

**REGULAR MEETING
GREATER ASHEVILLE REGIONAL AIRPORT AUTHORITY
December 13, 2019**

The Greater Asheville Regional Airport Authority ("Authority") met on Friday, December 13, 2019 at 8:30 a.m. in the Conference Room at the Authority's Administrative Offices, Asheville Regional Airport ("Airport"), 61 Terminal Drive, Suite 1, Asheville, NC 28732.

MEMBERS PRESENT: Matthew C. Burril, Chair; Stephanie Pace Brown; Carl H. Ricker, Jr.; and Thomas M. Apodaca

MEMBERS ABSENT: K. Ray Bailey, Vice-Chair; George H. Erwin, Jr.; and Brad Galbraith

STAFF AND LEGAL COUNSEL PRESENT: Cindy Rice, Authority Legal Counsel; Lew Bleiweis, Executive Director; Michael Reisman, Deputy Executive Director; Kevan Smith, Chief of Public Safety; Tina Kinsey, Director of Marketing and Public Relations; Janet Burnette, Director of Finance and Accounting; Shane Stockman, IT Director; John Coon, Director of Operations and Maintenance; Lisa Jump, Director of Administration and Human Resources; Jared Merrill, Airport Planning Manager; Samuel Sales, Public Safety Captain; Wendi Sparks, Operations Specialist; and Ellen Heywood, Clerk to the Board

ALSO PRESENT: Patrick Pettit, Haskell; Jon McCalmont, Parrish & Partners; James Moose, Avcon; David King, Gresham Smith; Nick Loder, RS&H

CALL TO ORDER: The Chair called the meeting to order at 8:30 a.m.

SERVICE AWARD PRESENTATION: The Chair recognized Wendi Sparks with a service award and gift for her 15 years of service with the Authority.

PRESENTATIONS: None

FINANCIAL REPORT: The Director reported on the airport activity for the month of October which included enplanements, aircraft operations, and general aviation activity. Janet Burnette reported on the financial activity for the month of October.

CONSENT ITEMS: The Chair stated that Consent Item C, Approval of the Greater Asheville Regional Airport Authority November 15, 2019 Closed Session Minutes, would be pulled for review in Closed Session.

Mr. Apodaca moved to approve Consent Items A and B. Mr. Ricker seconded the motion and it carried unanimously.

OLD BUSINESS: None

NEW BUSINESS:

A. Approval of Memorandum of Agreement (MOA) Between the Federal Aviation Administration and the Greater Asheville Regional Airport Authority for the Asheville Regional Airport Traffic Control Tower and Terminal Radar Approach Control Facility Replacement Project: Michael Reisman reminded the Board that the FAA is conducting a siting study to identify the location for a new air traffic control tower (ATCT). Mr. Reisman advised the Board that the MOA commits the Authority to fund the design and construction of the ATCT and once completed, the FAA would lease or reimburse the Authority for the investment over a period of time. The MOA identifies the responsibilities of the Authority and the FAA and is typically in place by a certain milestone in the siting study process. The Authority will likely be responsible for the maintenance of the ATCT and would need to provide custodial services. Mr. Reisman stated that while there is no immediate fiscal impact to enter into the MOA with the FAA, staff will bring the financial commitments to the Board for approval at the appropriate time.

The Director informed the Board that while in Washington, DC earlier in the month, he met with the FAA and was told that due to a lack of funding, the FAA is moving away from constructing and owning ATCTs. The FAA is looking at airports to own and lease these facilities. The Director stated that negotiations with the FAA are continuing and the MOA is not available to present to the Board. If the FAA requires the MOA to be in place prior to staff's visit to the FAA modeling lab in January, the Director was seeking some latitude from the Board to continue negotiating with the FAA for a commitment of a long-term lease, and if necessary, move forward with a lease so that the visit to the modeling lab or the siting process is not stymied.

The Chair questioned if the Board was being asked to give the Director authority to move forward with construction of the ATCT without knowing the cost. The Director responded that the MOA does not have a fiscal obligation. Staff would need to bring design and construction agreements for the ATCT to the Board for approval at the appropriate time.

Mr. Ricker moved to authorize the Executive Director to continue negotiations with the FAA to reach mutually agreeable terms and conditions or to accept the current contract terms and execute the documents and report back to the Board at the appropriate time. Ms. Brown seconded the motion and it carried unanimously.

B. Approval of Task Order No. 2, Part B with GS&P N.C. an Affiliate of Gresham Smith and Partners for Terminal Building Phase 2 Modernization Design Services:

Michael Reisman advised the Board that Scope of Services 2, Part A was approved in August 2019 for Phase 1 of design services for the terminal expansion which included design development and schematic design. Task Order No. 2, Part B includes all remaining design and construction services for the project. Mr. Reisman stated that the FAA will be providing \$10 million in AIP funding for design of the terminal expansion project, however, the full cost of design services must be under contract in advance of the issuance of the grant. Mr. Reisman further stated that the fee for Part B is \$8,638,889.50. The total cost for both Part A and B is \$12,608,794. Since the FAA AIP funding will cover \$10 million, the balance of the design services will be paid for with airport funds.

The Board asked for clarification of the design process and questioned if the contract with the consultant was severable if the Authority decided not to enter into Phase 2 of the contract. Mr. Reisman responded that all consulting service contracts are severable and that the Authority would only be obligated to pay for work performed up to that point. Mr. Reisman further stated that staff typically will award a single task order for an entire design project, however, because of the size and complexity of the project, it was requested by the FAA that the Authority break the design contract into two phases. The project is now going into Phase 1 design. Once the design is at the 30% point and staff is comfortable with the project moving forward, a notice to proceed on Phase 2 will be issued and GS&P will continue with the design and start refining the design. The Director stated that once the grant is issued by the FAA, the Authority will have two years to spend the money, otherwise the FAA takes back the remaining funds.

Ms. Brown moved to approve Task Order No. 2, Part B with GS&P, N.C. an affiliate of Gresham Smith and Partners in the amount not to exceed \$8,638,889.50 and authorize the Executive Director to sign the necessary documents. Mr. Apodaca seconded the motion and it carried unanimously.

C. Approval of Scope of Services Number 22 with AVCON Engineers and Planners, Inc.:

Michael Reisman informed the Board that the Authority has a contract with AVCON Engineers and Planners, Inc. for design and construction administration services for the Airfield Re-development project Bid Packages 3 and 4. Scope of Services Number 22 includes additional services requested of AVCON due to delays with Bid Package 4 and the not to exceed fee for their services is \$330,614.00. Mr. Reisman stated that these services will be paid for with Authority funds and requires the following budget ordinance amendment:

BE IT ORDAINED by the Greater Asheville Regional Airport Authority that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2020:

Section 1. To amend the appropriations as follows:

EXPENDITURES:

	<u>Decrease</u>	<u>Increase</u>
Capital Improvements	_____	\$ 330,614.00
Totals	_____	\$ 330,614.00

This will result in a net increase of \$330,614.00 in the appropriations. Revenues will be revised as follows:

REVENUES:

	<u>Decrease</u>	<u>Increase</u>
Transfer from GARAA Cash	_____	\$330,614.00
Totals	_____	\$330,614.00

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Greater Asheville Regional Airport Authority, and to the Budget Officer and to the Finance Officer for their direction.

Adopted this 13th day of December, 2019.

Matthew Burrell, Chair

Attested by:

Ellen Heywood, Clerk to the Board

Mr. Ricker moved to approve Scope of Services No. 22 with AVCON Engineers and Planners, Inc. in an amount not to exceed \$330,614.00, authorize the Executive Director

to execute the necessary documents, and amend the FY2019/2020 budget by adopting the budget ordinance amendment presented by staff. Mr. Apodaca seconded the motion and it carried unanimously.

D. Approval of Change Order No. 1 for Repair of 60 Inch Reinforced Concrete Pipe: Jared Merrill reported that repairs to the 60" pipe in the north general aviation area began in early December and upon further physical inspection of the pipe by Applied Polymerics and Kimley Horn, an additional 19 leaks have been detected. Change Order No. 1 with Applied Polymerics provides for the repair of these additional leaks at a cost of \$31,350.00. Authority funds will be used to cover the cost and will require the following budget ordinance amendment:

BE IT ORDAINED by the Greater Asheville Regional Airport Authority that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2020:

Section 1. To amend the appropriations as follows:

EXPENDITURES:

	<u>Decrease</u>	<u>Increase</u>
Capital Improvements	_____	<u>\$31,350.00</u>
Totals	_____	<u>\$31,350.00</u>

This will result in a net increase of \$31,350.00 in the appropriations. Revenues will be revised as follows:

REVENUES:

	<u>Decrease</u>	<u>Increase</u>
Transfer from GARAA Cash	_____	<u>\$31,350.00</u>
Totals	_____	<u>\$31,350.00</u>

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Greater Asheville Regional Airport Authority, and to the Budget Officer and to the Finance Officer for their direction.

Adopted this 13th day of December 2019.

Matthew Burrell, Chair

Attested by:

Ellen Heywood, Clerk to the Board

Ms. Brown moved to approve Change Order No. 1 with Applied Polymerics in the amount of \$31,350.00, authorize the Executive Director to execute the necessary documents, and amend the FY2019/2020 Budget by adopting the budget ordinance amendment as presented by staff. Mr. Ricker seconded the motion and it carried unanimously.

DIRECTOR'S REPORT: The Director advised the Board that he had a few additional items to include that were not on the agenda.

A. Contingency Transfer: The Director reported that a transfer from contingency in the amount of \$36,300 was made into the Planning Department budget for pavement survey and core work for the upper ramp in anticipation of moving the Allegiant maintenance operations to the upper ramp. A hangar will be removed from the Signature leasehold to be leased to Allegiant for expansion of their maintenance operations.

B. Zachry Construction Change Order: A change order for the south apron expansion project was received from Zachry Construction decreasing the contract amount by \$14,000. The biggest change was for the primary fencing around the project resulting in a reduction of the contract.

C. Washington, DC Meetings: While in Washington, DC recently, the Director met with the FAA and discussed the air traffic control tower (ATCT) and terminal expansion project. The Director was informed at that meeting that due to lack of funding, the FAA could not fund a new ATCT. The Director had also been told by the Memphis Airports District Office that an environmental assessment study would be required for the terminal expansion project. The Director spoke with the FAA in Washington about this requirement and was told that even though the terminal will be built to handle the capacity today, future capacity issues could arise, and an environmental assessment will be required. Staff has contracted with CHA to conduct a short-form environmental assessment at an approximate cost of \$12,000 which is within the Director's spending limit. The Director was able to meet Steven Dickson, the new Administrator for the FAA,

while he was in Washington. The Director also reported on meetings held with Senator Tillis and Congressman Meadows while in Washington, D.C.

D. Terminal Expansion Project: Staff recently met with GS&P and reviewed the schedule for the terminal expansion project. The Director stated that staff would notify the Board of any meetings scheduled for the public. Mood boards will also be utilized to gather information on how Western North Carolina should be represented in a new terminal. Staff will also be moving forward with bringing a construction manager at risk on board for the project. The Board was encouraged to participate in the sessions with GS&P should they desire. Staff will keep the Board informed of the plan and schedule for public input.

INFORMATION SECTION: No comments

PUBLIC AND TENANTS COMMENTS: None

CALL FOR NEXT MEETING: The Chair stated that the January 17, 2020 Authority Board meeting may not be necessary, but requested the Board keep the date open on their calendars. Notice will be sent out in early January.

AUTHORITY MEMBER REPORTS: None

CLOSED SESSION: At 9:20 a.m. Ms. Brown moved to go into Closed Session Pursuant to Subsections 143-318.11 (a)(3) and (4) of the General Statutes of North Carolina to Consult with Legal Counsel in Order to Preserve the Attorney-Client Privilege and to Discuss Matters Relating to the Location and/or Expansion of Industries or Other Businesses in the Area Served by the Greater Asheville Regional Airport Authority, Including Agreement on a Tentative List of Economic Development Incentives that may be Offered by the Greater Asheville Regional Airport Authority in Negotiations. Mr. Ricker seconded the motion and it carried unanimously.

The Chair indicated they would break for five minutes at which time the Board would resume in closed session.

Open Session resumed at 10:58 a.m.

GREATER ASHEVILLE REGIONAL AIRPORT AUTHORITY DECEMBER 13, 2019

CLOSED SESSION MINUTES: Ms. Brown moved to seal the minutes for the Closed Session just completed and to withhold such Closed Session minutes from public inspection so long as public inspection would frustrate the purpose or purposes thereof. Mr. Ricker seconded the motion and it carried unanimously.

GREATER ASHEVILLE REGIONAL AIRPORT AUTHORITY NOVEMBER 15, 2019

CLOSED SESSION MINUTES: Ms. Brown moved to approve the minutes for the November 15, 2019 Closed Session and to seal and withhold the minutes for the November 15, 2019 Closed Session from public inspection so long as public inspection would frustrate the purpose or purposes thereof. Mr. Ricker seconded the motion and it carried unanimously.

ADJOURNMENT: Ms. Brown moved to adjourn the meeting at 11:01 a.m. Mr. Ricker seconded the motion and it carried unanimously.

Respectfully submitted,

Ellen Heywood

Ellen Heywood
Clerk to the Board

Approved:

Matthew C. Burril

Matthew C. Burril
Chair