider approving variance request for the 6" asphalt parking lot for Crow-Spaulding.

C. Consider approving an assignment of a ground lease with James T. Yoder Testamentary Trust to Garry and Lisa Havens/President of Midwest Air Traffic Control in conjunction with a sale of the building occupying the leased tract.

D. Consider consenting to a leasehold mortgage on the Kings Avionics site for a construction loan and authorizing the chairman to sign appropriate documentation.

E. Consider granting to Kings Avionics an ingress/egress easement from Kings' leasehold tract to Gardner Drive.

F. Consider approving and authorizing the chairman to sign a contract to acquire .74 acre of land for the Locator/Outer Marker (LOM) site for the new instrument approach Executive Airport.

C

IV. **EXECUTIVE SUMMARY:**

A. Consider ratifying the October expenditures as presented.

D

B. Summary of Financials.

C. Report from President, Southwest Johnson County E.D.C.

V. **DISCUSSION ITEMS:**

A. Consider approving the implementation of Phases I through IV of the Strategic Marketing Plan for the New Century AirCenter.

B.Consider recommendation from the Development Committee and approve the name change of the Industrial Parkway to New Century Parkway.

C.Consider recommendation from the Development Committee and approve the name change of the Post Office from Industrial Airport, Kansas to Johnson County, Kansas.

D.Consider approving the Johnson County Partnership Prospect Protocol to be used on behalf of the Airport Commission by the E.D.C . for intra-county business relocations.

E.Staff report on vehicle parking and outside storage.

VI.

BUSINESS FROM THE FLOOR

VII.

EXECUTIVE SESSION

Pending litigation, Parsonitt site.

VIII.

ADJOURNMENT

JOHNSON COUNTY AIRPORT COMMISSION

MONTHLY MEETING AGENDA

"REVISION A"

New Century AirCenter, Kansas

Wednesday, December 21, 1994 - 9:00 A.M.

TAB

A

- I. APPROVAL OF MINUTES of November 30, 1994 meeting.

- II. REPORT OF THE CHAIRMAN:

B

- III. CONSENT AGENDA ITEMS:

A. Consider recommending approval to the BoCC for the renewal of the Midwest Air Traffic Control Service, Inc. agreement to provide air traffic control services at Industrial Airport for the period of January 1, 1995 to December 31, 1995.

B. Consider approving and authorizing the Executive Director to sign Supplemental Agreement No. 2 with Bucher, Willis and Ratliff, pending FAA approval, in an amount not to exceed \$11,980.70, for additional design and construction services to complete rehabilitation of the airfield electrical vault and guidance signs and pavement marking for closure of Runway 14/32 at New Century AirCenter, AIP Project No. 3-20-0109-11.

C

- IV.

EXECUTIVE SUMMARY:

A. Consider ratifying the November expenditures as presented.

D

B. Summary of Financials.

C. Report from President, Southwest Johnson County E.D.C.

- V.

DISCUSSION ITEMS:

A. Discuss development standards; Shade Foods.

B. Consider approving the preliminary alignment recommendation on the north entrance road from JBM Engineers. Presentation to be made by JBM.

C. Consider approving the Johnson County Partnership Prospect Protocol to be used on behalf of the Airport Commission by the E.D.C. for intra-county business relocations.

D. Discuss options for rail line construction and rehabilitation.

E. Consider recommendation from the Development Committee and approve the

name change of the Post Office from Industrial Airport, Kansas to Johnson County, Kansas. (Tabled from November 30, 1994 meeting.)

F. Consider approving the implementation of Phases I through IV of the Strategic Marketing Plan for the New Century AirCenter. (Tabled from November 30, 1994 meeting.)

VI.

VII. BUSINESS FROM THE FLOOR

EXECUTIVE SESSION

VIII. Pending litigation, Parsonitt site.

ADJOURNMENT