

JOHNSON COUNTY AIRPORT COMMISSION

MINUTES - January 24, 1996 9:00 a.m. - NEW CENTURY, KS

Airport Commission

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

Absent: Mr. Winn

Staff: Metcalfe, Ritter, Allen, Hilgers, Perry, Weiler

Others: Commissioner Harris-Lingle, BoCC
Steve Porter, Olathe Daily News
Janet Swanson, Gardner News
Suzanne Goodack, CCG
Steve Hale, CCG
Dave Hayden, Kings Aviation
Gary Morris, Kings Aviation
Kevin Riecker, Kansas City Aviation Center
Rob O'Brien, Executive Beechcraft
Ron Cousino, Johnson County Finance Department
Rita Eddy, Johnson County Facilities Department
Doug Gertsma, Johnson County Community Corrections
Mike Youngken, Johnson County Community Corrections
Dennis McGuire, Johnson County Fire District #1
Mike Christianer, CFS Architects

The meeting was called to order at 9:00 a.m. by 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 MR. MEYER, SECONDED BY MR. HEAVEN, TO APPROVE THE MINUTES OF THE DECEMBER 13, 1995 MEETING AS AMENDED. APPROVED (5-0).

II. REPORT OF THE CHAIRMAN

Mr. Metcalfe reported that he would like to attend the South Central Chapter of the American Association of Airport Executives Annual Conference in Albuquerque, New Mexico the week that the February Airport Commission meeting was normally held. He requested that the meeting be moved up one week to February 21, 1996.

MOVED BY MS. THOMEN TO HOLD THE FEBRUARY AIRPORT COMMISSION MEETING ON

JOHNSON COUNTY AIRPORT COMMISSION

MONTHLY MEETING AGENDA

New Century AirCenter, Kansas
Wednesday, February 21, 1996 - 9:00 A.M.

TAB

A

I. **APPROVAL OF MINUTES** of January 24, 1995 meeting.

II. **REPORT OF THE CHAIRMAN:**

B

III. **CONSENT AGENDA ITEMS:**

IV. **EXECUTIVE SUMMARY:**

A. Review staff reports.

C

B. Consider ratifying the January expenditures as presented.

C. Summary of Financials.

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

V. **DISCUSSION ITEMS:**

A. Consider approving revisions to Airport Layout Plans for Johnson County Executive Airport.

B.

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D.

E.

F. Report from CCG.

G. Report from J.P. Fogel.

VI. **BUSINESS FROM THE FLOOR**

VII. **ADJOURNMENT**

JOHNSON COUNTY AIRPORT COMMISSION

MONTHLY MEETING AGENDA

New Century AirCenter, Kansas
Wednesday, February 21, 1996 - 9:00 A.M.

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VI. **BUSINESS FROM THE FLOOR**

VII. **ADJOURNMENT**

REVISED

JOHNSON COUNTY AIRPORT COMMISSION

MONTHLY MEETING AGENDA

New Century AirCenter, Kansas

Wednesday, March 27, 1996 - 9:00 A.M.

A
TAB

B

I. **APPROVAL OF MINUTES** of February 21, 1996 meeting.

II. **EXECUTIVE SUMMARY:**

A. Review staff reports.

B. Consider ratifying the February expenditures as presented.

C. Summary of Financials.

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

C

III. **DISCUSSION ITEMS:**

A. Presentation by Sheriff Fred Allenbrand on the new detention facility and sheriff's office pr
for construction at New Century AirCenter.

B. Consider recommending approval of a second addendum to the interlocal cooperation agree
with Johnson County Fire District #1.

C. Consider recommending to the BoCC approval of a Conditional Use permit for sprint Spect
L.P. Consider approving a 5 year lease with options for Sprint Spectrum, L.P., for a cell
antenna.

D. Consider approval of the assignment of the ground lease with Chester and Cleta Rogers to
revocable trusts of Chester Rogers and Cleta Rogers for estate planning purposes.

E. Report from CCG.

F. Report from J.P. Fogel.

IV. **BUSINESS FROM THE FLOOR**

V. **ADJOURNMENT**

9:00
a.m.

REVISED

JOHNSON COUNTY AIRPORT COMMISSION

MONTHLY MEETING AGENDA

New Century AirCenter, Kansas

Wednesday, April 24, 1996 - 9:00 A.M.

TAB

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I. APPROVAL OF MINUTES of March 27, 1996 meeting.

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REPO view staff reports.

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THE B.Consider ratifying the March expenditures as presented.

CHAIR

MAN: C.Summary of Financials.

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

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AGEN **DISCUSSION ITEMS:**

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ITEMS A.Discussion on runway closure for runway reconstruction at Executive Airport.

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A. B.Consider approving a water rate increase for all water accounts at New Century AirCenter.

Co C.Consider approving the 1997 budget.

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JOHNSON COUNTY AIRPORT COMMISSION

"Revised"
MONTHLY MEETING AGENDA
New Century AirCenter, Kansas
Wednesday, May 22, 1996 - 9:00 A.M.

A
TAB

I. **APPROVAL OF MINUTES** of April 24, 1996 meeting.

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

III. **CONSENT AGENDA ITEMS:**

A.Consider approving a consent to a second leasehold mortgage between DeElliott and Norbank.

C

IV. **EXECUTIVE SUMMARY:**

A.Review staff reports.

B.Consider ratifying the April expenditures as presented.

C.Summary of Financials.

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

D

V. **DISCUSSION ITEMS:**

A.Consider recommending approval to the BoCC for a change order to an engineering contact with Shafer, Kline & Warren (SKW) for engineering services for image enhancements at New Century AirCenter.

B.Consider consenting to the assignment of the Rogers Manufacturing/Toro facility lease to New Century Partners, L.L.C and consenting to a leasehold mortgage by New Century Partners, L.L.C.

C.Consider authorizing the chairman to execute contracts with Burns & McDonnell for engineering and construction monitoring services in conjunction with the reconstruction of the runway at Executive Airport.

D.Discuss the County Economic Research Institute, Inc.'s (CERI) Economic Impact Study for Executive Airport and New Century AirCenter.

E.Consider approving the revisions to the Sprint Spectrum Tower lease at New Century AirCenter.

F.Report from CCG.

G.Report from J.P. Fogel.

VI. **BUSINESS FROM THE FLOOR**

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JOHNSON COUNTY AIRPORT COMMISSION

MONTHLY MEETING AGENDA
"Revision B"
New Century AirCenter, Kansas
Wednesday, June 26, 1996 - 9:00 A.M.

A
TAB

I. **APPROVAL OF MINUTES** of May 22, 1996 meeting.

II. **REPORT OF THE CHAIRMAN:**

A.Presentation of Business Appreciation Certificates to New Century AirCenter resident businesses.

B

III. **CONSENT AGENDA ITEMS:**

A.Consider recommending approval to the BoCC of Amendment No. 1 to Grant Agreement No. 3-20-0062-10 with the Federal Aviation Administration that will increase the grant amount from \$239,475.00 to \$263,063.65.

B.Consider recommending approval to the BoCC of Amendment No. 1 to Grant Agreement No. 3-20-0062-05 with the Federal Aviation Administration that will increase the grant amount from \$662,049.00 to \$693,495.23.

C

IV. **EXECUTIVE SUMMARY:**

A.Review staff reports.

B.Consider ratifying the May expenditures as presented.

C.Summary of Financials.

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

D

V. **DISCUSSION ITEMS:**

A.Consider recommending to the Oxford Township Zoning Board denial of the Conditional Use Permit, Application Number OX-CU-1527, for a communication tower near Executive Airport.

B.Presentation by Johnson County Facilities on the proposed detention facility at New Century AirCenter.

C.Consider approving the first extension to the real estate brokerage contract with J.P. Fogel & Company.

D.Consider approving the request from New Century Partners, LLC to exercise the option to extend the lease and associated Service Agreement dated January 1, 1977, for the first ten year option period.

E.Consider recommending to the Board of County Commissioners approval of a resolution of intent to issue \$850,000 in Revenue Bonds to HMRS Holdings LLC dba Kings Aviation for the purpose of constructing and equipping an aircraft storage hangar.

F.Consider approving the request from Dazey Corporation to exercise the option to extend the lease and associated service agreement dated October 1, 1976 for the first ten year option period.

G.Consider approving a resolution recommending the BoCC approve the issuance of private activity bonds in an amount not to exceed \$8,200,000 for the benefit of Marquardt and Lewis Land Company, LLC and Stouse Sign and Decal.

H.Report from CCG.

I.Report from J.P. Fogel.

VI.

BUSINESS FROM THE FLOOR

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JOHNSON COUNTY AIRPORT COMMISSION

MONTHLY MEETING AGENDA

New Century AirCenter, Kansas
Wednesday, July 24, 1996 - 9:00 A.M.

TAB

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I. APPROVAL OF MINUTES of June 26, 1996 meeting.

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CHAIR
MAN:

sentation by Dr. Ivan Smith, JOCO Business Tech Center, Inc.
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itur B.Consider approving the final site plan for the community corrections expansion.
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as C.Consider a request from Kansas City Aviation Center to make certain adjustments
pre and modifications to its lease at Executive Airport.
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E.Report from J.P. Fogel.

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JOHNSON COUNTY AIRPORT COMMISSION

MONTHLY MEETING AGENDA
New Century AirCenter, Kansas
Wednesday, August 28, 1996 - 9:00 A.M.

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TAB

I. APPROVAL OF MINUTES of July 24, 1996 meeting.

II. REPORT OF THE CHAIRMAN:

A.Nomination of Officers.

B

III. CONSENT AGENDA ITEMS:

C

IV. EXECUTIVE SUMMARY:

A.Review staff reports.

B.Consider ratifying the July expenditures as presented.

C.Summary of Financials.

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

D

V. DISCUSSION ITEMS:

A.Consider recommending to the BoCC approval of a settlement agreement and reimbursement to New Century Partners, Ltd., in the amount of \$102,951.10 for excess back rent collected in 1995.

B.Consider requesting from the Federal Aviation Administration the release of several parcels of airport land.

C.Consider a request from Kansas City Aviation Center to make certain adjustments and modifications to its lease at Executive Airport.

D.Consider presenting a golf course proposal to the City of Olathe.

E.Consider having the airports platted to address certain property identification issues.

F.Report from CCG.

G.Report from J.P. Fogel.

BUSINESS FROM THE FLOOR

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JOHNSON COUNTY AIRPORT COMMISSION

MONTHLY MEETING AGENDA
New Century AirCenter, Kansas
Wednesday, September 25, 1996 - 9:00 A.M.

A
TAB

I. APPROVAL OF MINUTES of August 28, 1996 meeting.

II. REPORT OF THE CHAIRMAN:

A.Presentation to Marty Nohe, who served as Chairman from 1995 to 1996.

B.Appointment of a Development Committee Chairman.

B

III. CONSENT AGENDA ITEMS:

C

IV. EXECUTIVE SUMMARY:

A.Review staff reports.

B.Consider ratifying the August expenditures as presented.

C.Summary of Financials.

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

V. DISCUSSION ITEMS:

D

A.Consider a request from Kansas City Aviation Center to make certain adjustments and modifications to its lease at Executive Airport.

B.Consider participating with other county agency boards in a board development program.

C.Discuss the traffic study completed by Bucher Willis & Ratliff for the future I-35 interchange to serve the southeast portion of New Century AirCenter, primarily the planned airline passenger and air cargo terminal areas.

D.Report from CCG.

E.Report from J.P. Fogel.

VI. BUSINESS FROM THE FLOOR

VII. ADJOURNMENT

JOHNSON COUNTY AIRPORT COMMISSION

MONTHLY MEETING AGENDA
New Century AirCenter, Kansas
Wednesday, December 11, 1996 - 9:00 A.M.

TAB

A

I. **APPROVAL OF MINUTES** of October 23, 1996 meeting.

II. **REPORT OF THE CHAIRMAN:**

B

III. **CONSENT AGENDA ITEMS:**

IV. **EXECUTIVE SUMMARY:**

C

A. Review staff reports.

B. Consider ratifying the October and November expenditures as presented.

C. Summary of Financials.

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

V. **DISCUSSION ITEMS:**

A. Consider approving the renewal of a contract with Southwest Johnson County Economic Development Corporation for economic development services for a one year term in the amount of \$32,780.

D

B. Discuss the cost benefit analysis study on the construction of additional t-hangars at Johnson County Executive Airport and New Century AirCenter.

C. Fire Dept. \$\$\$

D. Report from CCG.

E. Report from J.P. Fogel.

VI. **BUSINESS FROM THE FLOOR**

VII. **ADJOURNMENT**

FEBRUARY 21, 1996 AS REQUESTED BY THE EXECUTIVE DIRECTOR. APPROVED (5-0).

III. CONSENT AGENDA ITEMS

There were no consent agenda items.

IV. EXECUTIVE SUMMARY

A. Review Staff reports.

Staff did not have anything additional to add to their reports, which were provided to the board in their Executive Summary.

Commissioner Harris-Lingle stated that she requested that Ron Cousino, Director of Finance, attend the Airport Commission meeting to provide the Airport Commission with an explanation on the problems with the financial reports.

Mr. Cousino handed out a memorandum, which explained why the system "crashed". He stated that the system was back on-line as of Monday. All information has been recaptured back through January 5, 1996. Questions arose as to what caused the "crash". Mr. Cousino explained that the first delay was due to computer programming in terms of the cost allocation program not distributing the costs of the payroll side over to the accounting side. The accounting system is basically set up so that you cannot close a period before the previous period is closed. The second issue of delayed note rollover was caused by a new employee regarding the sale of temporary notes. By the first part of December, the temporary notes were reissued. Mr. Cousino stated that the cause of the LGFS system problem still has not been determined. There was random duplication of data in a nightly cycle and they are not sure why it happened. The recovery of the original data took about two weeks.

Mr. Viets asked about Mr. Cousino's statement in his memorandum concerning the payroll problem and that it only affected those departments who had to split an employee's pay across several different departments. Mr. Metcalfe explained that several Commission employees' salaries are divided among several cost centers. Mr. Viets asked if it was possible to buy time and service on an as-used basis, for such departments as Purchasing or Legal. Mr. Cousino responded that the payroll system can capture any sort of information relative to the number of hours spent on a particular organization. He stated that it was possible to "buy" their time and put their time into the payroll system. Mr. Viets asked if this was conventionally done. Mr. Cousino reported that it is done on a cost-allocation process, which is done through a contract with an accounting firm and that the Finance Department has the capability of performing this. Mr. Cousino stated that it was possible to have a support department's service directly billed to the Airport Commission. This would then not be considered in the cost allocation because it is now a direct cost. In determining the cost allocation, the Finance Department takes a look at the average hours spent and then it is allocated based upon the hourly cost. Overall, it is the Airport Commission's choice which system to use for administrative costs.

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B. Consider ratifying the December expenditures as presented.

Ms. Mullin asked about the telephone rental payments that the Airport Commission made.

Mr. Perry stated that the Airport Commission has leased telephone lines that run to the control tower along with the numerous lines that run into the Administration Building. Sometimes, two payments show up in one month's report due to the billing cycle and suggested that this is the cause for the larger amount of the telephone system rental payments.

MOVED BY MS. MULLIN, SECONDED BY MR. HEAVEN, TO RATIFY THE DECEMBER EXPENDITURES AS PRESENTED. APPROVED (6-0).

C. Summary of Financials.

Mr. Perry reported that the December financials should be closed on Friday. The 13th month, or year end, should be closed in another week. He stated that the November 30th financials are accurate as best he can determine. Mr. Perry commented that the railroad is doing quite well and that we should expect to see maintenance expenses on the rail continue due to the high rail activity.

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

Mr. Engelmann thanked the members of the Airport Commission that attended the annual dinner of the E.D.C. Approximately 100 persons attended the dinner, which reflects the growing number of memberships. He also stated that ten companies participated in a cooperative ad campaign, which will appear in eight local newspapers. The companies will split the advertisement costs, and commented that it was an extremely cooperative effort between the companies who usually compete with each other.

Mr. Engelmann thanked Kings Aviation for allowing the E.D.C. and a prospective client to use their hangar and office space. A reception was held on Saturday, January 20, 1996 for a client who is considering relocating their operations to the AirCenter. Overall, the client would employ 150 new employees. He expects to hear their decision in about a month. Commissioner Harris-Lingle stated that she was involved with K-Tech on the project.

V. DISCUSSION ITEMS:

A. Consider approving a transfer agreement with the Federal Aviation Administration (FAA) for navigational equipment associated with the new localizer 35 approach at Executive Airport.

Mr. Weiler explained that a new localizer was recently installed at Executive Airport. The transfer agreement is the final step in certification of the localizer 35 approach and would transfer ownership, maintenance and operational responsibility of the equipment to the

Airport Commission Minutes - January 24, 1996 - Page 4

FAA. Future maintenance would be provided by the FAA Field Sector Office located at the AirCenter.

MOVED BY MR. MEYER, SECONDED BY MS. THOMEN TO APPROVE THE TRANSFER AGREEMENT WITH THE FAA. APPROVED (6-0).

- B. Discuss issuing industrial revenue bonds in the principal amount of \$825,000 to finance the construction of a heated aircraft hangar with attached office space for aviation-related uses for Kings Aviation.

Mr. Metcalfe stated that Kings Aviation has been in their new facility since the middle of last year. As their business continues to grow, they are running out of space. Kings Aviation has requested that the county issue bonds to construct a hangar to house aircraft and for additional office space. Mr. Hayden stated that their current storage hangar is completely full and feels that it is time to build another storage facility.

Chairman Nohe wanted to make sure that Mr. Hayden was aware that the bonds that are being discussed for issue are not the same type of bonds that were issued for the current buildings. Mr. Hayden acknowledged that he was aware that they weren't the same. Mr. Metcalfe stated that the bonds are actually airport special facility bonds.

Mr. Meyer asked if the county would be liable if Kings Aviation couldn't make the payments. Chairman Nohe explained that the payment would solely be the company's responsibility. Mr. Meyer asked if there would be any type of tax abatement. Mr. Metcalfe stated that none of the airport buildings are on the tax rolls.

CONSENSUS OF THE AIRPORT COMMISSION WAS TO DIRECT STAFF TO CONTINUE NEGOTIATIONS WITH KINGS AVIATION FOR ISSUING BONDS FOR A HEATED AIRCRAFT HANGAR WITH ATTACHED OFFICE SPACE FOR AVIATION-RELATED USE .

- C. Discuss conducting a traffic study for a dedicated connection to I-35 for the future passenger/cargo/multi-modal area at New Century AirCenter.

Mr. Metcalfe reported that staff has followed up on the Airport Commission's discussion about a dedicated connection to I-35 for the future passenger/cargo/multi-modal area shown in our master plan. Staff has consulted Bucher Willis & Ratliff (BWR), who has conducted several in-depth I-35 traffic studies in Johnson County. BWR is proposing to conduct a traffic study for the Airport Commission for \$9,800.00. Mr. Metcalfe stated that conducting a study would be necessary to get the connection into the Kansas Department of Transportation (KDOT) master plan. He also stated that KDOT did not offer a qualitative opinion on the connection. Commissioner Harris-Lingle reminded the Airport Commission that all highway fundings must be reviewed by the Mid-America Regional Council (MARC).

Mr. Metcalfe discussed 151st Street, and the fact that it ends a 1/2 mile west after crossing Lone Elm. He feels that it would be quite expensive to have the 1/3 mile built because it would cross Cedar Creek drainage and a railroad. Mr. Metcalfe stated that if

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the 1/3 mile road was built, along with the north entrance road, it would give us direct access to 1-35 from the north. Mr. Metcalfe stated that it is in the Olathe 1997-98 master plan to finish 151st Street, but it is contingent on getting money from the CARS program. It is not currently in the CARS funding program for that period.

MOVED BY MR. HEAVEN, SECONDED BY MR. VIETS TO AUTHORIZE THE EXECUTIVE DIRECTOR TO ENTER INTO AN AGREEMENT WITH BUCHER WILLIS & RATLIFF TO CONDUCT A TRAFFIC STUDY FOR A DEDICATED CONNECTION TO I-35 FOR THE FUTURE PASSENGER/CARGO/MULTI-MODAL AREA AT NEW CENTURY AIRCENTER IN AN AMOUNT NOT TO EXCEED \$9,800.00. APPROVED (6-0).

- D. Review and comment on the "Design Development Submittal" site plan for the Community Corrections expansion at New Century AirCenter.

Mr. Metcalfe reported that a design site plan has been submitted to the Airport Commission for the expansion of the Community Corrections facility at the AirCenter. The plan will also go before the Gardner Township Zoning Board on January 24, 1996 for a special use permit. He requested that the board express their comments so it can be relayed to the Township Zoning Board.

Mr. Youngken, Johnson County Community Corrections Director, stated that the Community Corrections program serves over 1,100 offenders. The residential facility at the AirCenter originally housed 33 beds and expanded to a 98 bed facility two years ago. Mr. Youngken explained that the type of offenders located at the residential facility are not extremely serious offenders, but rather offenders that are not ready to live in the community. The average length of stay at the facility is four months. While at the facility, the client is required to do 40 hours of community service per week and is enrolled in programs such as mental health/substance abuse, or a GED program.

Mr. Christianer, CFS Architects and Ms. Eddy, Johnson County Facilities Department, went over the construction plan for the facility. The 450-bed facility will be constructed in phases, with a softball area and additional parking areas. The first phase expansion would have an additional 56 beds. The plan also calls for an administration building, but currently there is no timetable for its construction.

Ms. Eddy addressed the issue that the existing road to the Parsonitt site would be eliminated. She stated that Norm Bowers of the Public Works Department has agreed to a curb-cut off of New Century Parkway. Mr. Metcalfe was concerned about the site distance on the proposed intersection on the curve of the parkway. Mr. Meyer asked if Parsonitt would accept the changes to their road. Mr. Ford, Legal Counsel, stated that counsel would discuss this issue with them.

Chairman Nohe asked if there would be pressure on the sewer capacity. Mr. Metcalfe replied that there would be, and that staff is working with Wastewater and Facilities on this issue. Mr. Heaven asked if the expansions would impact the water capacity. Mr. Metcalfe felt that it would not have a dramatic impact on the water usage other than the

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volume rising slightly.

Mr. Heaven commented that he was enthusiastic about the expansion, but was concerned and wanted to make sure that the aesthetics be compatible with existing airport architecture.

E. Discuss the "Executive Summary and Options for the Reconstruction of Runway 17-35".

Mr. Weiler reported that the only runway at Executive Airport is in poor condition and has served its useful life. In 1994, an application for repairs was submitted to the Federal Aviation Administration (FAA) for approximately \$750,000. The application was based on reconstruction of the south 1,000' of runway and an asphalt overlay of the north 3,100'.

Staff recently approached the FAA about expanding the scope of the project to reconstruction of the entire runway. The FAA concurred with expanding the project scope and even suggested using concrete instead of asphalt because of the importance of Executive Airport and its runway.

Mr. Weiler went over the options for the reconstruction of the runway. If Option 1 was used, the runway would have a life expectancy of 7-10 years, with reflective cracking expected in 3-5 years. Option 2 would have a life expectancy of 20 years, with cracking of the asphalt runway expected in 10 years. Option 3 would have a life expectancy of 30-40 years with a concrete runway. Commissioner Harris-Lingle reminded the Airport Commission that any amount over \$100,000 must go into the 5 year CIP plan.

Mr. Weiler stated that another important issue to consider is the construction process and its impact on airport businesses. When the runway was being repaired in the past, a parallel taxiway was used as a temporary runway. FAA has recently reevaluated their policy and will no longer allow the use of a parallel taxiway as a temporary runway for safety reasons. As a result, the airport will need to be closed during the majority of reconstruction. Mr. Weiler said that he has met with the Fixed Base Operators (FBOs) at Executive Airport regarding the reconstruction of the runway. In general, the FBOs favor the reconstruction, but are concerned what the closing of the runway will do to their businesses and to customers.

Mr. Heaven stated that for the runway to last 30 years is better than the band-aid approach. Mr. Meyer added that this is a safety issue that cannot be overlooked. Mr. Riecker, Kansas City Aviation Center, stated that they were in favor of the reconstruction, but was worried at how the reconstruction process would impact them. Mr. Weiler reported that if Option 3 was selected, it could be a phased project, but it would still impact the FBOs and all airport users. The consensus of the Airport Commission was that the best option would be Option 3.

MOVED BY MR. HEAVEN, SECONDED BY MS. MULLIN, TO EXPLORE OPTION NO. 3 IN THE EXECUTIVE SUMMARY AND OPTIONS FOR THE RECONSTRUCTION OF RUNWAY 17-35.

APPROVED (6-0).

F. Report From CCG.

Ms. Goodack reported that an analysis on the Strategic Planning Retreat will be distributed to the Board sometime next week. She also advised the Airport Commission that she will be leaving CCG next week. Our account will now be managed by Steve Hale at CCG.

G. Recap of the January 20, 1996 Airport Commission Strategic Planning Retreat.

Consensus of the Airport Commission board and staff felt that the retreat was extremely worth-while.

VI. BUSINESS FROM THE FLOOR

Commissioner Harris-Lingle stated that this is the last Airport Commission that she will be a liaison for the BoCC. She added that she enjoyed being part of the discussions. The Chairman of the BoCC will determine the Airport Commission's next liaison. (It has since been determined that BoCC Chairman Elaine Beckers-Braun will be the Airport Commission liaison.)

VII. ADJOURNMENT

MOVED BY MR. WINN SECONDED BY MR. MEYER TO ADJOURN THE MEETING AT 10:36 A.M. APPROVED (6-0).

Georgianna Mullin, Secretary

R. Lee Metcalfe, Executive Director

JOHNSON COUNTY AIRPORT COMMISSION

MINUTES - February 21, 1996 9:00 a.m. - NEW CENTURY, KS

Airport Commission

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

Absent: Mr. Heaven, Viets, Winn

Staff: Metcalfe, Ritter, Allen, Hilgers, Perry, Weiler

Others: Commissioner Beckers Braun, BoCC
Steve Porter, Olathe Daily News
Steve Hale, CCG
Dennis McGuire, Johnson County Fire District #1
Jan Durrett, Johnson County League of Women Voters
Jerry Fogel, J.P. Fogel

The meeting was called to order at 9:00 a.m. by 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 MR. MEYER, SECONDED BY MS. THOMEN, TO APPROVE THE MINUTES OF THE JANUARY 24, 1996 MEETING AS PRINTED AND DISTRIBUTED. APPROVED (4-0).

II. REPORT OF THE CHAIRMAN

Chairman Nohe stated that there would be an Executive Session at the conclusion of the meeting to discuss the Executive Director's performance evaluation.

III. CONSENT AGENDA ITEMS

There were no consent agenda items.

IV. EXECUTIVE SUMMARY

A. Review Staff reports.

Mr. Weiler reported that the projects at the airports are on or ahead of schedule due to the mild weather we were experiencing. He also reported that staff continues to work on the Federal Aviation Administration (FAA) grants.

Mr. Perry discussed the financial statements and reported that there was a carry-over from last year.

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The t-hangar revenues are slightly lower than projected. January financials will be sent to the Airport Commission when the information is available.

Mr. Allen reported on various projects at the AirCenter, adding that the water system rehabilitation is almost complete. He also reported that staff will receive training from Johnson County Environmental on the stormwater sample collection and analysis process.

Mr. Metcalfe stated that staff is still investigating Kings Aviation's request to issue bonds for the construction of a hangar. Ms. Thomen asked about the Heartland Freight Coalition meeting that will be held in June at the Sprint/North Supply building. Mr. Metcalfe reported that the scheduled guest speaker will be Secretary Peña with the U.S. Department of Transportation.

B. Consider ratifying the January expenditures as presented.

Mr. Meyer asked about the current status of the water usage. Mr. Metcalfe reported that the AirCenter started receiving water from the City of Olathe last year. The Airport Commission still has rights to 100 million gallons of water from Gardner Lake. The minimum amount of water that we will receive from Olathe would be 2 million gallons per month. Mr. Metcalfe stated that Gardner is not utilizing the connection to Olathe as once proposed because of the hydraulics of the two systems. Staff met with the City of Gardner and was advised by the city administrator that Gardner has completed a water rate study and warned the Airport Commission that our water rate would increase.

MOVED BY MS. MULLIN, SECONDED BY MR. MEYER, TO RATIFY THE JANUARY EXPENDITURES AS PRESENTED. APPROVED (4-0).

C. Summary of Financials.

There were no questions regarding the financials.

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

Mr. Engelmann informed the Airport Commission that Steel & Pipe Supply Company received its 50% tax abatement from the Board of Tax Appeals. He continues to work with CERI by providing information on the economic impact study. Mr. Engelmann distributed a copy of the cooperative advertisement which is being ran in local papers.

V. **DISCUSSION ITEMS:**

A. Consider approving revisions to Airport Layout Plans (ALP) for Johnson County Executive Airport.

Mr. Weiler reported that the last revision made to the ALP at Executive Airport was in 1992. The FAA is requiring that the ALP be updated to reflect recent changes before they will close several outstanding Airport Improvement Program (AIP) grants or award any new AIP grants. Mr. Metcalfe stated that Mr. Weiler is well-qualified on AutoCAD and updated the ALP on his own, which saved the Airport Commission a substantial amount of money as opposed to having the ALP

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updated by an engineering firm.

MOVED BY MS. THOMEN , SECONDED BY MR. MEYER TO APPROVE THE REVISIONS TO THE AIRPORT LAYOUT PLAN FOR JOHNSON COUNTY EXECUTIVE AIRPORT. APPROVED (6-0).

B. Report from CCG.

Mr. Hale reported that CCG has completed the drafts of the local and trade media efforts for 1996. A trade advertisement will also appear in the Expansion Management Magazine. Mr. Hale reported that the direct mail marketing piece continues to progress.

Chairman Nohe asked if there was any potential to sponsor a public event in 1996. Mr. Hale responded that the only planned public event would be the unveiling of the monument signage. Chairman Nohe asked when the anniversary of the airport being turned over to the county was. Mr. Metcalfe responded that the airport was turned over to Johnson County in 1973.

C. Report from J.P. Fogel.

Mr. Fogel reported that there were numerous prospects evaluating New Century AirCenter, adding that some prospects were not moving forward due to other reasons than the AirCenter. He also stated that Mr. Metcalfe will be speaking at the Society of Industrial and Office Realtors on March 13, 1996. Mr. Fogel reported that he has found a replacement for Tom Shaver, who has started a software company. He will introduce the new replacement at the March meeting.

VI. BUSINESS FROM THE FLOOR

Chairman Nohe welcomed the Commissioner Beckers Braun, who is the Airport Commission's new BoCC liaison.

VII. EXECUTIVE SESSION

MOVED BY MS. THOMEN, SECONDED BY MS. MULLIN TO ADJOURN INTO EXECUTIVE SESSION AT 9:39 TO DISCUSS THE EXECUTIVE DIRECTOR'S PERFORMANCE EVALUATION UNTIL 9:55 A.M. APPROVED (4-0).

VIII. ADJOURNMENT

MOVED BY MR. MEYER SECONDED BY MS. MULLIN TO ADJOURN THE MEETING AT 9:55 A.M. APPROVED (4-0).

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Georgianna Mullin, Secretary

R. Lee Metcalfe, Executive Director

JOHNSON COUNTY AIRPORT COMMISSION

MINUTES - March 27, 1996 9:00 a.m. - NEW CENTURY, KS

Airport Commission

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

Absent: Mr. Viets

Staff: Metcalfe, Ritter, Allen, Engelmann, Ford, Hilgers, Perry, Weiler

Others: Commissioner Beckers Braun, BoCC
John Foster, Undersheriff, Johnson County Sheriff's Office
Richard Chesney, Johnson County Facilities
Michael Corgiat, Johnson County Facilities
Bob Campbell, RAI/NBBJ
Mitchell Hoefe, RAI/NBBJ
Dennis McGuire, Johnson County Fire District #1
Kurt Hoffman, Johnson County Fire District #1
Max Sielert, Johnson County Fire District #1
Jerry Fogel, J.P. Fogel
Steve Hale, CCG
Steve Porter, Olathe Daily News
Janet Swanson, Gardner News

The meeting was called to order at 9:00 a.m. by 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 MR. HEAVEN, SECONDED BY MR. MEYER, TO APPROVE THE MINUTES OF THE FEBRUARY 21, 1996 MEETING AS PRINTED AND DISTRIBUTED. APPROVED (5-0).

III. DISCUSSION ITEMS:

- A. Presentation by Sheriff Fred Allenbrand on the new detention facility and sheriff's office proposed for construction at New Century AirCenter.

Mr. John Foster, Undersheriff, Johnson County Sheriff's Office, sent Sheriff Allenbrand's regrets that he was unable to attend the meeting due to an illness. Mr. Foster stated that it was determined that the best suitable place for the jail is at New Century AirCenter. Parameters were set once the decision was made, one of which was being a good neighbor, both operationally and having the

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facility be aesthetically pleasing. He assured the Airport Commission that the proposed detention facility would be both of those.

Mr. Hoefler, Rafael Architects, described the master plan process, site issues and the overall image of the facility. He explained that there were 50-60 persons from various departments of the county, including the Planning Department and Airport Commission staff, involved in the process. The master plan calls for a 1,000 bed facility after three phases. Phase I of the detention facility would consist of 264 cells. They are currently 20-25% into the schematic design process.

Chairman Nohe asked if the actual booking would take place at the proposed facility. Mr. Hoefler explained that the booking would ultimately take place at the facility, but would be done at the downtown facility for the interim. Mr. Winn asked how long it would be before elevations would be available. Mr. Hoefler stated that elevations were still 2 - 3 weeks away. Mr. Hoefler also stated that construction of the facility is expected to start at the end of 1996.

Chairman Nohe asked what type of offenders the facility would house. Mr. Foster replied that the inmates would be minimum to medium security inmates. He added most felons, including inmates awaiting transport to the penitentiary, would be housed at the downtown location.

Mr. Metcalfe stated that the Federal Aviation Administration (FAA) must also approve the facility. Airport staff has received a letter from the FAA on their requirements for the facility.

Mr. Foster requested that the Airport Commission keep the NORAD buildings available for the Sheriff's Office. Chairman Nohe asked that the Sheriff's Office keep the Airport Commission updated on the progress of the facility.

MOVED BY MR. WINN, SECONDED BY MR. HEAVEN TO APPROVE THE PROPOSED MASTER PLAN FOR THE DETENTION FACILITY SUBJECT TO FAA APPROVAL. APPROVED (6-0).

II. EXECUTIVE SUMMARY

A. Review Staff Reports.

Mr. Perry reported on the budget process and informed the Board that he will present the proposed 1997 budget at the April meeting.

Ms. Thomen appreciated Mr. Metcalfe mentioning in his report Vern Knabe's service for the Airport Commission. Mr. Knabe, a ten-year veteran of the Airport Commission maintenance department, retired March 22, 1996.

B. Consider ratifying the February expenditures as presented.

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Ms. Thomen asked about the computers that were purchased. Mr. Perry replied that two upgraded computers were purchased for two staff members who had older model computers.

Mr. Meyer asked about the stormwater line item on the expenditures list. Mr. Allen explained that the fee is for Executive Airport and includes fees from the City of Olathe that they assess at the beginning of the year.

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

C. Summary of Financials.

There were no questions regarding the financials.

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

Mr. Engelmann reported on the "mock" microchip project. The Kansas City Area Development Council hired a consultant to act on behalf of an imaginary manufacturer of microchips. The consultant looked at all potential sites in greater Kansas City that could accommodate a large manufacturer. There were 15 sites in the metropolitan area. Those sites were analyzed and proposals were sent to the consultant. Four sites were chosen to present a proposal when they received a future prospect. Mr. Engelmann reported that New Century AirCenter has been chosen as one of the four sites.

Mr. Engelmann invited the members of the Airport Commission to attend the E.D.C.'s Quarterly Meeting, which will be held at Kings Aviation on April 10, 1996 at noon. John Massey, President of GrapeVine Interactive, will be the guest speaker.

Mr. Winn stated that a neighboring county is utilizing an AIMS-type of mapping system and has the ability to do real-time modelling of site layouts and infrastructure plans. He was interested in staff exploring what it would take to get New Century AirCenter to that point. Mr. Metcalfe stated that we are already hard-wired and have access to the AIMS system; we have not yet gotten trained on how to use it. Mr. Winn suggested that a staff member take the appropriate classes to become more familiar with AIMS.

V. DISCUSSION ITEMS:

B. Consider recommending approval of a second addendum to the interlocal cooperation agreement with Johnson County Fire District #1.

Mr. Hoffman, chairman of the Johnson County Fire District #1 board, distributed a Fire District #1 Mill Levy Comparison sheet and gave a presentation on the history of their finances. Fire District

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#1 requested a 7% increase to their agreement to provide fire coverage for the business park and fire/rescue services for the airport.

Mr. Winn suggested that staff meet with the appropriate persons at Fire District #1 to determine increases for future years.

MOVED BY MR. WINN, SECONDED BY MS. THOMEN TO RECOMMEND APPROVAL TO THE BOCC OF A SECOND ADDENDUM TO THE INTERLOCAL COOPERATION AGREEMENT WITH JOHNSON COUNTY FIRE DISTRICT #1. APPROVED (6-0).

- C. Consider recommending to the BoCC approval of a Conditional Use Permit for Sprint Spectrum, L.P. Consider approving a 5 Year lease with options for Sprint Spectrum, L.P. for a cellular antenna.

Mr. Allen informed the Board that Sprint Spectrum, L.P. requested a 90,000 sq. ft. ground lease for the purpose of erecting a monopole cellular transmission tower and related equipment located near the old NORAD Buildings. It was determined that this area would be where development is less likely in the future. The agreement would be for a 5 year term, with 4 option periods. A multiplier of 15% will be added for each term following the first 5 year term. Sprint Spectrum has met all criteria for the FAA, as well as the Johnson County Sheriff's Patrol Communications group (which also has a transmission tower located at New Century AirCenter).

Mr. Heaven asked that staff place a provision in the lease for the relocation of the tower if the Airport Commission determines that the land is needed for other purposes. It was also suggested that a provision may need to be made, or have legal counsel review the lease, to determine if the Airport Commission would be compensated on other businesses "sharing" the tower.

MOVED BY MR. HEAVEN, SECONDED BY MS. MULLIN TO RECOMMEND APPROVAL TO THE BOCC OF A CONDITIONAL USE PERMIT FOR SPRINT SPECTRUM, L.P. AND TO AUTHORIZE THE CHAIRMAN TO SIGN A 5 YEAR LEASE WITH OPTIONS UPON LEGAL COUNSEL'S REVIEW OF THE LEASE WITH REQUESTED CHANGES. APPROVED (5-0-1).

Mr. Winn abstained from voting on this issue due to a conflict of interest.

- D. Consider approval of the assignment of the ground lease with Chester and Cleta Rogers to revocable trusts of Chester Rogers and Cleta Rogers for estate planning purposes.

Mr. Metcalfe explained that Chester and Cleta Rogers are forming revocable trusts for estate planning purposes and request that the Airport Commission approve the assignment of the ground lease. Airport and Legal staff have reviewed the consent and trust documents and have confirmed that the Rogers are in good standing on their lease.

MOVED BY MR. WINN, SECONDED BY MR. HEAVEN TO APPROVE THE ASSIGNMENT OF THE GROUND LEASE WITH CHESTER AND CLETA ROGERS TO REVOCABLE TRUSTS OF CHESTER ROGERS AND CLETA ROGERS FOR ESTATE PLANNING PURPOSES.

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APPROVED (6-0).

E. Report from CCG.

Mr. Hale reported that an article was placed in Expansion Management Magazine regarding New Century AirCenter, adding that a story about New Century AirCenter was also in the College Boulevard News. He informed the Airport Commission that New Century AirCenter has been in the press a lot, mainly due to the proposed jail facility.

Mr. Hale stated that the next newsletter will be distributed in May, 1996. A news release regarding the completion of the water system was sent to over 100 media outlets, which resulted in an article in the Johnson County Sun. (Articles also appeared in the Kansas City Star and the Olathe Daily News subsequent to the meeting.)

F. Report from J.P. Fogel.

Mr. Fogel reported on the retail development plan and expects a proposal within a few weeks. Mr. Fogel stated that Mr. Metcalfe addressed the Society of Industrial and Office Realtors (SIOR), which generated an inquiry at the meeting. He also commented that he continues to have discussions with three active prospects.

IV. BUSINESS FROM THE FLOOR:

Mr. Metcalfe informed the Board that Stouse Sign & Decal is continuing with their bond project for the 80,000 sq.ft. expansion of their facilities at New Century AirCenter.

V. ADJOURNMENT

MOVED BY MR. MEYER SECONDED BY MR. WINN TO ADJOURN THE MEETING AT 10:11 A.M. APPROVED (6-0).

Georgianna Mullin, Secretary

R. Lee Metcalfe, Executive Director

JOHNSON COUNTY AIRPORT COMMISSION

MINUTES - April 24, 1996 9:00 a.m. - NEW CENTURY, KS

Airport Commission

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

Absent: Mr. Nohe, Winn

Staff: Metcalfe, Ritter, Allen, Engelmann, Ford, Hilgers, Perry, Weiler

Others: Commissioner Beckers Braun, BoCC
Kevin Riecker, Kansas City Aviation Center
Dan Whitney, Payne & Jones
Bill Arnes, ISPS
Charles Fairbanks, Executive Aircraft Engines
Jan Durett, Johnson County League of Women Voters
Jerry Fogel, J.P. Fogel
Steve Hale, CCG
Steve Porter, Olathe Daily News
Rob O'Brien, Executive Beechcraft
Nathan Anderson, J.P. Fogel

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

(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 MARCH 27, 1996 MEETING AS PRINTED AND DISTRIBUTED. APPROVED (4-0).

II. REPORT OF THE CHAIRMAN:

Vice-Chairman Viets did not have any comments.

III. CONSENT AGENDA ITEMS:

A. Consider approving a Second Fuel Storage Agreement with Executive Beechcraft.

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

IV. EXECUTIVE SUMMARY

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A. Review Staff Reports.

Staff did not have any additional comments.

B. Consider ratifying the March expenditures as presented.

Mr. Meyer asked about the payments made to Stinson, Mag & Fizzell. Mr. Metcalfe explained that the firm represents the Airport Commission in the Parsonitt litigation. They are also assisting the Airport Commission with Kansas Department of Health and Environment (KDHE) on a consent agreement. Mr. Metcalfe added that there is increasing activity with the firm because we are in the discovery phase of the law suit with Parsonitt.

MOVED BY MS. THOMEN, SECONDED BY MR. HEAVEN, TO RATIFY THE MARCH EXPENDITURES AS PRESENTED. APPROVED (4-0).

C. Summary of Financials.

Mr. Perry reported that on the expenditures report of the financials, the water utility cost for 1996 has been moved to the commodities line from the contractual services line. He added that this presents more of a business-like approach to the financials.

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

Mr. Engelmann reported that June is "Business Appreciation Month" for the State of Kansas. The E.D.C. is setting activities for the month, and will be presenting various manufacturing companies with Certificates of Appreciation from Governor Graves.

The Financial Committee of the E.D.C. will be hosting a Business Finance Seminar at the Olathe Holiday Inn on June 21, 1996. The half-day seminar will introduce Small Business Administration (SBA) financing to small and medium-sized businesses.

V. **DISCUSSION ITEMS:**

B. Consider approving a water rate increase for all water accounts at New Century AirCenter.

Mr. Metcalfe stated that Gardner Lake was built by the Works Progress Administration (WPA) around 1938. The lake was intended to supply water to the city and the Naval Air Base. A waterline was laid from a water treatment plant to the base. Gardner built their treatment plant later. The Federal Government received annual water rights of 100 million gallons that were senior to the city's rights for water out of Gardner lake.

In the late 1980's, the Airport Commission began exceeding its 100 million gallon allocation. At that time, the city did not need all of their allocation, and began furnishing the additional water to

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the Airport Commission. Due to the city's growth, their demand is now such that they are starting to take most of their allocation of water. The city approached the Airport Commission and asked that we find other alternatives for water. Staff pursued other opportunities, and began taking water from the city of Olathe to supplement our needs.

When the county rebuilt 151st Street, part of that construction project required the removal of the Airport Commission's water main to Gardner Lake. A new connection to the Gardner system was constructed and, as part of the negotiations, the Airport Commission transferred the water treatment plant at Gardner Lake to the City of Gardner. The plant is on leased land, and would have expired 2001. In exchange, the City of Gardner gave the Airport Commission a discounted water rate.

A study was completed by the City of Gardner, and determined that their water rates were not sufficient to cover their costs. The City of Gardner notified staff on April 1, 1996, that beginning on January 1, 1997, the Airport Commission's water rates will increase to \$1.70 per thousand, which is 1¢ less than what the City of Olathe is currently charging. Mr. Metcalfe reported that the water level at the lake is extremely low, and we have ceased taking any water from Gardner and have arranged to take water from Olathe without triggering a rate increase.

With the increase in the Airport Commission's rate, staff proposed the water rate increase from \$2.30 per 1,000 gallons to \$2.50 per 1,000 gallons for New Century AirCenter tenants become effective January 1, 1997. Ms. Thomen stated that no one likes a water rate increase, but felt that this is a reasonable request.

MOVED BY MS. THOMEN, SECONDED BY MR. HEAVEN TO APPROVE A WATER RATE INCREASE AS SUGGESTED BY STAFF EFFECTIVE JANUARY 1, 1997.

Vice-Chairman Viets stated that he was unable to stay for the rest of the meeting and asked Ms. Mullin to chair the remainder of the meeting.

A. Discussion on runway closure for runway reconstruction at Executive Airport.

Mr. Weiler stated that staff has been pursuing a complete reconstruction of the runway at Executive Airport and is currently out for bid. One of the challenges of this project is minimizing the impact it will have on the tenants. The original plan for the project is to pulverize the existing surface and install underdrains and edgedrains of the runway. A fly-ash treatment and concrete overlay would also be done.

In the past, a parallel taxiway has been used as a temporary runway. The Federal Aviation Administration (FAA) initially indicated it will no longer allow this practice. For this reason, the original approach for the construction was to accelerate the construction and close the runway. The additional cost of an accelerated construction was 10-15%. A \$10,000 per day liquidated damages penalty would be imposed on the contractor to prevent a delay in the accelerated construction.

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In the past several weeks, staff has been working with the FAA on a compromise. The cost of the accelerated construction is so great it would be feasible to make improvements to the west parallel taxiway so it can be utilized as a temporary runway. The new plan is to widen the west parallel taxiway by 20' so it is a 60' wide taxiway. The temporary runway would be restricted to daylight hours only, only under visual conditions, no instruments approaches and no aircraft larger than a King Air. Staff felt that anything larger than a King Air would compromise safety. Staff also felt that this is the best option because it will not require the closure of the businesses or the airport.

Staff has been notified by the FAA to go out for a bid on this project before we actually receive the grant. Up until a year ago, the FAA would award a grant based on an engineer's estimate. Their practice has since changed, and now the FAA will award a grant based on a bid.

Mr. Riecker, Kansas City Aviation Center, stated he appreciated staff's efforts in trying to keep the airport open.

C. Consider approving the 1997 budget.

Mr. Perry reported that the 1997 budget reflects expenditure caps, excluding for the water rate increase and a supplemental request for \$81,000 for the that increase. Mr. Perry reported that personnel and debt services costs were the only other items to increase. Self-generated revenues have not increased significantly. Rail service is projected to remain the same. Mr. Perry concluded that overall, we are in a flat budget situation.

Ms. Thomen stated she was uncomfortable with no carry-over. Mr. Perry replied that for budgeting purposes, a carry-over is not calculated, adding that there is always a possibility that we might have a carry-over.

MOVED BY MR. HEAVEN, SECONDED BY MS. THOMEN, TO ADOPT THE 1997 BUDGET AS PROPOSED. APPROVED (4-0).

D. Consider approving the assignment of Jet Tech, Inc.'s ground lease to David W. Collis.

Mr. Metcalfe replied that Jet-Tech, Inc. owns a building on New Century Parkway and is currently negotiating the sale of that building. A contingency of the sale is the approval of the assignment of the ground lease by the Airport Commission. Staff met with the owner, who installs and maintains truck-mounted materials handling equipment, and addressed some concerns, such as screening of outside storage. Staff is satisfied that this business will be complimentary to the overall development of the AirCenter. Mr. Metcalfe stated that the assignment of the lease is contingent upon the closing of the sale of the building.

MOVED BY MR. HEAVEN, SECONDED BY MR. MEYER TO APPROVE THE ASSIGNMENT OF JET TECH, INC.'S GROUND LEASE TO DAVID W. COLLIS. APPROVED (4-0).

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E. Report from CCG.

Mr. Hale reported that earlier this month, there were television crews at the AirCenter in conjunction with Toro Company, which presented a demonstration on the Road Hawk, which pick up heavy objects from the side of the road. He also reported that next issue of the newsletter is almost complete.

F. Report from J.P. Fogel.

Mr. Fogel reported that he attended a meeting in Charleston, South Carolina which discussed intermodal facilities. He stated that his firm continues to have ongoing activity with prospective users. Mr. Fogel also introduced Nathan Anderson, who is a new associate with J.P. Fogel.

IV. BUSINESS FROM THE FLOOR:

Mr. Heaven gave the airport staff a public commendation, adding that he considers staff to be doing an excellent job. He feels that the runway reconstruction is a perfect example of the innovation that the Airport Commission has not had in the past. Ms. Thomen concurred.

V. ADJOURNMENT

MOVED BY MR. MEYER SECONDED BY MR. HEAVEN TO ADJOURN THE MEETING AT 10:11 A.M. APPROVED (4-0).

Georgianna Mullin, Secretary

R. Lee Metcalfe, Executive Director

JOHNSON COUNTY AIRPORT COMMISSION

MINUTES - May 22, 1996 9:00 a.m. - NEW CENTURY, KS

Airport Commission

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

Absent: Mr. Heaven

Staff: Metcalfe, Ritter, Engelmann, Ford, Hilgers, Perry, Weiler

Others: Commissioner Beckers Braun, BoCC
Jerry Fogel, J.P. Fogel & Co.
Steve Hale, CCG
Nathan Anderson, J.P. Fogel & Co.
Laird MacGregor, Olathe Daily News
Daniel R. Brooks, Army Reserve Flight Facility
Michael Walsh, Army Reserve Flight Facility
Lynn Holcomb, Fishman & Company
Curtis Holland, Polsinelli White Vardeman & Shalton
Bud Harlow, Sprint Spectrum

The meeting was called to order at 9:00 a.m. by 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 MR. VIETS, SECONDED BY MS. THOMEN, TO APPROVE THE MINUTES OF THE APRIL 24, 1996 MEETING AS PRINTED AND DISTRIBUTED. APPROVED (6-0).

II. REPORT OF THE CHAIRMAN:

Chairman Nohe did not have any comments.

III. CONSENT AGENDA ITEMS:

A. Consider approving a consent to a second leasehold mortgage between DeElliott and Norbank.

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

IV. EXECUTIVE SUMMARY

A. Review Staff Reports.

Mr. Weiler introduced Phil Miller, who is the airport summer intern. Mr. Weiler also commented on the bid opening for the runway reconstruction at Executive Airport. The engineer's estimate for the reconstruction was \$1.75 million, with the low bidder being Reno Construction with a bid of \$1.2 million. He also reported that Executive Airport projects are proceeding well.

Mr. Perry reported that the north entrance road at New Century AirCenter was progressing well. The underground storage tanks were removed and we are in the process of installing new fuel tanks at the maintenance shop. Mr. Perry also met with the tenants who are being impacted by the rehabilitation of Gardner Drive.

Mr. Perry noted the increased revenue percentage for this period on the t-hangars is primarily due to the annual payments from t-hangar tenants. He also added that the 1997 budget has been submitted.

Mr. Metcalfe reported that he and Mr. Weiler attended the National Air Service Conference which was held in Kansas City, Missouri on May 19 - 21. The conference focused on attracting and retaining air service. Mr. Metcalfe felt the conference was extremely educational and he was encouraged that air service at New Century AirCenter is possible. Chairman Nohe requested that Mr. Metcalfe prepare a paper on the benefits and costs of having air service at the AirCenter. Mr. Winn commented that he would like to know how we quantify it. Chairman Nohe also requested that staff circulate the paper within the community to get their reaction, adding that perhaps the time has come for air service at the AirCenter and the Airport Commission should explore the possibility.

B. Consider ratifying the April expenditures as presented.

Mr. Meyer asked if staff reviews the payments made to Stinson, Mag & Fizzell. Mr. Metcalfe stated that he personally reviews the invoices from the firm carefully, adding that he feels the end could be near on litigation with Parsonitt.

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

C. Summary of Financials.

There were no comments regarding the financials.

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

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Mr. Engelmann presented a draft of the quarterly newsletter of the E.D.C. to the Airport Commission. He stated that the Financial Committee of the E.D.C. will be hosting a Business Finance Seminar at the Olathe Holiday Inn on June 21, 1996. The half-day seminar will introduce Small Business Administration (SBA) financing to small and medium-sized businesses.

Mr. Engelmann reported that staff is continuing to receive responses back from the retail needs survey and will report the results to the Airport Commission once they are completed. He added that the responses, from both the employers and the employees, were encouraging.

V. DISCUSSION ITEMS:

- A. Consider recommending approval to the BoCC for a change order to an engineering contract with Shafer, Kline & Warren (SKW) for engineering services for image enhancements at New Century AirCenter.

Mr. Metcalfe stated that he met with representatives from SKW and went through their billing. He reported that SKW has cut their fee basically in half. He explained that the change order is for the preparation and presentation to the Board of Zoning Appeals process and for the requirement to design break-away bases for the monument signs along the parkway, neither of which had been anticipated in the original scope of work. Mr. Metcalfe discussed with SKW whether the requirements for the break-away bases should have been anticipated. It was SKW's opinion that the costs could not have been anticipated. Mr. Metcalfe stated that SKW's explanation was that they do a lot of work with the County Public Works Department, who required the break-away bases, and that the Public Works Department had never required these types of changes in the past.

MOVED BY MR. WINN, SECONDED BY MR. VIETS, TO RECOMMEND APPROVAL TO THE BOCC FOR A CHANGE ORDER TO AN ENGINEERING CONTRACT WITH SHAFER, KLINE & WARREN (SKW) FOR ENGINEERING SERVICES FOR IMAGE ENHANCEMENTS AT NEW CENTURY AIRCENTER IN THE AMOUNT OF \$4,515.40. APPROVED (6-0).

- B. Consider consenting to the assignment of the Rogers Manufacturing/Toro facility lease to New Century Partners, L.L.C. and consenting to a leasehold mortgage by New Century Partners, L.L.C.

Mr. Metcalfe explained that New Century Partners, L.L.C. is a group of investors led by Michael Fishman who are buying the leasehold interest in the Rogers/Toro building. Mr. Rogers is requesting the transfer and assignment of the facility lease to New Century Partners, L.L.C. Mr. Metcalfe stated that legal counsel has reached agreement with New Century Partners. An addendum is also needed to lease the ground where the driveway lies. The addendum will also include an additional 15,000 sq.ft. which should have been included in the original lease with Olathe Manufacturing. If we did not lease them the ground, or grant them an access easement, they would not have a driveway to get to their facility. New Century Partners, L.L.C. will pay the additional rent for the leased ground.

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Mr. Metcalfe also explained that Mr. Fishman had also requested continued access to a 25 ft. wide strip between the Rogers leasehold and the Navy property, which is an airport-owned strip of land. Staff has identified this piece of property as an ingress/egress parcel in the addendum to the lease.

Chairman Nohe asked why there was a third party involved. Mr. Metcalfe replied that he was not sure, adding that Toro will continue to sublease the building, but they have made it known that they are considering either expanding at their other facility in the south portion of the AirCenter, or building a new facility somewhere within the AirCenter. Mr. Viets asked if there were any housekeeping problems. Mr. Metcalfe replied that Toro has been keeping their facility clean and organized. Chairman Nohe asked how New Century Partners would utilize the building for if Toro vacated. Mr. Fishman replied that they would try to attract a company similar to Toro.

MOVED BY MR. MEYER, SECONDED BY MS. THOMEN TO AUTHORIZE THE CHAIRMAN TO SIGN ON BEHALF OF THE AIRPORT COMMISSION FOR THE CONSENT TO THE ASSIGNMENT OF THE ROGERS MANUFACTURING/TORO FACILITY LEASE TO NEW CENTURY PARTNERS, L.L.C. AND CONSENT TO A LEASEHOLD MORTGAGE BY NEW CENTURY PARTNERS, L.L.C., APPROVE THE ADDENDUM FOR THE GROUND LEASE AND ACCESS EASEMENT AND ADDITIONAL 15,000 SQ. FT. OF ACCESS ROAD TO THEIR FACILITY. APPROVED (6-0).

- C. Consider authorizing the chairman to execute contracts with Burns & McDonnell for engineering and construction monitoring services in conjunction with the reconstruction of the runway at Executive Airport.

Mr. Perry reported that Burns & McDonnell are the retainer engineers for the reconstruction of the runway at Executive Airport. The Purchasing Department has determined that the BoCC does not need to approve the contracts for engineering and construction monitoring services and that the Airport Commission has the authority to approve these types of contracts.

Mr. Perry stated that the total cost of the project is \$210,200, with \$93,400 of the fee for the construction monitoring services. The remainder of the fee, \$116,800, is for the engineering and design services. Mr. Weiler stated that the fee is somewhat higher than normal due to unusual circumstances having to do the reengineering and redesign for the runway since the FAA agreed to widen the taxiway and use it as a temporary runway. The original estimate for the project was \$2 million, and the project is currently \$1.4 million; \$600,000 under the original estimate. The Federal Aviation Administration (FAA) has reviewed the costs and has given verbal approval for 90% funding.

MOVED BY MR. WINN, SECONDED BY MS. MULLIN TO AUTHORIZE THE CHAIRMAN TO EXECUTE CONTRACTS WITH BURNS & MCDONNELL FOR ENGINEERING AND DESIGN, AND CONSTRUCTION MONITORING SERVICES IN CONJUNCTION WITH THE RECONSTRUCTION OF THE RUNWAY AT EXECUTIVE AIRPORT, SUBJECT TO LEGAL COUNSEL'S REVIEW. APPROVED (6-0).

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D. Discuss the County Economic Research Institute, Inc.'s (CERI) Economic Impact Study for Executive Airport and New Century AirCenter.

Mr. Metcalfe reported that an Economic Impact Study was requested by the Airport Commission, and it has been completed. The study indicated that the airports have an economic impact of \$1.1 billion and 12,000 jobs. Mr. Metcalfe stated that these numbers represent about a 50% increase since the last study, which was completed in 1990.

Mr. Viets asked what the value is of our real estate and wanted to know what we would be worth in 20 years. He added that once the term of leases expire, some of the buildings belong to the county. Mr. Viets commented that there is enormous value at the AirCenter in addition to the economic impact.

Consensus of the Airport Commission was that they were pleased with the report and its results.

E. Consider approving the revisions to the Sprint Spectrum tower lease at new Century AirCenter.

Mr. Winn stated that due to a conflict of interests, he would not be participating in this discussion and would not vote on this matter.

Mr. Metcalfe stated that the concept for the tower had been approved at the April 24, 1996 Airport Commission meeting, with requested revisions. The revisions were made, which included the provision that the Airport Commission receive a portion of the income of a sublease on the tower by a third party. Mr. Curtis Holland, attorney for Sprint Spectrum, stated that it was not normally Sprint's practice to renegotiate the lease payment, but they would not necessarily be opposed to an increase in their rent payment if terms could be worked out. Mr. Holland stated that he was authorized to share up to 50% of their sublease revenue with the Airport Commission if the tower was subleased to a third party.

Mr. Holland also stated that there are instances that no money is generated from allowing another company access to the tower. He added that if Sprint does not use the tower for an exchange, then it would give part of the third party's lease amount to the Airport Commission. Mr. Ford stated that this is a reasonable suggestion and feels that it answers Mr. Heaven's concerns.

MOVED BY MR. MEYER, SECONDED BY MS. THOMEN TO APPROVE THE REVISIONS TO THE SPRINT SPECTRUM TOWER LEASE AT NEW CENTURY AIRCENTER AND AUTHORIZE THE CHAIRMAN TO EXECUTE THE AGREEMENT. APPROVED (5-0-1).

F. Report from CCG.

Mr. Hale stated that he was very excited about the study produced by CERI. CCG was aggressive

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in getting the report out to the media. The report will be sent to the primary trade publications.

G. Report from J.P. Fogel

Mr. Fogel reported that he continues to follow up on logistics contacts that were made nation-wide. He also will be meeting with a prospective tenant who is interested in constructing an 80,000 sq. ft. facility. Commissioner Beckers Braun suggested that the company contact the business incubator program if they are having trouble with financing. Chairman Nohe suggested that it might be beneficial to have Ivan Smith make a presentation to the Airport Commission on this subject.

Mr. Viets commented on existing leased space and how it will ultimately compete with speculative space that may be proposed. He felt there is an issue that needs further discussion. Mr. Winn suggested that staff develop a consistent policy on subleasing and assignments for the Airport Commission's review and consideration. Mr. Metcalfe observed that assignments of building leases have been relatively rare. These bond-financed building leases are actually like mortgages; the lessee has actually paid for the building. An argument could be made that the lessee is entitled to the equity in the building. On land leases, Mr. Metcalfe felt that the Airport Commission does get taken advantage of in some instances, and he shares the concern of having people make money off of our leases. Chairman Nohe directed staff to prepare a comprehensive policy.

IV. BUSINESS FROM THE FLOOR:

The Airport Commission briefly discussed the status of the Army's request to move a tank transport unit into the Navy buildings and buildings. Mr. Metcalfe stated that he has heard that this request has gone to the Pentagon and it could be there for months.

V. ADJOURNMENT

MOVED BY MR. VIETS SECONDED BY MS. MULLIN TO ADJOURN THE MEETING AT 10:03 A.M. APPROVED (6-0).

Georgianna Mullin, Secretary

R. Lee Metcalfe, Executive Director

JOHNSON COUNTY AIRPORT COMMISSION

MINUTES - June 26, 1996 9:00 a.m. - NEW CENTURY, KS

Airport Commission

Present: Messrs. Nohe, Meyer, Viets, Winn

Absent: Mss. Mullin, Thomen

Staff: Metcalfe, Ritter, Engelmann, Ford, Perry, Weiler, Miller

Others: Jerry Fogel, J.P. Fogel & Co.
Steve Hale, CCG
Steve Porter, Olathe Daily News
Bob Campbell, Rafael Architects, Inc.
Mitch Hoefler, RAI/NBBJ Architects
Jeff Degasperi, Rafael architects, Inc.
Jerry Nichels, Kerr Associates
Jim McCoy, The Toro Company
Hans A. Maier, Flight Instructor
Daniel R. Brooks, U.S. Army
Dennis A. Yarber, AlliedSignal
Hank Frese, AlliedSignal
Bary Marquardt, Stouse Sign & Decal
Carol Prater, de Elliotte Company
Michael Corgiat, Jo. Co. Facilities
Richard Chesney, Jo. Co. Facilities
Wayne White, Jo. Co. Sheriff's Department
Frank Blasco, Experimental Aircraft Association
Dave Hayden, Kings Aviation
Lowell McAfee, Danisco Ingredients
Keith Nease, Retired
Curtis Holland, Polsinelli White Vardeman & Shalton
Wayne Anderson, Retired
Tim Wysong, Royal Tractor
Paul Greeley, Jo. Co. Planning
Gary Morris, Kings Aviation
Michele Stauffer, Kansas Aircraft Corporation
Dr. John Romito, HMRS Holdings LLC
Assistant Chief McGuire, Jo. Co. Fire District #1
Tommy Littlejohn, AlliedSignal
Jay Frankenburg, GTI
Tayro Christanio, Sprint North Supply
Kevin Riecker, Kansas City Aviation Center
Kathryn McKnight, McKnight Associates

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The meeting was called to order at 9:00 a.m. by 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 MR. VIETS, SECONDED BY MR. MEYER, TO APPROVE THE MINUTES OF THE MAY 22, 1996 MEETING AS PRINTED AND DISTRIBUTED. APPROVED (4-0).

II. REPORT OF THE CHAIRMAN:

In conjunction with the month of June being Business Appreciation Month, Chairman Nohe presented New Century AirCenter manufacturing businesses with Certificates of Appreciation which were signed by Governor Graves. Chairman Nohe thanked the businesses for their contribution to New Century AirCenter and Johnson County.

III. CONSENT AGENDA ITEMS:

- A. Consider recommending approval to the BoCC of Amendment No. 1 to Grant Agreement No. 3-20-0062-10 with the Federal Aviation Administration that will increase the grant amount from \$239,475.00 to \$263,063.65.
- B. Consider recommending approval to the BoCC of Amendment No. 1 to Grant Agreement No. 3-20-0062-05 with the Federal Aviation Administration that will increase the grant amount from \$662,049.00 to \$693,495.23.

MOVED BY MR. HEAVEN, SECONDED BY MR. MEYER TO APPROVE THE ITEMS ON THE CONSENT AGENDA. APPROVED (5-0).

V. DISCUSSION ITEMS:

- A. Consider recommending to the Oxford Township Zoning Board denial of the Conditional use Permit, Application Number OX-CU-1527, for a communications tower near Executive Airport.

Mr. Weiler explained that Oxford Township Zoning Board was given an application by OneComm Corporation for a tower to be constructed at 159th Street and Pflumm Road near Executive Airport. At the Zoning Board meeting, the Oxford Zoning Board heard objections of the tower from pilots who utilize Executive Airport. Airport staff is concerned with the tower because it is in the traffic pattern of the airport. Mr. Weiler also commented that although the tower lies in the traffic pattern, it does not violate Federal Aviation Administration (FAA) requirements. The Zoning Board recommended to send this issue to the Airport Commission for their review and recommendations.

Mr. Weiler stated that staff is concerned that if the tower was permitted to be constructed at its

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proposed location, which is in Heritage Park, it would set a precedent of having towers near airports. He also suggested that staff could work with the tower company to find another location that would be more suitable.

The Airport Commission heard comments from concerned pilots who stated that pilots fly low over the proposed tower area, and that students who are learning to fly out of Executive Airport might have problems if the tower is in the traffic pattern. Mr. Morris, Kings Aviation, stated that locating the tower on a water tower might be a better solution.

Staff recommended that the Airport Commission recommend to the Oxford Township Zoning Board denial of the application.

MOVED BY MR. VIETS, SECONDED BY MR. MEYER TO RECOMMEND TO THE OXFORD TOWNSHIP ZONING BOARD DENIAL OF THE CONDITIONAL USE PERMIT, APPLICATION NUMBER OX-CU-1527, FOR A COMMUNICATIONS TOWER NEAR EXECUTIVE AIRPORT. APPROVED (4-0-1).

Mr. Winn abstained from the motion due to a conflict of interest.

- E. Consider recommending to the Board of County Commissioners approval of a resolution of intent to issue \$850,000 in Revenue Bonds to HMRS Holdings LLC, dba Kings Aviation for the purpose of constructing and equipping an aircraft storage hangar.

Mr. Metcalfe reported that this item was previously discussed about six months ago, in which the Airport Commission recommended further study. Their business is such that Kings is requesting the BoCC approve a resolution of intent to issue revenue bonds for an additional storage hangar for their facility. On the advice of counsel, Mr. Metcalfe excused himself from further discussion due to a potential conflict of interest.

Mr. Hayden, Kings Aviation, stated that their current storage hangar is full and feels that they can justify having another hangar. Ms. Stauffer, Kansas Aircraft, stated that her aircraft sales business cannot bring about a dozen planes here because there isn't enough storage space. She has sold two planes that wanted to be based at New Century, but cannot because there isn't sufficient storage space available. Mr. Hayden stated that if Kings were to receive the bonds, they would like to have the hangar constructed before winter.

Chairman Nohe stated that he spoke with Kings Aviation's bank, which indicated a comfort level with the project. Mr. Morris stated that they cannot proceed further until they receive a letter of intent from the BoCC. Mr. Ford, Legal Counsel, stated that their current hangar was completed with General Obligation Bonds (G.O. Bonds), in which the county is liable if Kings Aviation should default. He is concerned that the financial statement and the cash flow projections be reviewed to make sure that the G.O. Bonds are not strained, adding that he would hate to have the G.O. Bonds compromised by the addition of another hangar. Ms. Stauffer stated that they need the additional hangar to be able to sell more fuel and make their fuel base more stable.

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Mr. Ford also stated that he felt obligated to relay concerns that he had heard from competitive resident businesses. A complaint was raised that the hangar, which would be built with county bond moneys, would take away another businesses customer base, which in turn would have an adverse impact on their businesses. Chairman Nohe stated that a public hearing will be held if the county issues the bonds, adding that their concerns could be raised at that time.

Mr. Riecker, Kansas City Aviation Center, stated that he speaks for himself as well as Dan Meisinger of Executive Beechcraft, and opposed the item. Mr. Riecker stated the Executive Beechcraft has room for an additional thirteen planes at their hangar at New Century AirCenter. Mr. Morris responded that Kings Aviation was not trying to take businesses away from other companies, adding that 63% of the planes on the waiting lists were from out of state. He also added that Executive Beechcraft's door to their hangar is not wide enough to accommodate the larger aircraft. Mr. Morris stated that both fixed base operators at New Century were built with G.O. bonds, and that Kings Aviation is taking this new project on their own because it is a viable project. At 73% occupancy the hangar, without any office space rented, will pay for itself.

Mr. Winn stated that the lender will make a due diligence effort to determine the viability of this project, adding that the marketplace will also determine if the facility is viable. Mr. Winn stated that if other companies could put together an economically viable revenue bond issue, then they would also have the Airport Commission's help. Mr. Viets stated that he was concerned of the thinness of Kings Aviation's financial statements, lack of capitalization and the fact that it might hurt the G.O. Bonds.

MOVED BY MR. WINN, SECONDED BY MR. VIETS, TO RECOMMEND TO THE BOCC APPROVAL OF A RESOLUTION OF INTENT TO ISSUE \$850,000 IN REVENUE BONDS TO HMRS HOLDINGS LLC DBA KINGS AVIATION FOR THE PURPOSE OF CONSTRUCTING AND EQUIPPING AN AIRCRAFT STORAGE HANGAR. APPROVED (4-0-1).

Mr. Heaven abstained from the motion due to a conflict of interest.

B. Presentation by Johnson County Facilities on the proposed detention facility at New Century AirCenter.

A brief overview and description of Phase I of the detention facility was given by representatives of Rafael Architects, Inc. Elevations and renderings were shown to depict the landscaping and appearance of the facility. The full development of the facility will be in the area of 730,000 sq. ft. Phase I of the jail would be 150,000 sq. ft. Mr. Winn stated that the detention facility would be the same size as Town Center Plaza at 119th and Roe.

Mr. Degasperi, Rafael Architects, Inc., stated that birming and supplemental planting along the front of the facility on 159th Street and screening along the roadway of 159th Street. Screening would also be placed along Moonlight Road. Ms. McKnight, McKnight Associates, reported that

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the facility would mostly have native grass such as buffalo grass. Taller grasses would be placed where screening was necessary. The service area would have screening trees, such as evergreen trees. Overall, the landscaping and grass would be as low maintenance as possible. Ms. McKnight also described the types of trees for the entrance area. Mr. Metcalfe stated that deciduous trees don't serve well as screening trees at the AirCenter and suggested evergreen trees instead. Chairman Nohe suggested that the facility committee contact the Parks and Recreation Department to see if they would be interested in some of the land that the facility could not utilize.

Consensus of the Airport Commission was that the proposed landscaping features were aesthetically pleasing and was confident that the facility would be an asset to Johnson County and New Century AirCenter. Chairman Nohe suggested that the Airport Commission be kept updated on the progress of the facility. Mr. Meyer stated that he was sure that the BoCC was aware that the ground that the facility is being built on is a valuable piece of property, and would have had a high market value. Mr. Winn stated that, from the taxpayer's point of view, it was a logical choice because it is county-owned land, which avoids having to purchase land for the facility.

NO ACTION WAS TAKEN.

IV. EXECUTIVE SUMMARY

A. Review Staff Reports.

Mr. Weiler stated that the slurry seal project at New Century AirCenter was nearing completion. Staff is currently in the process of having aerial photographs taken of both New Century AirCenter and Executive Airport. He also reported that staff is waiting for the grant moneys for the runway reconstruction project at Executive Airport, which is expected at any time. Mr. Weiler has also been working with Johnson County Fire District #1 on plans for a new fire station at New Century AirCenter.

Mr. Perry reported that the north entrance road at New Century AirCenter was progressing well, with completion expected mid-July. Mr. Metcalfe stated that an official unveiling would coincide with the monument signage, which is expected to be completed in the fall. Mr. Perry also reported on the rehabilitation of Gardner Drive, which is ready for paving.

Mr. Perry stated the Budget Office has reevaluated the formulas for the cost allocation for central services which increased significantly from \$129,000 in 1996 to \$201,000 for 1997. Chairman Nohe suggested that staff check with the other agencies to see what their increase was for cost allocations were.

Mr. Metcalfe reported that staff received a request for proposal from the City of Olathe for the development of a golf course. The Board discussed the options for developing a golf course, such as contracting with the county Parks and Recreation Department, preparing an Request for Proposals for the City of Olathe, or have a golf course developer develop the property. Mr. Winn

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stated that he knows of two or three private firms who would be interested in developing a golf course at New Century AirCenter. Chairman Nohe directed staff to talk to the Johnson County Parks and Recreation and the public sector about the possibility of them developing a golf course at New Century AirCenter. Mr. Winn suggested that staff invite companies to attend a special Development Committee meeting in late July or early August and hear their proposals to determine how the Airport Commission wants to proceed before the September 17, 1996 deadline for submitting proposal to the City of Olathe. Chairman Nohe concurred.

- B. Consider ratifying the May expenditures as presented.

MOVED BY MR. WINN, SECONDED BY MR. HEAVEN, TO RATIFY THE MAY EXPENDITURES AS PRESENTED. APPROVED (5-0).

- C. Summary of Financials.

There were no comments regarding the financials.

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

Mr. Engelmann stated that he has had a great response from the E.D.C.'s quarterly newsletter. He also reported that the E.D.C.'s HomePage averages three inquiries a day on the Internet. The Financial Committee of the E.D.C. hosted a Business Finance Seminar at the Olathe Holiday Inn on June 21, 1996. The half-day seminar introduced Small Business Administration (SBA) financing to small and medium-sized businesses. Mr. Engelmann will also be meeting with Human Resources representatives to discuss the upcoming Job Fair to be held at New Century AirCenter.

V. DISCUSSION ITEMS:

- H. Report from CCG.

Mr. Hale reported that there has been increasing media activity since the unveiling of the CERI report. He handed out copies of the article which appeared in the *Airport Magazine* regarding New Century AirCenter. A direct mailing piece will be sent out later in the year. Chairman Nohe informed the Board that the E.D.C.'s speaker for their quarterly meeting was CCG's president David Westbrook.

- C. Consider approving the first extension of the real estate brokerage contract with J.P. Fogel & Company.

Mr. Metcalfe stated that the first year of the contract with J.P. Fogel was coming to a close. He stated that Mr. Fogel has put a lot of personal energy into his company's contract with us. Mr.

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Metcalf added that Mr. Fogel communicates with staff on a regular basis and has reduced his fees in half from \$25,000 to \$12,500 per year. Mr. Heaven stated that he was pleased with J.P. Fogel's work.

MOVED BY MR. HEAVEN, SECONDED BY MR. MEYER TO APPROVE THE FIRST EXTENSION TO THE REAL ESTATE BROKERAGE CONTRACT WITH J.P. FOGEL & COMPANY. APPROVED (5-0).

- D. Consider approving the request from New Century Partners, LLC to exercise the option to extend the lease and associated Service Agreement dated January 1, 1977, for the first ten year option period.

Mr. Metcalfe stated this is the first of a series of automatic lease renewals. As stated in their lease, in order for the company to renew their lease, they need to notify the Airport Commission in writing of their request. Mr. Metcalfe stated that staff has received a written request to do so by New Century Partners. Chairman Nohe asked if there was a lease payment change. Mr. Perry stated that they will have a rate increase in December, 1996, which is a Rent In Lieu of Taxes (RILT) based on the 1995 valuations.

THE AIRPORT COMMISSION ACKNOWLEDGED NEW CENTURY PARTNERS, LLC'S WRITTEN REQUEST TO EXERCISE THE OPTION TO EXTEND THE LEASE AND ASSOCIATED SERVICE AGREEMENT DATED JANUARY 1, 1977 FOR THE FIRST TEN YEAR OPTION PERIOD.

- F. Consider approving the request from Dazey Corporation to exercise the option to extend the lease and associated service agreement dated October 1, 1976 for the first ten year option period.

THE AIRPORT COMMISSION ACKNOWLEDGED DAZEY CORPORATION'S WRITTEN REQUEST TO EXERCISE THE OPTION TO EXTEND THE LEASE AND ASSOCIATED SERVICE AGREEMENT DATED OCTOBER 1, 1976 FOR THE FIRST TEN YEAR OPTION PERIOD.

Chairman Nohe asked that staff provide the Airport Commission with a summary of which companies have RILT payments and when each payment increases, along with the square footage of the buildings.

- G. Consider approving a resolution recommending the BoCC approve the issuance of private activity bonds in an amount not to exceed \$8,200,000 for the benefit of Marquardt and Lewis Land Company, LLC and Stouse Sign and Decal.

Mr. Metcalfe explained that Stouse is requesting that the BoCC approve the issuance of private activity bonds for an 80,000 sq. ft. expansion, printing equipment and the refinancing of their current mortgage. The three piece bond will have two series of tax-exempt bonds for the construction and the machine equipment and a series of taxable bonds for financing the mortgage.

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Chairman Nohe recused himself due to a conflict of interest and asked Vice-chairman Viets to chair this discussion item.

Mr. Ford stated that he has received the lease from Stouse's legal counsel, which proposes an addendum to the master lease. Mr. Ford stated that in 1987, Stouse entered into a 60 year ground lease with the Airport Commission. In 1991 and 1992, they entered into an addendum which exercises the option on additional ground. Mr. Ford stated that Stouse's legal counsel is requesting to restate or reamend the existing lease to add another tract of ground and combine everything into the original lease document. He also stated that the problem is that the lease is a 1987 document, adding that things were done differently then as opposed to a 1996 document. The buildings do not come back to the County. The tenant can do whatever it wants to do with the buildings. Mr. Ford stated that he doesn't want to sign and agree to this lease in this form, adding that it requires his signature and also goes to the BoCC. Mr. Ford added that there is no insurance requirement in the lease, which should be required, and he would like to see a provision in the lease that if the building burns down, Stouse will be responsible to rebuild the building, or tear it down and put the land back in condition it was originally in. Chairman Nohe asked if we could incorporate those into the restated lease. Mr. Ford replied that this was possible, but wanted to go on record saying that he was uncomfortable signing the lease as suggested by Stouse's counsel. Mr. Heaven stated that a solution would be to make any recommendation to the Board contingent upon legal counsel's satisfaction on what the lease is going to say. Mr. Ford suggested that terminating the lease and just have the bond lease might also be an option. Mr. Ford suggested that he work with Mr. Garr to resolve these lease issues.

MOVED BY MR. HEAVEN, SECONDED BY MR. WINN TO APPROVE A RESOLUTION RECOMMENDING THE BOCC APPROVE THE ISSUANCE OF PRIVATE ACTIVITY BONDS IN AN AMOUNT NOT TO EXCEED \$8,200,000 FOR THE BENEFIT OF MARQUARDT AND LEWIS LAND COMPANY, LLC AND STOUSE SIGN AND DECAL SUBJECT TO REVIEW AND APPROVAL OF LEGAL COUNSEL AND BOND COUNSEL. APPROVED (4-0-1).

G. Report from J.P. Fogel

Mr. Fogel reported on the increased activity on retail development at New Century AirCenter.

IV. BUSINESS FROM THE FLOOR:

Mr. Winn stated that the Airport Commission should have protected the name "New Century", referring to New Century Partners utilizing the name. Mr. Metcalfe stated that "New Century AirCenter" is protected by a service mark. Mr. Ford stated that he thought it would be difficult to protect "New Century" in general.

V. ADJOURNMENT

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

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Georgianna Mullin, Secretary

R. Lee Metcalfe, Executive Director

JOHNSON COUNTY AIRPORT COMMISSION

MINUTES - July 24, 1996 9:00 a.m. - NEW CENTURY, KS

Airport Commission

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

Absent: Mr. Nohe

Staff: Metcalfe, Ritter, Engelmann, Ford, Perry, Weiler, Miller, Hilgers

Others: Elaine Beckers Braun, County Commissioner
Jerry Fogel, J.P. Fogel & Co.
Steve Hale, CCG
Steve Porter, Olathe Daily News
Assistant Chief McGuire, Jo. Co. Fire District #1
Kevin Riecker, Kansas City Aviation Center
Ivan C. Smith, Tech-Industry Consultants, Inc.
Daniel Brooks, U.S. Army
Rita Eddy, Johnson County Facilities
Doug Gertsema, Johnson County Corrections
Antonio Bocher, Johnson County Correction

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

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

II. REPORT OF THE CHAIRMAN:

Vice-Chairman Viets chaired the meeting due to Chairman Nohe's absence.

A. Nomination of Officers:

Vice-Chairman Viets appointed Ms. Thomen to chair the nominating committee, with the committee to report its recommendation for new officers at the August meeting. Mr. Winn commented that the board needs to have a policy on the nomination of officers. An election will take place at the August 28, 1996 meeting.

I. APPROVAL OF THE MINUTES:

MOVED BY MR. HEAVEN, SECONDED BY MR. MEYER, TO APPROVE THE MINUTES OF THE JUNE 24, 1996 MEETING AS PRINTED AND DISTRIBUTED. APPROVED (5-0).

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III. CONSENT AGENDA ITEMS:

There were no items on the consent agenda.

IV. EXECUTIVE SUMMARY:

A. Review Staff Reports.

Mr. Weiler reported that at the June Airport Commission meeting, the board recommended denial to the Oxford Township Zoning Board for a communications tower located near Executive Airport. Upon that recommendation, the application was withdrawn by the tower company and they have relocated their tower further west. Airport staff now supports the construction of the tower at its new location.

Mr. Perry reported that the north road is now open. Mr. Metcalfe stated that landscaping and signage will be installed later in the year. An official unveiling of the north road will take place as soon as the signage is complete.

Mr. Metcalfe reported that, at the June Airport Commission meeting, the board directed staff to meet with Parks and Recreation Director Haller about the possibility of developing a golf course at New Century AirCenter to fulfill Olathe's objective of having a quality public golf course meeting the expectations of the Olathe community. Executive Director Metcalfe and Chairman Nohe met with Parks and Recreation Director Haller to discuss this issue on July 10th. Staff received a letter from the Parks and Recreation District in which the Park Board, at its July 17, 1996 meeting, unanimously approved the concept of the district joining the Airport Commission in submitting a proposal. Mr. Metcalfe explained that the airport would provide the initial financing and would have a contract with the Parks and Recreation District for the construction and operation of the golf course.

Mr. Winn was concerned with the appearance of the golf course and wanted to insure that the golf course has a good image. Mr. Metcalfe concurred and stated that it was also the Parks and Recreation, as well as airport staff's, desire to have a quality course. Preliminary discussions for the construction of the golf course involved the addition of a driving range, meeting rooms and a training facility included with the 18-hole golf course. Mr. Metcalfe stated that the City of Olathe might not choose the airport's proposal, but added that staff has been approached by numerous developers who are interested in developing a golf course at New Century AirCenter.

Staff will keep the Airport Commission informed of any developments.

B. Consider ratifying the June expenditures as presented.

Mr. Meyer asked about the sales tax refund to Van Den Bergh Foods. Mr. Perry replied that the Airport Commission collects sales tax on the water that is sold. Van Den Bergh Foods has disputed the amount of sales tax paid to the State and the State agreed to refund the disputed

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amount. The amount shown on the disbursement list is the sales tax refund authorized by the state.

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

C. Summary of Financials.

There were no comments regarding the financials.

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

Mr. Engelmann reported that he is currently working on an electronic assembly plant proposal that would employ 800 persons. The E.D.C. and airport staff is also preparing a proposal for submission to Royal Tractor, who is interested in an expansion of their operations at New Century AirCenter.

The 2nd Annual Job Fair will be held on Thursday, July 25, 1996 at Nike Middle School in Gardner. Mr. Engelmann reported that 13 companies are participating in the fair.

A retail needs survey has been completed and sent to local commercial developers. It is estimated that, on the average, New Century AirCenter employees spent a total of \$97,000 per week on retail services in the Gardner area. Mr. Winn suggested that the E.D.C. conduct a survey of multi-family housing needs.

Commissioner Beckers Braun stated that she is on a transportation subcommittee of the National Association of Counties and distributed copies of the proposed resolutions on transportation issues. She asked the board to let her know if they had any comments in which she could pass along to the committee.

V. DISCUSSION ITEMS:

A. Presentation by Dr. Ivan Smith, JOCO Business Tec Center, Inc.

Dr. Smith gave a presentation on the Johnson County incubator program, which was established in 1994. Dr. Smith invited the board to the JOCO Business Tec Center to take a tour of the facilities.

B. Consider approving the final site plan for the community corrections expansion.

Ms. Rita Eddy, Johnson County Facilities Department, informed the board that the site plan has been modified to include having the entire four wings of the first unit built, instead of only two wings as the original plan indicated. An access road was also added to accommodate the fire official's request of an additional road for fire apparatus access to the building. The elevations have also changed since the building will now be longer than first proposed.

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Ms. Eddy reported on the landscaping plans for the facility, which will also include landscaping along New Century Parkway. In the final development plan, the current modular building will be taken down for the future administration building.

MOVED BY MR. HEAVEN, SECONDED BY MS. MULLIN TO APPROVE THE FINAL SITE PLAN FOR THE COMMUNITY CORRECTIONS EXPANSION. APPROVED (6-0).

- C. Consider a request from Kansas City Aviation Center to make certain adjustments and modifications to its lease at Executive Airport.

Mr. Metcalfe reported that this item was placed on the agenda at the request of KCAC's attorney, but KCAC has since requested that the item be delayed until the August meeting so Mr. Armacost, the owner of KCAC, could attend the meeting. Mr. Winn asked for a fiscal note to be made on the briefing sheet explaining the financial aspects of the proposed changes.

THE ITEM WAS TABLED UNTIL THE AUGUST AIRPORT COMMISSION MEETING.

- D. Report from CCG.

Mr. Hale reported that a news release was distributed on the runway resealing and the extension of the parkway at New Century AirCenter. A major media event for the north entrance road will be conducted upon the installation of the signage.

- E. Report from J.P. Fogel

Mr. Fogel reported on the increased activity on retail development at New Century AirCenter. No firm proposals have been submitted, but several developers are evaluating the opportunities.

IV. BUSINESS FROM THE FLOOR:

There was no business from the floor.

V. ADJOURNMENT

MOVED BY MR. WINN SECONDED BY MS. THOMEN TO ADJOURN THE MEETING AT 10:15 A.M. APPROVED (5-0).

Georgianna Mullin, Secretary

R. Lee Metcalfe, Executive Director

JOHNSON COUNTY AIRPORT COMMISSION

MINUTES - August 28, 1996 9:00 a.m. - NEW CENTURY, KS

Airport Commission

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

Staff: Metcalfe, Ritter, Engelmann, Ford, Perry, Weiler, Hilgers

Others: Elaine Beckers Braun, County Commissioner
Jerry Fogel, J.P. Fogel & Co.
Steve Hale, CCG
Steve Porter, Olathe Daily News
Assistant Chief McGuire, Jo. Co. Fire District #1
Paul Welcome, Johnson County Appraiser
Jan Durrett, Johnson County League of Women Voters
Rea Wilson, Johnson County Sun

The meeting was called to order at 9:00 a.m. by 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. MULLIN, SECONDED BY MS. THOMEN, TO APPROVE THE MINUTES OF THE JULY 24, 1996 MEETING AS PRINTED AND DISTRIBUTED. APPROVED (7-0).

II. REPORT OF THE CHAIRMAN:

A. Nomination of Officers:

Ms. Thomen, chairman of the Nominating Committee, thanked Chairman Nohe for his work as Chairman. Ms. Thomen reported that previous discussions had mentioned the officer positions be rotated by seniority. As a result, the Nominating Committee recommended the following slate of officers:

Mark Viets - Chairman
Phyllis Thomen - Vice-Chairman
Stan Meyer - Secretary
Larry Winn - Treasurer

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Chairman Nohe commented that several discussions were held over the years regarding the procedure of how the officers were selected. Staff has researched how other county boards selected their officers, and found no consistent methodology among them. Ms. Thomen prepared a report and Chairman Nohe suggested that the issue be referred to the committee for discussion and possibly to adopt a nominating procedure for the future.

MOVED BY MR. HEAVEN, SECONDED BY MS. MULLIN, TO ACCEPT THE NOMINATING COMMITTEE REPORT AND ELECT THE NOMINATED SLATE OF OFFICERS BY ACCLAMATION. APPROVED (7-0).

Chairman Nohe gave up his seat and newly-elected Chairman Viets chaired the remainder of the meeting.

III. CONSENT AGENDA ITEMS:

There were no items on the consent agenda.

V. DISCUSSION ITEMS:

E. Consider having the airports platted to address certain property identification issues.

Mr. Metcalfe explained that the airport parcels are listed by metes and bounds legal descriptions rather than a subdivision name, block and lot numbers or by street address, as most parcels within the county normally are. New Century AirCenter does not use the standard city/county addressing system, and only having a metes and bounds description makes it extremely difficult to look at property records, notices of valuation, tax bills or other official documents referring to a particular parcel and know easily which parcel is being referred to. It is also extremely difficult for the Appraiser's Office to sort out parcels. Airport staff met with the staff of the Appraiser's Office, County Clerk and Register of Deeds, and together came to the conclusion that the only way to solve the problem would be to have the airport platted. Mr. Metcalfe explained that while platting the airport seems logical, airport staff feels that the process would be painful and expensive, estimating the cost to be in the six figure range. However, there is a county fund that is available for projects that cross departments, and it might be possible that the BoCC would fund a portion of the costs to plat the airports.

Mr. Welcome stated that his staff spends a lot of time trying to reconcile the problem, and believes that over a period of time, the problem could be solved through platting. He said a frequent problem is that when a new lease tract is provided to the Appraiser, the legal descriptions do not close, they don't reconcile with neighboring parcels or they have overlapping boundary lines. Mr. Welcome suggested that any new properties should be platted instead of on a metes and bounds description. Mr. Nohe asked if the solution would be to hire a surveyor to survey the airport. Mr. Welcome stated that an outside surveyor would be needed and suggested that the overall

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project could be phased over a five year period to solve a long-term problem.

Chairman Viets asked if the Airport Commission would then have to renegotiate the leases that are out of conformance. Mr. Metcalfe stated there might be an instance that a lease would be amended to reflect the changes. Mr. Winn suggested initially to plat the existing privately-occupied buildings before the government buildings. Mr. Nohe stated that he supports the concept of the development of a plan and returning the issue back to the Airport Commission for further consideration. He also commented that it is possible that with time, the cost of the project could escalate, and he would like to further understand the process.

CONSENSUS OF THE AIRPORT COMMISSION WAS TO DIRECT STAFF TO WORK WITH THE COUNTY APPRAISERS OFFICE AND OTHER COUNTY DEPARTMENTS TO DEVELOP A PLAN ON PLATTING THE AIRPORTS AND REPORT BACK TO THE AIRPORT COMMISSION FOR FURTHER CONSIDERATION.

IV. EXECUTIVE SUMMARY:

A. Review Staff Reports.

Mr. Weiler reported that the slurry seal project on the runway at New Century AirCenter has been completed. At Executive Airport, the west parallel taxiway is being utilized as a temporary runway until the October completion of the reconstruction of the runway.

Mr. Perry reported that New Century Parkway and Gardner Drive are essentially complete. He also reported that the BoCC approved the 1997 budget and CIP plan. The CIP plan includes the rehabilitation of the power house, installation of street lights and additional street rehabilitation for New Century AirCenter.

Mr. Metcalfe reported that Parsonitt has filed bankruptcy and has ceased its operations. He will be attending the hearing on August 30, 1996. Parsonitt's building and equipment are security on a Small Business Administration (SBA) loan, and there are no other appreciable assets. While Parsonitt has filed under Chapter 11 of the Bankruptcy Code, their attorney has indicated they intent to liquidate.

Mr. Metcalfe also reported that the Navy buildings are going to be occupied by an Army unit out of Belton, who has been displaced from their facilities because of an environmental problem. The unit will occupy the buildings temporarily for nine months during the environmental remediation at their Belton facility. It currently appears that once the unit has vacated the facility, the property will be turned over to the Airport Commission.

B. Consider ratifying the July expenditures as presented.

Mr. Meyer asked about the environmental impact on the removal of the underground storage tanks.

Mr. Perry reported that the removal process went smoothly. The tanks at the maintenance shop

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were also removed and replaced with a system that meets the 1998 environmental codes.

Mr. Meyer also asked about the invoice from Occupational Medicine for drug testing. Mr. Perry reported that county policy requires random drug testing of an employee who holds a commercial drivers license. The employees are selected at random, and the Airport Commission is responsible for the fee if an airport employee is selected for testing.

MOVED BY MR. MEYER, SECONDED BY MR. NOHE, TO RATIFY THE JULY EXPENDITURES AS PRESENTED. APPROVED (7-0).

C. Summary of Financials.

Mr. Perry reported that the revenues are on track and we are 58% through the year. Expenditures are slightly below budget. Mr. Perry handed out an interim financial report prepared by the County Finance Office.

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

Mr. Engelmann presented the Airport Commission with the 1996 Business Appreciation Report, which was prepared by the E.D.C. Invitations were sent to Gardner and New Century AirCenter businesses. Mr. Engelmann was please with the 30% return response. Mr. Engelmann stated that the primary concern for the businesses was the shortage of labor. He added that a few of the AirCenter businesses were also concerned with the reliability and cost of utilities.

Mr. Engelmann stated that the 2nd Annual Job Fair had over 300 people in attendance. The Air Center and the E.D.C. will be attending SIOR Developers Day and have a booth next to J.P. Fogel, along with the New Century AirCenter model.

Staff continues to work on the conceptual microchip project. New Century AirCenter is one of four sites being researched. Staff also continues to provide information to Kansas Department of Commerce and Housing on the 800 person electronic assembly operation project.

V. DISCUSSION ITEMS:

A. Consider recommending to the BoCC approval of a settlement agreement and reimbursement to New Century Partners, Ltd., in the amount of \$102,951.10 for excess back rent collected in 1995.

Mr. Perry reported that New Century Partners bought the leasehold interest in two buildings previously leased by Olathe Manufacturing. The buildings have leases which provide for a rental payment based on assessed values established in the 1990 and 1991 tax years. Olathe Manufacturing filed an appeal on the assessed values and the Airport Commission agreed to a reduced amount of rent during the appeal process. The appeal was dropped in 1995 and

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\$147,974.44 was collected from Olathe Manufacturing as back rent based on the original assessed value the airport had been carrying since 1991. The BoCC allowed the Airport Commission to place the collected amount into an account for unbudgeted infrastructure needs.

When New Century Partners bought the leasehold interest, during their review of records they found that the Appraiser's records had different assessed values than those used by the Airport for computing the building rent. After discussion with the Appraiser's office, it was determined that the values originally used by the Airport had subsequently been adjusted downward by the Appraiser. Staff conferred with legal counsel and determined that a refund to New Century Partners was necessary. The refund amount of \$102,951.10 will come from a project account and will have no impact on the Airport Commission or County's operating budgets.

MOVED BY MR. NOHE, SECONDED BY MS. THOMEN, TO RECOMMEND TO THE BOCC APPROVAL OF A SETTLEMENT AGREEMENT AND REIMBURSEMENT TO NEW CENTURY PARTNERS, LTD., IN THE AMOUNT OF \$102,951.10. APPROVED (7-0).

- B. Consider requesting from the Federal Aviation Administration (FAA) the release of several parcels of airport land.

Mr. Metcalfe stated that a formal request must be made to the FAA for the transfer of custody of the land to be used for the new detention center and for the existing and future community corrections facility. The FAA requires that the land be released from the original Federal deed restrictions and from FAA grant assurance restrictions. Once the request is received, the FAA will review the request and make a recommendation to the U.S. Congress, which must enact legislation to effect the release.

Two other parcels of land are also being included in this request. The first parcel is a 6-acre tract at the northwest corner of 191st St, and Cedar Niles Road which was a former Navy radio navigation station. It was transferred to the county at the same time the airport land was transferred in 1973. It has never been used by the Airport Commission for any purpose. The other parcel is the 17-acre "triangle park" tract on the west side of Moonlight road, west of the airport. This parcel of land is highly developable and has been the subject of discussion with the City of Gardner, who has requested it in the past to use the site as a park. Staff has also been approached on several occasions by developers who were interested in purchasing this tract.

MOVED BY MR. WINN, SECONDED BY MR. NOHE TO AUTHORIZE THE EXECUTIVE DIRECTOR TO REQUEST FROM THE FAA THE RELEASE OF LAND TO BE USED FOR THE NEW DETENTION CENTER AND FOR THE EXISTING AND FUTURE COMMUNITY CORRECTIONS FACILITY, ALONG WITH THE RELEASE OF THE 6-ACRE AND 17-ACRE TRACTS OF LAND. APPROVED (7-0).

- C. Consider a request from Kansas City Aviation Center to make certain adjustments and

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modifications to its lease at Executive Airport.

Chairman Viets stated that this item has been pulled from the agenda.

D. Consider presenting a golf course proposal to the City of Olathe.

Mr. Metcalfe stated that staff has been working diligently on the golf course proposal. He asked for input from the board on their opinion of the proposal and direct staff to submit the proposal to the City of Olathe. Mr. Winn complimented Executive Director Metcalfe on the proposal. He suggested that a statement be added that the Airport Commission reserves the right to also accept design/build proposals on an RFP basis. Mr. Metcalfe stated that there has been a lot of interest expressed by those types of firms, but he was concerned that it might be too nebulous for the city to deal with; that we weren't making a definitive proposal. Mr. Winn suggested keeping it as an option. Mr. Meyer concurred and felt that it was an option that needed considering.

Commissioner Beckers Braun was concerned with the use of general obligation bonds (g.o. bonds). She was not sure if the county would endorse the bonds, and wasn't sure if bond counsel would accept this. Mr. Metcalfe stated that he has spoke with bond counsel and the project would qualify. Commissioner Beckers Braun stated that the use of g.o. bonds should be an *option*. Mr. Metcalfe stated that he also listed other methods of financing the project, such as airport revenue bonds.

Mr. Nohe commented on the conference center, requesting that staff provide information on the economic feasibility of a conference center. He also suggested changes on the cash flow figures. Mr. Metcalfe stated that the conference center was placed in the proposal because there is a need for meeting space in southwest Johnson County. New Century AirCenter resident businesses are often utilizing the Airport Commission administration conference room because there are no other alternatives. Mr. Winn thought that the concept of a conference center was interesting and suggested linking up with a hospitality company, adding that it might be an opportunity to have a feasibility study completed for gratis. Mr. Heaven commented that he was supportive of a conference center, stating that he feels the conference center would be busy. He also recommended that staff emphasize in other parts of the proposal that the city of Olathe would have no financial responsibility. Mr. Heaven also commented that the Airport Commission should not set their sights too low in regards to the project. He stated that he was involved in a project north of Chicago that had the same concerns and built a golf course, hotel, pro shop and convention center. He reported that from day one it was extremely busy. Mr. Heaven also stated that local retreats were held at the convention center. He feels that there will be a lot of activity around the area and the Airport Commission should not set their sights too low. Mr. Viets stated that actually the conference center is an extension of the clubhouse. Mr. Metcalfe stated that Heritage Parks and Tomahawk Hills both have meeting rooms.

The board discussed the possibility of the city of Olathe annexing the proposed golf course and

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additional parcels of land adjacent to the golf course. Mr. Nohe stated that the annexation would not have a negative impact on the Airport Commission, but simply is an incentive for the city of Olathe. Mr. Meyer asked how the city of Gardner would react to the annexation. Mr. Metcalfe stated that the city of Gardner might have some concerns because they have their own golf course, and they might lose rounds to New Century Golf Course. Mr. Metcalfe stated that Gardner overall would perceive this as a good thing, and an opportunity to generate more economic activity. There is a written agreement between the cities of Gardner and Olathe regarding the annexation of airport property, and Mr. Metcalfe emphasized that the all of this property is on the city of Olathe's side. Mr. Metcalfe also stated that as a quid pro quo for Gardner, any retail activity located in the southwest portion of the AirCenter would be in the city of Gardner.

Mr. Metcalfe stated that the golf course proposal will be presented to the BoCC in a worksession on September 9, 1996. If and when the City of Olathe selects the proposal, it will then be brought back to the BoCC for approval.

MOVED BY MR. NOHE, SECONDED BY MR. WINN TO AUTHORIZE THE EXECUTIVE DIRECTOR TO FINALIZE THE GOLF COURSE PROPOSAL AND SUBMIT THE PROPOSAL TO THE CITY OF OLATHE FOR THEIR CONSIDERATION SUBJECT TO THE CHAIRMAN'S APPROVAL. APPROVED (7-0).

F. Report from CCG.

Mr. Hale reported that a release on the expansion project at Stouse Sign and Decal was sent to local trade media. CCG assisted staff in the development the logo for the golf course proposal which will be sent to the city of Olathe. Mr. Hale reported on the numerous magazines in which articles on New Century AirCenter appeared.

G. Report from J.P. Fogel

Mr. Winn asked how the aggressive marketing campaign translates into prospective tenants at New Century AirCenter. Mr. Fogel stated that New Century AirCenter continues to receive responses, although it is gradual. He stated that now people are recognizing New Century AirCenter, where as before no one knew about it. Mr. Fogel added that he feels that people still view southwest Johnson County as a long way out.

Mr. Fogel stated that he was totally behind the golf course proposal and felt that anything we could add to the AirCenter will help his efforts. Mr. Hale commented that New Century AirCenter is positioned with the attention that it has been receiving from newspapers and magazines.

Mr. Fogel introduced Nathan Anderson with J.P. Fogel and Company.

IV. BUSINESS FROM THE FLOOR:

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There was no business from the floor.

V. ADJOURNMENT

MOVED BY MR. WINN SECONDED BY MS. MULLIN TO ADJOURN THE MEETING AT 10:45 A.M. APPROVED (7-0).

H. Stanley Meyer, Secretary

R. Lee Metcalfe, Executive Director

JOHNSON COUNTY AIRPORT COMMISSION

MINUTES - September 25, 1996 9:00 a.m. - NEW CENTURY, KS

Airport Commission

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

Staff: Metcalfe, Ritter, Engelmann, Ford, Perry, Hilgers

Others: Jerry Fogel, J.P. Fogel & Co.
Steve Hale, CCG
Steve Porter, Olathe Daily News
Kevin Riecker, Kansas City Aviation Center
Becky Bagents, Burns & McDonnell

The meeting was called to order at 9:00 a.m. by 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 MR. HEAVEN, SECONDED BY MR. NOHE, TO APPROVE THE MINUTES OF THE AUGUST 28, 1996 MEETING AS PRINTED AND DISTRIBUTED. APPROVED (5-0).

II. REPORT OF THE CHAIRMAN:

A. Presentation to Marty Nohe, who served as Chairman from 1995 to 1996.

Chairman Viets presented a gavel plaque to Mr. Nohe in appreciation for his service as chairman from 1995 to 1996.

B. Appointment of a Development Committee Chairman.

Chairman Viets appointed Mr. Heaven as Chairman of the Development Committee. Mr. Heaven reported that he will be forming the committee and scheduling a meeting at a later date.

III. CONSENT AGENDA ITEMS:

There were no items on the consent agenda.

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IV. EXECUTIVE SUMMARY:

A. Review Staff Reports.

Mr. Metcalfe informed the board that Mr. Weiler was in San Diego, California attending the General Aviation Airports Conference of the American Association of Airport Executives. The conference focused on airfield rules and regulations. Mr. Metcalfe reported that the runway project at Executive Airport is proceeding well despite weather problems and is anticipated to be completed on schedule.

Mr. Perry reported that the footing for the monument signs are being installed. He also reported that the Public Works Department has cooperated well with the airport in the Highway 56 project. The project required relocation of the airport fence along Highway 56 due to widening of culverts and reconfiguring drainage ditches. Public Works removed the old, rusted chain-link fence fabric and pulled out the posts, then installed new fencing set back from the original fence line about six feet.

Mr. Perry reported that the financials were on track. Overall, the expenditures percent is higher due to a recent large debt service payment. Mr. Nohe commented that the cash carryover appears to be less than last year's carryover. Mr. Metcalfe stated that we have not had a significant amount of unbudgeted revenues as we have had in the past. These unbudgeted revenues resulted in larger carryovers in the past.

Mr. Metcalfe stated that two years ago, the county sued the City of Olathe over a rezoning of the area north of Executive Airport for the purpose of residential homes. Mr. Metcalfe stated that airport staff attended the Olathe Planning Commission's meeting and requested denial of the application, in which the Planning Commission, as well as city staff, recommended denial to the council. However, the council approved the rezoning despite the recommendations. The county's contention was that the decision made by the city council was not supported by the evidence. Mr. Metcalfe stated the court ruled in the county's favor, and that the City of Olathe has appealed the motion. Mr. Metcalfe stated that the city council has never considered the airport-area zoning regulations and standards. Mr. Metcalfe said that the city staff had reviewed and recommended adoption of the regulations. The Olathe Planning Commission also reviewed and unanimously recommended adoption of the regulations, but it has not appeared on the city council's agenda. Mr. Winn asked that Mr. Ford send him a copy of the decision.

Mr. Meyer asked if it would be beneficial if staff reinvestigated having the city adopt the regulations. Mr. Metcalfe stated that the City of Gardner has adopted the regulations, and added that he would contact Olathe and Overland Park's staff to get their input. Chairman Viets encouraged the Airport Commissioners to lobby the BoCC on the issue.

Mr. Metcalfe invited the Airport Commission to attend the Heartland Freight Coalition townhall

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meeting on October 18, 1996 at North Supply's auditorium to discuss freight issues. The Coalition is facilitated by the Kansas City Chamber of Commerce.

B. Consider ratifying the August expenditures as presented.

Mr. Nohe asked about the engineering payment on the Parsonitt issue. Mr. Perry replied that the costs were for Phases II and III in the testing. Mr. Nohe asked if the county had insurance to recover our costs. Mr. Perry stated that staff has applied for reimbursement from the state's Dry Cleaning Fund. It is expected that we will receive reimbursement for a portion of the costs from the state, although the amount is unknown. Staff is currently lobbying the state to monitor the site without removing soil. The land in question is currently planned to be parking space for the future corrections facility expansion.

MOVED BY MR. NOHE, SECONDED BY MS. THOMEN, TO RATIFY THE AUGUST EXPENDITURES AS PRESENTED. APPROVED (7-0).

C. Summary of Financials.

There were no questions regarding the financials.

MOVED BY MR. MEYER, SECONDED BY MR. NOHE, TO APPROVED THE FINANCIALS AS PRESENTED. APPROVED (7-0).

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

Mr. Engelmann reported that a computer diskette, highlighting the advantages of southwest Johnson County, was almost complete. TradeNet Publishing, Inc. is utilizing this opportunity to provide the development of the diskette as a way of entering the electronic media industry. This would have been a \$3,000 - 5,000 project that TradeNet is providing the E.D.C. at no cost .

V. DISCUSSION ITEMS:

A. Consider a request from Kansas City Aviation Center to make certain adjustments and modifications to its lease at Executive Airport.

Mr. Metcalfe introduced Kevin Riecker, general manager of Kansas City Aviation Center (KCAC). Mr. Metcalfe stated that KCAC has requested the Airport Commission make certain adjustments and modifications to its lease, and KCAC has accepted airport staff's recommended changes to their lease. Mr. Winn stated that we do not have to renegotiate their lease at all and asked if it was necessary to do so. Mr. Metcalfe stated that the Airport Commission would not *have* to make the changes, but added that he feels it is a gesture of good will if the changes were made. He stated that KCAC is the premier Fixed Base Operator at Executive Airport and sets the tone of operations. Mr. Winn commended Executive Director Metcalfe on the negotiations of the lease. He also added that he was willing to make the adjustments to the lease, but was concerned

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that they were a viable business with or without the Airport Commission's assistance in the modification of their lease.

Mr. Metcalfe informed the Airport Commission on the status of litigation with Air Associates. He stated that Air Associates appeal is still active and a complaint is before the Federal Aviation Administration (FAA) that the Airport Commission discriminated against them. Mr. Metcalfe informed the board that there are major changes taking part at Air Associates and believes that if the changes are successful, then the relationship with Air Associates will change considerably in the Airport Commission's favor.. Ms. Mullin was concerned that the Airport Commission not prejudice ourselves with the other tenants. Mr. Ford responded that staff will be careful not to violate the sponsor assurances with the FAA. Mr. Metcalfe stated that he does not believe the changes in KCAC's lease are discriminatory against Air Associates.

Ms. Mullin stated that she believes the adjustments could be made in 1999 when the lease is due for renewal. Mr. Metcalfe stated that in KCAC's lease, there is an economic conditions clause that states that KCAC could vacate if the economic conditions change. He believes that by modifying their lease, it shows good will on the Airport Commission's part. Mr. Metcalfe stated that the fiscal impact would be small.

MOVED BY MR. WINN, SECONDED BY MR. NOHE TO MAKE THE MODIFICATIONS TO THE KCAC LEASE AS RECOMMENDED BY STAFF. THE MODIFICATION DOCUMENT WILL BE PRESENTED TO THE CHAIRMAN FOR FINAL APPROVAL. APPROVED (7-0).

B. Consider participating with other county agency boards in a board development program.

Mr. Metcalfe stated that every year, the BoCC meets with the various agency boards to discuss budget concerns and board relations. Some of the boards expressed at the last meeting their concern as to how they relate to their directors and what their roles as a board member are. The agency directors suggested having facilitator Mary Baskett conduct two 1/2 day sessions to address board development. A committee would be comprised of one member of each board to develop the curriculum. The Airport Commission would pay 1/5 of the cost of the session, which should be around \$1000.00.

Mr. Winn stated that the Airport Commission should participate, but that most of the Airport Commission members have served on various boards for many years, and he feels that the Airport Commission already knows their role. He hopes that the sessions would have some substance. Mr. Nohe concurred and stated he was skeptical that the Airport Commission should invest their time. Mr. Winn stated that most of the sessions tend to drag out and get generic, but if the sessions could be limited to two hours, he felt that the Airport Commission should attend. Mr. Metcalfe stated that these sessions would probably be fairly generic since they would involve all the agency boards. Mr. Heaven suggested the Airport Commission send a representative to the steering committee to determine if the session would be beneficial. Chairman Viets volunteered to be part of the committee and added that he would try to shorten the length of the session to two hours and report back to the Airport Commission.

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- C. Discuss the traffic study completed by Bucher Willis & Ratliff for the future I-35 interchange to serve the southeast portion of New Century AirCenter, primarily the planned airline passenger and air cargo terminal areas.

Mr. Metcalfe briefed the Airport Commission on the history of the initiation of the traffic study. He stated that projections on the traffic volume were on the modest side and based on subjective assumptions. Mr. Metcalfe stated that no decisions were necessary as a result of the study and that the next step would be to meet with the Kansas Department of Transportation to get their impression of the report. Overall, Mr. Metcalfe felt that the proposed interchange would be a few years out, but added that the Airport Commission needs to make everyone aware of the projected need.

The Airport Commission discussed air cargo transportation. Mr. Metcalfe stated that at one time, Federal Express had stated that there was enough package volume coming from Johnson County that they could justify dropping an airplane into New Century AirCenter. Mr. Metcalfe stated that it would not require a building, but would rather be direct from truck to airplane. Mr. Nohe suggested staff contact Federal Express and pursue any opportunities of having them place an airplane at New Century AirCenter.

MOVED BY MR. NOHE, SECONDED BY MR. HEAVEN TO ACCEPT THE NEW PASSENGER AND CARGO FACILITY GROUND ACCESS STUDY PREPARED BY BUCHER WILLIS AND RATLIFF. APPROVED (7-0).

- F. Report from CCG.

Mr. Hale reported on the articles about New Century AirCenter that appeared in various magazines and newspapers this past month. He stated that a newsletter has just been completed and is ready for mailing. Mr. Nohe commented on the quality of the newsletter.

- G. Report from J.P. Fogel

Mr. Fogel stated that he has sent out a request for proposal for the retail center to be located at Prairie Village Drive and New Century Parkway. He stated the response was lukewarm and feels it might be financially tough to sell a retail development area inside the AirCenter. Mr. Fogel also stated that activity continues on the area located at 56 Highway and Moonlight Road. He also reported that New Century AirCenter has received positive exposure from the Society of Industrial and Office Realtors Day (SIOR). Mr. Winn stated that SIOR Developers Day has grown tremendously in recent years and it is good that the Airport Commission is being seen there.

IV. BUSINESS FROM THE FLOOR:

There was no business from the floor.

V. ADJOURNMENT

**MOVED BY MR. WINN SECONDED BY MR. MEYER TO ADJOURN THE MEETING AT 10:08
A.M. APPROVED (7-0).**

H. Stanley Meyer, Secretary

R. Lee Metcalfe, Executive Director

JOHNSON COUNTY AIRPORT COMMISSION

MINUTES - October 23, 1996 9:00 a.m. - NEW CENTURY, KS

Airport Commission

Present: Messrs. Viets, Nohe, Meyer, Winn

Absent: Mr. Heaven, Mss. Mullin, Thomen

Staff: Metcalfe, Ritter, Perry, Hilgers, Weiler

Others: Jerry Fogel, J.P. Fogel & Co.
Steve Hale, CCG
Steve Porter, Olathe Daily News
Raymond Gentile, airport user

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

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

II. REPORT OF THE CHAIRMAN:

A. Consider rescheduling the November and December Airport Commission meetings.

Consensus of the Airport Commission was to combine the November and December meetings due to the holidays. The next scheduled meeting, which will be the last regular business meeting of 1996, will be held on Wednesday, December 11, 1996 at 9:00 a.m.

IV. EXECUTIVE SUMMARY:

A. Review Staff Reports.

Mr. Weiler stated that despite the unexpected snow storm that hit the area this week, the airports remained open and fully functional. Executive Airport's control tower is using hand-held radios due to power problems. He also reported that the new runway at Executive Airport is expected to open next week.

Mr. Perry reported that the concrete bases for the parkway signs are up and we are close to having the monument sign faces up. He also reported on the 1997 CIP projects, which include the rehabilitation of the power house, rehabilitation of Overland Park Place and the installation of street lights along the parkway at New Century AirCenter.

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Mr. Metcalfe stated that a presentation was made to the Olathe Golf Course selection committee. The committee received eight proposals, two of which were rejected because they were not site specific. There were four proposals received on the property located directly north of New Century AirCenter, a proposal for property at 111th and K-7, and the Airport Commission's proposal.

C. Summary of Financials.

Mr. Perry reported that a small carry-over is expected at the end of the year from operating accounts. He also reported that as part of our ongoing legal discussion with the Kansas Department of Health and Environment (KDHE), concerning the Parsonitt issue, the Airport Commission's legal counsel, Stinson, Mag & Fizzell, negotiated access to a fund administered by KDHE so that we could apply for reimbursement. Staff was recently notified that \$81,500 has been approved for reimbursement. The amount will be placed into the land reclamation project account which is being used for the continued engineering and legal expenses associated with the Parsonitt site.

B. Consider ratifying the September expenditures as presented.

Mr. Meyer asked about the cost for capping a gas well. Mr. Perry explained that the well, known as the Jamison well, is off airport property and was part of the Airport Commission's collection of gas well leases at one time. Under the terms of the lease, the airport was liable for the capping of the well.

Mr. Meyer also asked about the refund of back rent to New Century Partners. Mr. Perry explained that when the airport received \$147,000 in back rent, it was placed into a project account for infrastructure at New Century AirCenter. There was a miscalculation in the amount owed, and a refund was provided to New Century Partners and was taken out of the project account. There is no impact on the Airport Fund operating budget, either from the receipt of the back rent payment or the refund of a portion of it.

MOVED BY MR. MEYER, SECONDED BY MR. WINN, TO RATIFY THE SEPTEMBER EXPENDITURES AS PRESENTED. APPROVED (4-0).

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

Mr. Metcalfe reported that Mr. Engelmann was unable to attend the meeting and had nothing additional to his report.

I. APPROVAL OF THE MINUTES:

MOVED BY MR. NOHE, SECONDED BY MR. MEYER, TO APPROVE THE MINUTES OF THE SEPTEMBER 25, 1996 MEETING AS PRINTED AND DISTRIBUTED. APPROVED (4-0).

III. CONSENT AGENDA ITEMS:

There were no items on the consent agenda.

V. DISCUSSION ITEMS:

- A. Consider approving a rate increase for the rental of t-hangars at Johnson County Executive Airport and New Century AirCenter to become effective January 1, 1997.

Mr. Weiler reported that the last t-hangar rate increase was October 1, 1989. Since that time, there has been a steady increase in costs associated with the operation and maintenance of t-hangars and the two airports in general. These increased costs include grant matches for Airport Improvement Program (AIP) Projects, personnel costs, utility costs, parts and equipment costs, pavement and building maintenance costs, and administrative costs.

A t-hangar rental comparison was completed for airports with similar facilities and services and reflected that with a 5% increase, amounting to an average of \$10 more per month for each t-hangar, (\$8 is the lowest increase with \$12 being the highest), the Airport Commission's rates would still be within the average for the Kansas City Area, especially in t-hangars for small single-engine aircraft. Mr. Weiler stated that the t-hangars are rented at 100% occupancy, with a waiting list at both airports.

Mr. Winn stated that it was obvious that a rate increase was needed and suggested that staff review the rates on a bi-yearly basis. He also suggested that staff seriously consider the possibility of constructing additional hangars. Mr. Meyer stated that he would be interested in hearing what the users of the airports thought of constructing new t-hangars. The board discussed the issue of additional hangars, and consensus was to have staff prepare a recommendation for the Airport Commission on the feasibility of constructing additional t-hangars.

Mr. Raymond Gentile, an airport user, read a prepared statement on his position on the t-hangar increase. He felt that the increase was not justified because the t-hangar he rents was built in 1979 at a total cost of 1.6 million. Mr. Gentile stated that the hangars were financed with revenue bonds that matured in 1993, arguing that there is no further liability for the capital expenditures for these t-hangars. He also feels that there is an inconsistency in the county account procedures and that the costs per hangar are considerably less than the current rate. Mr. Gentile continued that he feels that the proponents of the increase see such increase as a way to generate additional funds to offset other costs and expenditures. Overall, Mr. Gentile felt that the government's function is to serve the public and provide services to their constituents at cost. He added that when the county took over the airports, they should have been aware that the airports would operate at a deficit.

Chairman Viets thanked Mr. Gentile for his comments. Mr. Winn stated that he did not philosophically agree with Mr. Gentile conclusions, adding that when the t-hangars are paid off does not mean that the Airport Commission should not charge for them. Mr. Nohe concurred and

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stated that he did not think we could justify an ad valorem tax paid by all county citizens subsidizing a small, specific group of users.

MOVED BY MR. WINN, SECONDED BY MR. NOHE TO APPROVE THE RATE INCREASE FOR THE RENTAL OF T-HANGARS AT JOHNSON COUNTY EXECUTIVE AIRPORT AND NEW CENTURY AIRCENTER EFFECTIVE JANUARY 1, 1997. APPROVED (4-0).

F. Report from CCG.

Mr. Hale reported that the Heartland Freight Coalition town hall meeting was held at North Supply at New Century AirCenter. Ms. Linda Morgan, Chairman of the Surface Transportation Board, was a speaker at the meeting. A new release will also be sent out on the meeting. Other news releases include the accreditation of Brian Weiler, Aviation Director, and a release on Steve Wilson, President of JcAir, which is located at New Century AirCenter.

A direct-mail piece, which features artwork on the new monument signage, will be completed as soon as the signage has been installed.

G. Report from J.P. Fogel

Mr. Fogel reported that he has received a proposal for a retail center at Moonlight and Highway 56, and suggested discussing the issue further in a Development Committee meeting.

Mr. Nohe suggested that staff organize an Events Committee, and suggested having CCG involved. He felt that an Events Committee would promote public awareness of New Century AirCenter.

IV. BUSINESS FROM THE FLOOR:

There was no business from the floor.

V. ADJOURNMENT

MOVED BY MR. WINN SECONDED BY MR. MEYER TO ADJOURN THE MEETING AT 10:06 A.M. APPROVED (4-0).

H. Stanley Meyer, Secretary

R. Lee Metcalfe, Executive Director

JOHNSON COUNTY AIRPORT COMMISSION

MINUTES - December 11, 1996 9:00 a.m. - NEW CENTURY, KS

Airport Commission

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

Absent: Ms. Mullin

Staff: Metcalfe, Ritter, Engelmann, Ford, Perry, Hilgers, Weiler

Others: Jerry Fogel, J.P. Fogel & Co.
Steve Porter, Olathe Daily News
Jim Sullinger, Kansas City Star
Janet Swanson McRae, Gardner News
Dennis McGuire, Fire District #1
Max Sielert, Fire District #1
Kurt Hoffman, Fire District #1

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

(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 OCTOBER 23, 1996 MEETING AS PRINTED AND DISTRIBUTED. APPROVED (6-0).

II. REPORT OF THE CHAIRMAN:

The Chairman had nothing to report.

V. DISCUSSION ITEMS:

C. Consider approving an additional payment of \$38,000 per year to help pay for a new fire station at New Century AirCenter.

Mr. Metcalfe stated that airfield and business park fire protection were once provided by the Airport Commission fire department. The fire department was transferred to Fire District #1 in 1993. This action derived from the BoCC's consolidation efforts among rural fire districts. Discussions were initiated with Fire District #1, the City of Gardner and the Airport Commission to consolidate all three departments. However, the City of Gardner chose not to participate in the consolidation. Because many of the improvements at the airport are exempt from property taxes, it

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was determined it would be fair to contract with the Fire District to supplement their revenue so they could provide full-time firefighters, as was done with the airport fire department.

The current fire station was built by the Navy in the early 1940s and has been used as a fire station by the Airport Commission since the late 1970s. Mr. Metcalfe stated that the severely deteriorated building is literally falling down. The firefighters had to be moved out of the building and into an attached mobile home for living quarters because of the condition of the building and because of a brown recluse spider infestation. Mr. Metcalfe feels that the Airport Commission and the Fire District have no choice but to build a new fire station due to these circumstances.

Aviation Director Weiler has been working with the Federal Aviation Administration (FAA) and had discussed with them the possibility of funding for a new fire station. The FAA has given verbal indication that the Airport Commission would be eligible for assistance for about a 1/3 of the cost of the fire station. Mr. Metcalfe stated that the Fire District financial situation is rather thin. The district covers large areas and continues to lose their tax base to the City of Gardner, which causes the budget to be tight. Fire District #1 has requested that the Airport Commission assist them with the cost of building the new fire station.

Mr. Metcalfe proposed that the Airport Commission provide assistance to the Fire District by making a separate payment, to either the Fire District or the Public Building Commission (PBC) for 1/3 of the cost of the debt service on the fire station. He stated that having the fire station at the AirCenter provides an advantage, both in the marketing of the AirCenter and with fire safety and medical emergencies. If the station were not on the property, the station would probably be closer to the center of Gardner and the response time to the AirCenter would be longer. The Airport Commission is required by FAA standards to have a crash unit respond to the mid-point of the furthest runway within three minutes of an aircraft emergency, severely limiting how far they can be stationed from the runways. The proposed site meets these requirements and is planned along New Century Parkway next to the North Supply Warehouse. The facility will also have a new road that is being constructed to provide access to the airfield. Mr. Weiler stated that a portion of the funding that the FAA is providing is being used for airfield access. Mr. Metcalfe also stated that the location of the new fire station impacts the cost of the facility because the expectations of the aesthetics of the building are higher since it fronts along New Century Parkway. The Fire District has had discussions with the county Finance Department, and was told that the bonds would have a twenty year amortization.

Mr. Viets asked about the relationship between the Fire District and the City of Gardner, adding that Gardner has its own fire station. Mr. Metcalfe stated that Gardner has a Public Safety Department, which consists of police officers who also make fire and EMS calls along with volunteers. Mr. Hoffman, Fire District #1 Board President, stated that the Fire District will be discussing consolidation issues with Gardner. He pointed out that at this time they are only having discussions and is not sure what the outcome will be.

Mr. Nohe asked who had the title to the mobile home. Mr. Metcalfe reported that the Airport

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Commission has the title and that it could be sold if the Airport Commission chose to do so.

The board discussed the bond amount. Mr. Metcalfe stated that the amount he proposed the Airport Commission contribute, \$38,000, was based on the total cost of the project, which was \$1.2 million. He said this was his error; he should have used the amount remaining *after* the FAA contribution was included. His intent is that the Airport Commission pay of the actual debt service on the amount financed with bonds. The amount of the Airport Commission's contribution would be lower, probably closer to \$24,000. Mr. Metcalfe stated that if the Airport Commission chose to participate in the bond payment, we could define the amount as of the actual payment amount. Mr. Metcalfe said there was nothing magic about the factor; it was just a number he picked during the negotiations with the Fire District. The Fire District had asked that the Airport Commission pay ½ the cost.

Mr. Hoffman stated that the mill levy ceiling is 11.5 mills. The District is currently at 9.6 mills and is the only district for 1997 that held the line of mill levy. He stated that they simply cannot cover the cost of financing the bonds without the Airport Commission's assistance.

Mr. Winn stated that he was on the board at the time of the consolidation between the Airport Commission and the Fire District. He points out that there is a valid reason for a new fire station and is sympathetic with the gaining of coverage area and the decrease of tax bases. Mr. Winn recalled when the Public Administration Department of KU aided the county in determining if there were areas that were being duplicated with coverage of Gardner and the Fire District. Mr. Winn stated that he doesn't know if he's ready to make a decision until he knows more about what the City of Gardner is planning on doing with their fire department in the future. He feels that it will impact the Airport Commission's decision. Mr. Winn feels that it is obvious that the epicenter is at 175th Street and I-35. He does not want to see our fire station built and then have Gardner build a fire station in the vicinity. He also added that if the Fire District and Gardner do not consolidate, it might be practical to have Gardner make a contractual payment for mutual aid. Mr. Metcalfe stated that at one time Gardner contracted with the Airport Commission fire department for first response medical services. Mr. Winn felt that if the Airport Commission is to consider the new fire station that closure needs to be brought to the Gardner issue, whether they are or are not willing to consolidate.

Mr. Nohe asked if there has ever been any discussion about having the fire station as a public facility with other governmental agencies located there to make it more efficient. Mr. Metcalfe stated that there has not been discussion on the issue and stated that staff's and Fire District #1's main concern was to keep the costs down. Mr. Nohe suggested that if the county or the Airport Commission needed additional space, it could be done under a common construction contract and the county or the Airport Commission could pick up the additional use and make the facility more cost efficient. He felt at some point, the Airport Commission administration offices may be better served at a different facility.

Mr. Winn asked if staff had considered demolishing the fire station and building a new station at its current location. Mr. Metcalfe stated that had been discussed, but there would not be a place to

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house fire personnel and equipment in the interim. He feels that the current location is negatively impacted by neighboring uses, adding that Kings Aviation has spoken for the land to expand their facilities in the future.

Mr. Heaven wanted to clarify for the Airport Commission that the Airport Commission will need to annually appropriate the money for the payment on the fire station. Mr. Winn requested a specific report on the situation with the City of Gardner and would also like staff to fine-tune the amount that staff recommends the Airport Commission pay on an annual basis for debt services. Mr. Nohe asked that staff investigate if Gardner perceives the need for an additional fire station, and if so, what the time frame would be and where it would be located.

Chairman Viets stated that it is often perceived that the FAA moneys are often referred to as "someone else's" and he wanted to remind the Airport Commission that staff has secured the moneys for the grant, adding that it is a substantial contribution. Ms. Thomen added that the Airport Commission already has a 10% match for the FAA grant.

MOVED BY MR. HEAVEN, SECONDED BY MR. WINN TO REFER THE ISSUE TO THE DEVELOPMENT COMMITTEE FOR ITS CONSIDERATION ON MAKING AN ADDITIONAL PAYMENT PER YEAR TO HELP PAY FOR A NEW FIRE STATION AT NEW CENTURY AIRCENTER AND REPORT BACK WITH A RECOMMENDATION TO THE AIRPORT COMMISSION AT ITS JANUARY 22, 1997 MEETING. APPROVED (6-0).

IV. EXECUTIVE SUMMARY:

A. Review Staff Reports.

Mr. Weiler stated that the runway project at Executive Airport is complete. He stated that the cost is not finalized yet, but will either be under or on budget, and he added that there were no change orders to the project. Mr. Weiler also reported on projects for 1997, which include the proposed fire station, and a \$600,000 west parallel taxiway reconstruction project at Executive Airport. The taxiway was used as a runway while the runway was being reconstructed this year. Mr. Weiler also will be updating the Airport Layout Plans, which Mr. Metcalfe stated would save the Airport Commission \$25,000 - \$30,000 with having Mr. Weiler doing it rather than having it done by an outside consultant. Mr. Weiler was responsible for developing airport master plans when he was employed by an engineering firm several years ago. Mr. Weiler will also be working on the t-hangar feasibility study as previously requested by the Airport Commission.

Mr. Perry reported that the signage is complete with only minor landscaping and lighting issues remaining. He added that there were no change orders to the project. The Airport Commission commented on how well the signs looked. Mr. Perry also reported on the 1997 projects, which include the power house and Gardner Drive rehabilitation and the completion of street lights along New Century Parkway.

Mr. Metcalfe observed that the aircraft operations graph reflected a dramatic shift in flight

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operations from Executive Airport to New Century AirCenter with the construction of the runway at Executive Airport. He also reported that the Airport Commission and the Parks and Recreation District golf course proposal is one of three finalists in the Olathe competition. The golf course committee will make its recommendation to the Olathe City Council in January, 1997.

Mr. Winn asked about the airport zoning issue. Mr. Ford, legal counsel, stated that the City of Olathe has filed their appeal.

Mr. Fogel reported on the Dazey building, which will be vacant in the near future. He stated that there are a lot of prospects. Mr. Fogel added that once the prospects have toured the Dazey building, they are taken on a tour of the AirCenter. He feels that it has been a good eye-opener for companies who had toured the Dazey facility and had not known about the AirCenter. Although he is not sure when Dazey will close their operations, he expected it to be in early 1997.

C. Summary of Financials.

Mr. Perry reported on the financials and stated that there is a small carry-over expected at the end of the year. The 1997 budget was approved in August.

B. Consider ratifying the October and November expenditures as presented.

Mr. Meyer asked about the water treatment plant repairs at Executive Airport. Mr. Weiler stated that the area around the plant was unsightly and difficult to maintain. A 4 ft. concrete apron and a chain-link fence were constructed around the treatment basin as a safety issue due to the steep drop-off. It will also be easier to inspect on a regular basis.

MOVED BY MR. HEAVEN, SECONDED BY MR. NOHE, TO RATIFY THE OCTOBER AND NOVEMBER EXPENDITURES AS PRESENTED. APPROVED (6-0).

III. CONSENT AGENDA ITEMS:

There were no items on the consent agenda.

V. DISCUSSION ITEMS:

A. Consider approving the renewal of a contract with Southwest Johnson County Economic Development Corporation for economic development services for a one year term in the amount of \$32,780.

Mr. Engelmann stated that the E.D.C. is at its end of a three year agreement with the Airport Commission. He feels the E.D.C. has been a good economic development resource and also a source for local businesses. The proposed contract would be renewed annually with four additional terms.

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Mr. Winn stated he was quite pleased with the efforts of the E.D.C., J.P. Fogel & Company and Corporate Communications Group. He stated that the AirCenter is now on the map and he is very pleased.

Mr. Nohe asked if the Airport Commission would be committing to future increases. Mr. Ford stated that the contract calls for one year renewal, and if it is renewed, the board will have a chance to adjust the contract amount at that time.

MOVED BY MR. HEAVEN, SECONDED BY MR. WINN TO APPROVE THE CONTRACT RENEWAL WITH SOUTHWEST JOHNSON COUNTY ECONOMIC DEVELOPMENT CORPORATION FOR ECONOMIC DEVELOPMENT SERVICES FOR A ONE YEAR TERM IN THE AMOUNT OF \$32,780. APPROVED (6-0).

B. Consider approving the replacement of the standby generator at the "Power House" at New Century AirCenter on an emergency basis, and the interim rental of a portable generator until the permanent unit can be installed.

Mr. Perry reported that the power house is the main distribution point for the AirCenter's water supply. The backup generator that supports the water system was made in the 1940s and is no longer working and parts to fix the generator are no longer available. Mr. Perry stated that companies at the AirCenter, especially the food processor companies, depend heavily on a constant source of water. Mr. Metcalfe stated that he has met with the BoCC and requested an emergency acquisition of a backup generator and for the approval of the rental of a portable generator until the permanent generator can be installed. He stated that the Airport Commission is now renting a backup generator on a month to month basis.

Mr. Meyer asked if the generator was to be replaced using funds from the 1997 CIP schedule for the power house. Mr. Perry stated that the rehabilitation of the power house in 1997 was to include replacing windows, a new roof, plugging holes and bring the building up to code standards and to protect the water system telemetry and control equipment. The replacement of the generator was not in the 1997 CIP. Mr. Perry added that it is possible that staff will have to cut back on the CIP project due to costs incurred with the generator replacement.

Mr. Winn commented not to put a "band-aid" on the powerhouse and encouraged staff and the Airport Commission to get the power house rehabilitated properly and completely.

MOVED BY MR. WINN, SECONDED BY MR. NOHE TO APPROVE THE REPLACEMENT OF THE STANDBY GENERATOR AT THE "POWER HOUSE" AT NEW CENTURY AIRCENTER ON AN EMERGENCY BASIS, AND THE INTERIM RENTAL OF A PORTABLE GENERATOR UNTIL THE PERMANENT UNIT CAN BE INSTALLED. APPROVED (6-0).

E. Report from J.P. Fogel

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Mr. Fogel reported he has been working with land prospects and has been receiving call-backs from prospects. He also reported that the retail project is now without any further pending action.

IV. BUSINESS FROM THE FLOOR:

Mr. Nohe reported on the acquisition/rehabilitation project at Woodstone Apartments. He stated that the new owners are rehabilitating Woodstone and are planning a \$5 million upgrade to the apartments. He stated that it will be a quality-looking facility.

Mr. Viets commented that he was concerned with the type of growth on U.S. 56/175th Street between I-35 and North Supply. Mr. Metcalfe stated that the Airport Commission's concerns about the appearance of this "entrance" to the AirCenter have been communicated to the City of Gardner, however our priorities are in direct conflict with theirs. The City is interested in promoting growth of sales tax-generating businesses, and the location is very attractive to businesses that target highway travellers. He added that the Airport Commission may have the opportunity to acquire several pieces of land owned by the Kansas Department of Transportation (KDOT) at I-35 and 175th Street. Mr. Metcalfe stated that the land would be eligible for FAA participation with our 10% match, adding that it may be possible to have KDOT delay the sale until we can get a grant. He also stated that the Airport Commission could take an option on the land, or purchase the land and have the FAA reimburse the Airport Commission. Consensus of the Airport Commission was that these pieces of land would be critical pieces of property for the Airport Commission to acquire.

V. EXECUTIVE SESSION

MOVED BY MR. HEAVEN, SECONDED BY MS. THOMEN TO ADJOURN INTO EXECUTIVE SESSION AT 10:18 FOR TEN MINUTES TO DISCUSS THE PARSONITT LITIGATION. APPROVED (6-0).

There was no action taken as a result of the discussions.

VI. ADJOURNMENT

MOVED BY MR. WINN, SECONDED BY MR. HEAVEN TO ADJOURN THE MEETING AT 10:29 A.M. APPROVED (6-0).

H. Stanley Meyer, Secretary

R. Lee Metcalfe, Executive Director