

CITY OF GREENSBURG
Board of Aviation Commissioners
Thursday, July 7, 2022
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, Gary Bailey Jon Dooley, Kevin Whipple, and Deborah Potter. Paul Shaffer of BF&S and Don Tribbett were also present. Judy Curd performed the duties of recording secretary.

Agenda Approval – President Bill Ernstes presented the agenda for approval. Bill noted that the date located at the bottom of the agenda should be changed to August 4, 2022.

Minutes – The minutes of the June 2, 2022 meeting were reviewed. Jon Dooley made a motion and Kevin Whipple seconded the motion to approve the minutes as written. The motion passed unanimously by voice vote 5-0.

Financial Report – Jon Dooley read the Financial Report.

OLD BUSINESS

Paul Shaffer presented the following action items for approval:

1. **FAA Grant AIP-16 3-18-0031-021-2022** - Gary Bailey made a motion and Kevin Whipple seconded the motion for the Airport Board Attorney Don Tribbett to acknowledge acceptance of FAA Grant AIP-16 3-18-0031-021-2022 for the total amount of \$2,842,294.00 when issued by the FAA. The motion passed unanimously by voice vote 5-0. This grant has a Federal Share of \$2,558,065.00, a State Share of \$142,114.72, and a Local Share of \$142,114.72.
2. **Notice to Proceed to Dave O'Mara Contractor** - Kevin Whipple made a motion and Deborah Potter seconded the motion to issue the partial Notice to Proceed (NTP2) for \$2,267,474.04 to Dave O'Mara Contractor, Inc. for the balance of the total original Runway 1-19 (5,405' x 100') Paving & Lighting bid in the amount of \$5,137,000.00 upon receipt of AIP-21. The motion passed unanimously by voice vote 5-0.
3. **AIP-16 PPR #14 to FAA** - Jon Dooley made a motion and Kevin Whipple seconded the motion to submit AIP-16 Partial Pay Request Application #14 to the FAA for the total amount of \$165,204.67, which is 100% Federal funds. The motion passed unanimously by voice vote 5-0.

4. **Contractors Progress Estimate No. 10 for HIS Constructors, Inc.** - Gary Bailey made a motion and Kevin Whipple seconded the motion to approve Contractors Progress Estimate No. 10 for HIS Constructors, Inc. in the amount of \$149,364.67. The motion passed unanimously by voice vote 5-0.
5. **AIP-16 Grade and Drain Change Order #2** - Kevin Whipple made a motion and Deborah Potter seconded the motion to submit the formal amendment letter for AIP-16 3-18-0031-016-2020 for the Grade and Drain Change Order #2. The motion passed unanimously by voice vote 5-0.
6. **AIP-20 Partial Pay Request Application #2** - Jon Dooley made a motion and Gary Bailey seconded the motion to submit AIP-20 Partial Pay Request Application #2 to the FAA for the total amount of \$8,859, which is 100% Federal funds. The motion passed unanimously by voice vote 5-0.
7. **Disadvantage Business Enterprise** - Jon Dooley made a motion and Kevin Whipple seconded the motion to approve the Disadvantage Business Enterprise (DBE) policy required to receive federal funds, with a draft goal of 4.8%. The motion passed unanimously by voice vote 5-0.
8. **PY Construction Report** – The PY Aviation Report is the report that we commissioned because we had some discussions with Lowe’s Pellet and Grain. The objective of this report was to try to quantify what their future expansion capabilities might be on the property as well as try to identify what our best approach procedures could be for the airport.

PY Aviation studied the site approach procedure and also analyzed the departure procedure. The points that they evaluated were all the existing structures that were of any significant height. The tree at 990 ft. in question is not on the Lowe’s Pellet & Grain property. It is located on the Steve Lowe property. Tree clearing is scheduled completion Oct-Nov 2022. The other three elevator structures are on the Lowe’s Pellet & Grain property. The tallest elevator structure on the Lowe’s Pellet & Grain property is 1,067 ft. above sea level. The good news is the approach procedure is looking very good. On the departure surface, he has calculated the departure climb gradient is 1,065 ft. So, right now, that 1067 ft. is 2 ft. into the departure climb gradient. This is the controlling issue for the property. We need to buy the aviation easement at 1065 ft. We want to grandfather the 1067 ft. structure in for future builds. In the future, Lowe’s could only build up to 1065 ft.

Kevin Whipple asked if the smaller structures on top of the 1067 ft. structure could be altered or removed. Paul stated that it has been suggested that a survey team reevaluate the elevator and confirm the 1067 ft. elevation.

The bill for the PY Construction Report is \$5,000. Jon Dooley made a motion and Deborah Potter seconded the motion to approve to pay the invoice for \$5,000 to PY Aviation. The motion passed unanimously by voice vote 5-0. This bill will be included on the docket

Paul Shaffer - BF&S Construction Report – The contractor has completed all of the on-site movement of material. They are in a transition period between the on-site-movement to the hauling in of 30,000 yards of dirt. This activity uses different types of equipment than they have on-site. They estimated originally that would take three weeks. The contract time ends on July 23. However, they have changed the schedule to September 1 to be complete. If they go that far, they will be well beyond the contract time.

Dave O'Mara is ready to begin. They have started the process of ordering the materials and they are ready to go and are as prepared as they can be. They have sent soil samples to their lab to make sure that they have the correct soil stabilization materials ordered, stockpiled and ready to go. Dave O'Mara is hopeful they will get to pave it this season. They would like to have this done this year. Bill asked if the BOA will get a heads up so that they can notify all affected parties of the runway downtime. Paul stated that the runway should only be shut down for paving approximately two weeks.

Bill asked will O'Mara's give us a notice so that we can send letters to hangar owners to notify them of how long will the runway be closed. Paul stated that as soon as we turn the runway over to O'Mara's we will get a schedule.

NEW BUSINESS

Report on Land Acquisition – Don Tribbett

At the last meeting the board approved a motion to proceed with Eminent Domain proceedings. The offer for the appraised value of \$36,680 for the aviation easement was not accepted by the deadline. One day before the deadline, Chris Tebbe representing Steve Lowe asked for a 30-day extension. He got 14 days to counter the offer. On the 13th day a demand for settlement was offered at \$145,000 at full market value for fee simple. Mr. Tribbett filed for Eminent Domain on June 22, 2022 in Decatur County Circuit Court for the Takings Hearing. If the BOAC has the Eminent Domain authority, the hearing is set for July 28, 2022 in Decatur County Circuit Court with Judge Tim Day.

The Goddard deed has been recorded. The dismissal order was filed last week.

Mr. Tribbett has been waiting for several months for outstanding discovery from the Robbins Trust and he should have the responses next week. The next step will be to ask the judge to set a trial date.

The Beggs action is still pending. There are unsettled drainage issues.

Mr. Tribbett met with Mr. & Mrs. Hasten today to discuss settlement negotiations.

Bill, John Claire and Mr. Tribbett toured the site today.

Airport Manager's Report – Jerry Scheidler

In Jerry Scheidler's absence, Bill Ernstes reported that there is no change this month.

Approval of Bills

Jon Dooley presented the docket for a total of \$102,721.21 dated July 7, 2022 for review. Gary Bailey made a motion and Kevin Whipple seconded the motion to approve the payment of the July 7, 2022 docket for a total of \$102,721.21. 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, Kevin Whipple made a motion and Deborah Potter seconded the motion to adjourn the meeting. The motion passed unanimously by voice vote 5-0. Bill Ernstes adjourned the meeting at 6:44 p.m. The next meeting will be held on Thursday, August 4, 2022 at 6:00 p.m. in the Council Chambers at the City Hall located at 314 W. Washington Street.

Respectfully submitted,

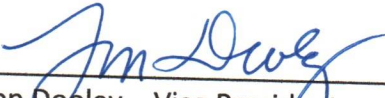
Judy Curd
Recording Secretary



Bill Ernstes – President

8-4-2022

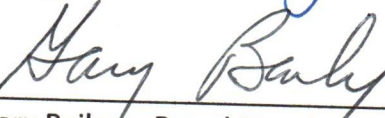
Date



Jon Dooley – Vice President

Aug 4, 2022

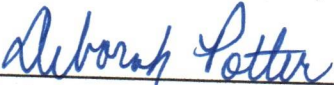
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Gary Bailey – Board Member

8/4/22

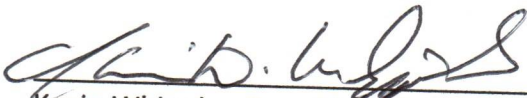
Date



Deborah Potter – Board Member

8/4/2022

Date



Kevin Whipple - Board Member

8/4/22

Date