

CITY OF GREENSBURG
Board of Aviation Commissioners
Monday, September 27, 2021
7:00 PM – City Hall

Call to Order –President Bill Ernstes called the meeting to order at 7:00 pm.

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

Agenda Approval - The meeting agenda was reviewed. Jon Dooley made a motion and Gary Bailey seconded the motion to approve the agenda as published. The motion passed unanimously by voice vote 5-0.

Minutes – The minutes of the August 23, 2021 meeting were reviewed. Gary Bailey made a motion and Deborah Potter 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. Bill Ernstes noted that he has had an issue with the password access for the Jackson County Bank account. He will send a report to the board via email as soon as the problem is remedied.

OLD BUSINESS

Update on Runway Construction – Paul Shaffer of BF&S

The contractor continues to work on installing the storm sewer and grading. The contract is still behind schedule as a result of the large rainstorm the weekend of June 19th. Final construction may end sometime in November. Final grading and seeding will be completed in the spring.

NEW BUSINESS

Paul Shaffer – BF&S

1. Action Items:

- a. AIP-16 Partial Pay Request #8 in the amount of \$724,223.87. AIP-16 PPR #8 is 100% Federally Funded. Jon Dooley made a motion and Gary Bailey seconded the motion to approve AIP-16 Partial Pay Request #8 for \$724,223.87. The motion passed unanimously by voice vote 5-0.
- b. Contractors Progress Estimate #6 for \$696,484.65. Kevin Whipple made a motion and Jon Dooley seconded the motion to approve Contractors Progress Estimate #6 for HIS Constructors, Inc. in the amount of \$696,484.65. The motion passed unanimously by voice vote 5-0.

- c. Change Order #1 for HIS Constructors, Inc. – The amount for Change Order #1 of \$8,534.00 is .02% of the total construction amount and 0.18% of the total grant amount. The Change Order is for repairing the field tile connections broken during grade and drain. Kevin Whipple made a motion and Deborah Potter seconded the motion to approve Change Order #1 for HIS Constructors, Inc. in the amount of \$8,534.00. The motion passed unanimously by voice vote 5-0.

2. Runway 1 – 19 Paving and Lighting

- a. We have not yet received a normal AIP grant for the construction portion of the project. This is extremely frustrating. We are still pushing for a supplemental grant. The announcement will hopefully be in April.
- b. We asked Dave O'Mara Contracting if they are willing to hold their bid for the remainder of calendar year 2021. The bid hold expires this month. They are looking at holding the bid for next season depending on what the asphalt prices do and will honor the price for next season if there is no significant rise in asphalt prices.

Don Tribbett – Tribbett Law

Properties Update

Mr. Tribbett reminded the board that there were four must-have properties that we needed to acquire before we could start the project: The Beggs property, the Goddard Trust property, the Haston property, and the Sterchi property. The first three, Beggs, Goddard and Haston are all represented by the same attorney, Mr. Phil Sever. Mr. Sterchi is represented locally. Interrogatories have been submitted to all four of the primary defendants. None of the defendants have declared an appraiser to testify on their behalf in connection with the litigation. Mr. Tribbett has also contacted Mr. Sterchi's attorney in order to find out if there might be a way to resolve the matters.

In the Sterchi case, Mr. Tribbett has filed a motion for the judge to set a trial date and give us a deadline for discovery cut-off and also for exchange of witness and exhibit lists. The judge has set a trial date of January 24, 2022. He also signed another order giving us a discovery cut-off date and a deadline for the exchange of witness and exhibit lists. November 1, 2021 is the deadline for declaring witnesses and exhibits. And, December 1, 2021 is the discovery cut-off.

Mr. Tribbett has stated that he will be taking depositions from Mr. Sterchi and a deposition from an appraiser. He will also be filing similar motions for the judge to set dates for the other three cases and will send our responses to the discovery that they sent to us.

Mr. Philip Sever, the attorney representing three of the owners Beggs, Haston, and the Goddard Trust, has asked if we would be interested in mediating the case. Mr. Tribbett stated that the amount these defendants are seeking is considerably higher than the offers made and gave the following examples of interrogatory answers regarding damages:

Beggs Property – We have offered Mr. & Mrs. Beggs \$574,000 for the property that we are appropriating from them. They stated in their interrogatory answers that they want \$880,825 plus another \$100,000 for cost to cure for a total of \$980,825.

Haston Property - We have offered \$366,000 for the fee simple and \$4,700 for the avigation easement for a total of \$370,700. In interrogatory answers they stated that they want \$1,187,614.00 plus \$31,344 for costs to cure drainage issues for a total of \$1,218,948.00.

The Goddard Trust offer was for \$667,875. Response not yet determined.

Sterchi offer was for \$ 229,300. Response not yet determined.

Additional Property Acquisitions

Robbins Family Trust – We offered to acquire 1.557 acres in fee simple for \$23,355 and 2.474 acres in avigation easement for \$26,000. There has been no response to that offer. We filed a law suit on August 13, 2021. They had 30 days to object to the taking of the property. The attorney for the Robbins family agreed to waive any objection to the taking. We agreed that the court should proceed with the interlocutory order of condemnation and appoint appraisers. The appointed appraisers are: William O. Smith, Larry Colson, and Rick Borges of Seymour, IN. The appraisals must be filed by November 1, 2021.

Dennis Dickman and interest holder Sarah Saylor (daughter) - Appraisal for a 6.733 acres avigation easement was received in the amount of \$22,750. Jon Dooley made a motion and Gary Bailey seconded the motion to make an offer of \$22,750 to Mr. Dickman and interest holder Sarah Saylor (daughter), and to authorize Attorney Don Tribbett to proceed with eminent domain if the offer is not accepted. The motion passed unanimously by voice vote 5-0.

Airport Manager's Report – Jerry Scheidler

Airport Manager Jerry Scheidler reported that operations are running smoothly. Fuel sales were higher in August and September due to crop dusting operations. There have been three hangars vacated but they will be filled immediately from the waiting list.

Mowing Equipment for I34 – There were questions as to when and where the airport should start mowing the new runway approaches. Paul Shaffer noted that it is the airport's responsibility to begin mowing as soon as the project is accepted, possibly starting mid-summer 2022.

Approval of Bills – Bill Ernstes presented Docket #1 dated September 27, 2021 for Payroll Expenses and General Claims for \$524,307.55. John Dooley made a motion and Deborah Potter seconded the motion to approve the payment of Docket #1 for \$524,307.55 as listed. 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 Gary Bailey seconded the motion to adjourn the meeting. The motion passed unanimously by voice vote 5-0. Bill Ernstes adjourned the meeting at 7:32 p.m. The next meeting will be held on Monday, October 25, 2021, 2021 at 7:00 p.m. in the Council Chambers at the City Hall located at 314 W. Washington Street.

Respectfully submitted,

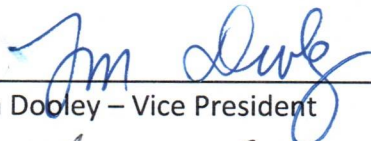
Judy Curd
Recording Secretary



Bill Ernstes – President

10 - 25 - 2021

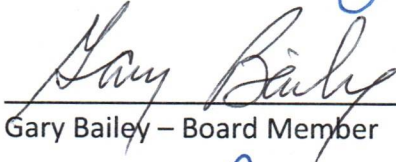
Date



Jon Dooley – Vice President

OCT 25, 2021

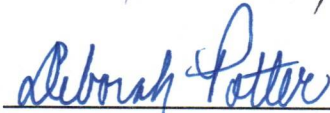
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Gary Bailey – Board Member

10/25/21

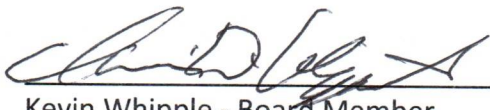
Date



Deborah Potter – Board Member

10/25/2021

Date



Kevin Whipple - Board Member

10/25/21

Date