

REGULAR MEETING  
ASHEVILLE REGIONAL AIRPORT AUTHORITY  
NOVEMBER 9, 2007  
8:30 AM

The Asheville Regional Airport Authority ("Authority") met on Friday, November 9, 2007, at 8:30 AM in the Conference Room at the Authority's Administrative Offices, Asheville Regional Airport ("Airport"), 61 Terminal Drive, Suite 1, Fletcher, NC 28732.

**MEMBERS PRESENT:** Bryan Freeborn, Chairman; Rhett Grotzinger, Vice-Chairman James E. Ellis, Secretary/Treasurer; David Hillier, David Gantt, Susan Fisher, Gerard P. Mozian, and Chuck McGrady (Ex-Officio Member)

**MEMBERS ABSENT:** None

**STAFF AND LEGAL COUNSEL PRESENT:** Victor Buchanan, Authority Legal Counsel; David N. Edwards, Jr., A.A.E., Airport Director ("Director"); D. David Nantz, Director of Operations and Maintenance; Royce Holden, IT Manager; Kevin Howell, Development Manager; Patti Michel, Director of Marketing and Public Relations; Beverley Vassell, Director of Administration and Finance, C. Jeff Augram, Chief of Public Safety; and Debra Roman, Administrative Assistant.

**STAFF ABSENT:** None

**CALL TO ORDER:** The Chairman welcomed everyone in attendance and called the meeting to order at 8:30 AM.

**APPEARANCES:** None

**PRESENTATIONS:**

**A. Presentation of a Resolution for Jeff Miller:** The Director stated to the Board that the Authority had approved a resolution for Jeff Miller at the October 12, 2007 Board Meeting. The Chairman then read aloud the resolution and presented it to Mr. Miller. The Chairman thanked Mr. Miller for his dedication to the World War II Veterans and organizing the Honor Air flights. The Authority gave Mr. Miller a standing ovation.

Mr. Miller thanked the Authority for the award and also thanked others whom, without their help, the Honor Air trips would have not been possible.

## **CONSENT AGENDA:**

**A. Approval of the Asheville Regional Airport Authority, October 12, 2007 Regular Scheduled Meeting Minutes:** Mr. Hillier moved to approve the October 12, 2007 Regular Scheduled meeting minutes. Mr. Grotzinger seconded the motion, and it carried by a unanimous vote.

## **OLD BUSINESS:**

**A. Adoption of the Airport Master Land Use Study and Site Development Plan:** Mr. Howell relayed to the Board that the Airport Master Land Use Study and Site Development Plan was presented to the Authority at the October 12, 2007 Board Meeting.

There was discussion regarding operational data and the forecasts. Mr. Grotzinger requested that previously forecast data be updated with actual data where applicable. Staff agreed to have the consultant update such information.

The Chairman instructed Staff to have copies of the study and development plan sent to the City and the County.

Mr. Grotzinger moved to adopt the Airport Master Land Use Study and Site Development Plan as a planning guide for the Asheville Regional Airport Authority Staff on development at the Asheville Regional Airport with the understanding that this document is a living document. Mr. Ellis seconded the motion, and it carried by a unanimous vote.

## **NEW BUSINESS:**

**A. Approval of WK Dickson Proposed Scope of Services and Fee for Professional Services Related to the Conceptual Planning and Design Phase for the Landside Roadways Access and Parking Lots Improvement Project:** Mr. Howell relayed to the Board that the Terminal Area Planning Study (TAP) which was adopted in 2005 by the Authority, identifies the need for improvements to the landside roadways, access and parking lot areas. Mr. Howell stated that while the TAP identified one possible concept for a future layout, Staff recommended that the Authority first conduct a more detailed concept planning study to analyze the TAP concept and other possible concepts to determine the best layout for the future. Mr. Howell relayed to the Board that Staff would be working with the North Carolina Department of Transportation along with area municipalities on the project.

Mr. Howell relayed to the Board that Staff had worked with WK Dickson to develop a Scope of Services and Fee proposal for Professional services on the project. The proposed fee by WK Dickson for this phase of the project is based on a not-to-exceed amount method in the amount of \$169,812.00.

Mr. Grotzinger suggested that because the trigger number of enplanements had not been reached yet, that the Authority should step back and rethink this project. The Director relayed to the Authority that the design phase of any project is typically initiated at 60% of the existing capacity, with construction commencing at 80% of capacity to ensure that such facilities are online once the trigger number has been reached. Mr. Ellis stated that this proposal seemed to fall in line with the Terminal Area Plan Study that had been previously approved by the Authority.

Mr. Ellis moved to (1) approve the Scope of Services and Fee Proposal with WK Dickson in the amount of \$169,812.00; and (2) authorize the Airport Director to execute the necessary documents. Mr. Hillier seconded the motion, and it carried by a 6 to 1 vote, with the Chairman, Mrs. Fisher and Messrs. Gantt, Hillier, Mozian and Ellis voting for the motion and Mr. Grotzinger voting against.

Mr. Hillier requested that he be excused from the next item as it was a conflict of interest.

Mr. Grotzinger moved to allow Mr. Hillier to be excused from New Business Item B., due a conflict of interest. Mr. Mozian seconded the motion, and it carried by a unanimous vote.

**B. Approval of a Change Order in the Amount of \$61,170.00 for Perry Bartsch, Jr. Construction Company, on the Terminal Renovation and Expansion Project:** Mr. Howell relayed to the Board that the Authority approved the award of a construction contract in the amount of \$4,479,000.00 with Perry Bartsch, Jr. Construction Company for the Terminal Expansion and Renovation Project in May of 2007.

Mr. Howell reported to the Board that during the demolition phase of the project, an underground utility conflict has been identified which will result in the relocation of the gas meters and gas service. This requires the re-routing of approximately 650 feet of internal gas lines. Mr. Howell stated that Staff will be working with Progress Energy to relocate the service line and the gas meters to a new location outside of the project area.

Mr. Howell stated that the change order amount will be added to the original contract amount of \$4,479,000.00 and will be funded from the contingency fund established as a part of the overall project budget.

There was a discussion regarding the ability to have foreseen this conflict.

Mr. Grotzinger moved to (1) approve the attached change order with Perry Bartsch, Jr. Construction Company in the amount of \$61,170.00 and (2) authorize the Airport director to execute the necessary documents. Mr. Mozian seconded the motion and it carried by a unanimous vote.

**C. Ratification of Final Fixed Base Operator Services Agreement with Encore FBO Acquisitions, LLC (Encore):** The Director relayed to the Board that on July 13, 2007 the Authority had approved Staff to finalize and execute a Fixed Base Operator Lease Agreement between the Airport Authority and Encore FBO Acquisitions, LLC (Encore) based on business terms presented to the Authority Board. The Director stated that due to the need to obtain the City of Asheville's approval of the term associated with the agreement a significant amount of time had passed since the Authority's original approval. The Director stated that Staff and Legal Counsel recommend ratification by the Authority of the final Fixed Base Operator Lease Agreement.

Mrs. Fisher moved to ratify and approve the Fixed Base Operator Lease Agreement among the Airport Authority and Encore FBO Acquisitions, LLC; and to authorize the Airport Director to execute this Fixed Base Operator Agreement and any and all necessary documents with respect thereto. Mr. Gantt seconded the motion, and it carried by a unanimous vote.

**D. Approval of a Non-Disturbance Agreement between the City of Asheville and the Asheville Regional Airport Authority for the Encore FBO Acquisitions:** The Director relayed to the Board that on September 25, 2007, the City of Asheville authorized the Asheville Regional Airport Authority to grant a lease term to Encore FBO Acquisitions, LLC that will extend beyond the Asheville Regional Airport Authority's Lease Agreement Term with the City of Asheville.

The Director stated that City of Asheville's Legal Counsel had requested that a Non-Disturbance Agreement between the City of Asheville and the Asheville Regional Airport Authority for the Encore FBO Acquisitions, LLC Lease Agreement be executed.

Mrs. Fisher moved to approve the Non-Disturbance Confirmation by and between the City of Asheville and the Airport Authority, and to authorize the execution thereof by the Airport Director and the attestation thereof by the Administrative Assistant. Mr. Ellis seconded the motion, and it carried by a unanimous vote.

#### **DIRECTORS REPORT:**

**A. Holiday Dinner – December 13, 2007:** – The Director offered a reminder to the Board that the Holiday Dinner this year is to be held on December 13, 2007 at the La Caterina Trattoria at 6:00 PM.

**B. Traffic Numbers:** The Director relayed to the Board that the Traffic Numbers for September were up 5.2% overall and that October's number were looking good as well.

**C. Art Program Sales:** The Director relayed to the Board that a new Art Opening was today and encouraged the Board Members to visit. The Director then informed the Board that there had been 6 pieces of art sold from the last Exhibit. The Director thanked Ms. Michel and her team for a job well done.

**INFORMATION SECTION:**

There was a discussion regarding the increase in internet charges due to quarterly payments, which reflected as an excessive increase on the Operating Expense Report.

**AUTHORITY MEMBERS REPORT:** None

**PUBLIC AND TENANT'S COMMENTS:**

**CLOSED SESSION:** 9:16 AM

Mr. Ellis moved to go into closed session pursuant to Sections 143-318.11 (a) (3) and (6) of the General Statutes of North Carolina, in order to consult with the Authority's Legal Counsel and to consider personnel matters. Mrs. Fisher seconded the motion, and it carried by a unanimous vote.

**OPEN SESSION:** 10:08 AM

There was a discussion regarding the outcome of the Airport Director's Annual Review.

Mr. Grotzinger moved to increase the Director's annual salary to \$151,000.00. Mr. Gantt seconded the motion, and it carried by a unanimous vote.

**ADJOURNMENT:**

The meeting adjourned at 10:10 AM by unanimous consent.

The next regular meeting of the Authority will be on Friday, December 14, 2007 at 8:30 AM in the Conference Room at the Authority's Administrative Offices, Asheville Regional Airport, 61 Terminal Drive, Suite 1, Fletcher, NC 28732.

Respectfully submitted,

James E. Ellis  
Secretary-Treasurer

Approved:

Bryan Freeborn  
Chairman