

**CITY OF GREENSBURG**  
**Board of Aviation Commissioners**  
**Thursday, January 5, 2023**  
**6:00 p.m. – City Hall**  
**314 W. Washington Street**

**Call to Order** – President Bill Ernstes called the meeting to order at 6:00 pm.

**Roll Call** - Board members present were: Bill Ernstes, Deborah Potter, Gary Bailey, Jon Dooley, and Kevin Whipple. Don Tribbett of Tribbett Law, Paul Shaffer of BF&S, Airport Manager Jerry Scheidler, and City Clerk/Treasurer Amy Borns were also present. Judy Curd performed the duties of recording secretary.

**Agenda Approval** – President Bill Ernstes presented the January 5, 2023 agenda for approval. He noted that the original agenda has been amended. Clerk Treasurer, Amy Borns has been added to the agenda after Don Tribbett. Jon Dooley made a motion and Kevin Whipple seconded the motion to approve the agenda as amended. The motion passed unanimously by voice vote 5-0.

**Minutes** – The minutes of the December 1, 2022 regular board meeting were presented. Kevin Whipple made a motion and Deborah Potter seconded the motion to approve the minutes as written. The motion passed unanimously by voice vote 5-0.

**Swearing In** – Mayor Joshua Marsh reappointed Bill Ernstes and Jon Dooley to the board.

**Election of Officers:** Gary Bailey nominated Bill Ernstes for President and Jon Dooley for Vice President. Kevin Whipple seconded the motion. The motion passed unanimously by voice vote 3-0. Bill Ernstes and Jon Dooley abstained.

**Financial Report** – Jon Dooley read the Financial Report.

**OLD BUSINESS**

**Paul Shaffer – BF&S Construction Report**

**Runway 1-19 Grade and Drain** – The HIS grade and drain phase is now complete and HIS has vacated the property.

**Runway 1-19 Paving and Lighting** - O'Mara is now on-site topping and cutting trees. Work on the trees should be completed by April 1. The electrical items for the O'Mara contract have been ordered and are on their way. We are expecting delivery of the electrical in the latter part of April or first part of May.

## NEW BUSINESS

Paul Shaffer of BF&S presented the following action item for approval:

1. **Motion to approve Contractors Progress Estimate No. 14** - Gary Bailey made a motion and Kevin Whipple seconded the motion to approve Contractors Progress Estimate No. 14 for HIS Constructors, Inc. in the amount of \$41,498.03 in conjunction with the Runway 1-19 Grade and Drain Phase. The motion passed unanimously by voice vote 5-0.

2. **Motion to approve the Certificate of Substantial Completion** (Start date of 12/7/2022 establishes when the one-year warranty begins) – Gary Bailey made a motion and Kevin Whipple seconded the motion to approve the certificate of substantial completion to HIS Constructors, Inc. with a start date of 12/7/2022. The motion passed unanimously by voice vote 5-0.

3. **Note:** We are pleased to now notify the FAA after the final quantities and all contract time extensions are calculated, the actual amendment amount need is actually 7.07% or \$331,307.19 taking the grant from \$4,689,212.00 to \$5,020,519.19. This was a reduction from the full 15% amendment for this grant, or Federal \$633,043.00 we believed we could possibly need in July 2022. There was no local match. HIS was well past their contractual deadline. However, an additional 114 weather days were granted which amounted to a total of \$71,000 in liquidated damages.

**Motion to approve AIP –16 Closeout Documents** - Kevin Whipple made a motion and Jon Dooley seconded the motion to approve AIP 16 Closeout Documents for the Runway 1-19 Grade and Drain phase including: Grant Amendment 1, Professional Service Amendment No. 1, Final Quantities Change Order 3, and Retainage Release subject to the final negotiated liquidated damages. The motion passed unanimously by voice vote 5-0.

4. **Bipartisan Infrastructure Law (BIL)** – Per the approved CIP, we will be asking the FAA to fund the design and construction of the Jet Holding Apron with the possible addition of renting a fueling truck to accommodate potential large aircraft needs.

5. **Capital Improvement Plan (CIP)** – Your 2024-2028 CIP was submitted to INDOT and the FAA.

Bill Ernstes noted that January 27, 2023 has been set for a meeting with BF&S, O'Mara, and BOAC reps to discuss tree trimming and soil stabilization.



## **Don Tribbett, Tribbett Law – Litigation Update**

**The Robbins Trust Property Litigation** – A trial date has been set for March 13, 2023 for the Robbins Trust litigation. Per statute an offer of settlement must be made at least 45 days prior to the trial date. So, I am recommending an offer of settlement of \$54,290.50 be made to the Robbins Trust. Kevin Whipple made a motion and Jon Dooley seconded the motion to approve that \$54,290.50 be presented as an offer to the Robbins Trust. The motion passed unanimously by voice vote 5-0.

Note: The FAA typically covers large increases in settlement costs that may result from the judge's decision in the case.

## **Airport Manager's Report – Jerry Scheidler**

Jerry reported that all hangars are full and the list is growing longer. Batesville's airport will close its hangar area in May. So, we have received several requests for more hangars including one or two who are willing to build the hangars.

## **Clerk Treasurer's Office Report: Amy Borns**

Funds Report – Everything has been paid. Amy talked with Jackson County Bank regarding fees involved in ACH debit payments.

## **Approval of Bills – Jon Dooley**

Jon Dooley presented the January 5, 2023 docket for a total of \$237,242.96 for review. Kevin Whipple made a motion and Deborah Potter seconded the motion to approve the payment of the January 5, 2023 docket for a total of \$237,242.96. The motion passed unanimously by voice vote 5-0.

## **Comments from the Board and/or Public – None**

**Meeting Adjournment & Next Meeting Date** - There being no further business before the board, Deborah Potter made a motion and Kevin Whipple seconded the motion to adjourn the meeting. The motion passed unanimously by voice vote 5-0. Bill Ernstes adjourned the meeting at 6:31 p.m. The next meeting will be held on Thursday, February 2, 2023 at 6:00 p.m. in the Council Chambers at the City Hall located at 314 W. Washington Street.

Respectfully submitted,

Judy Curd  
Recording Secretary

Bill Ernstes  
Bill Ernstes – President

2-2-2023  
Date

Jon Dooley  
Jon Dooley – Vice President

Feb 2, 2023  
Date

Gary Bailey  
Gary Bailey – Board Member

2/2/23  
Date

Deborah Potter  
Deborah Potter – Board Member

2/2/2023  
Date

Kevin D. Whipple  
Kevin Whipple - Board Member

2/2/23  
Date