

**REGULAR SESSION**

**TUESDAY**

**DECEMBER 30, 2014**

The Board of Huron County Commissioners met this date in Regular Session. Roll being called found the following members present: Gary W. Bauer, Tom Dunlap, Joe Hintz, absent.

Pursuant to Ohio Revised Code Section 305.14 the Record of the Proceedings of the December 23, 2014 meeting(s) were presented to the Board. Gary W. Bauer made the motion to waive the reading of the minutes of the December 23, 2014 meeting(s) and approve as presented. Tom Dunlap seconded the motion. Voting was as follows:

Aye – Gary W. Bauer  
Aye - Tom Dunlap  
Absent – Joe Hintz

14-393

**IN THE MATTER OF DISPOSING COUNTY PROPERTY**

Gary W. Bauer moved the adoption of the following resolution:

**WHEREAS**, the Huron County Sheriff has advised the Board of Commissioners that two cruisers a 2007 Ford Crown Victoria, vin number 2FAHP71W97X126613 with 204,744 miles, and a 2008 Ford Crown Victoria, vin number 2FAHP71V88X123131 are no longer needed for public use; and

**WHEREAS**, the Board of County Commissioners hereby determines that the motor vehicle is not needed for public use; and

**WHEREAS**, pursuant to Ohio Revised Code section 307.12(G), the Board has the authority to discard or salvage such property; now therefore

**BE IT RESOLVED**, that the board hereby directs that the motor vehicles be salvaged; and further

**BE IT RESOLVED**, that the foregoing resolution was adopted and all actions and deliberations of the Board of Commissioners of the County of Huron, Ohio, relating thereto were conducted in meetings open to the public, in compliance with all applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Tom Dunlap seconded the motion. The roll being called upon its adoption, the vote resulted as follows:

Aye – Gary W. Bauer  
Aye - Tom Dunlap  
Absent – Joe Hintz

**At 9:30 a.m.** Public Comment

Doug Arnold, Huron County Airport Authority presented the proposal for the FAA. Mr. Arnold explained that Mr. Bader sent a request of 5 dates to use the Airport. Mr. Arnold explained that the Airport have made a proposal that will be submitted to the FAA in January. Mr. Arnold stated what he is asking from the Commissioners is a letter of support that is included with the proposal that is submitted to the FAA. Mr. Arnold explained that a certificate of insurance from Mr. Bader will also be attached. Mr. Arnold explained this is due on January 14, 2015. Mr. Dunlap stated he would like to have this spelled out to the FAA regarding all the work being done to get the access road in place.

**At 9:32 a.m.** the board recessed.

**At 9:59 a.m.** regular session resumed.

Daivia Kasper, Assistant Prosecutor and Carol Knapp, HCDC are in attendance. Discussion was had in regards to the lease agreement for the airport. Mr. Dunlap explained that he doesn't have an issue with the lease agreement. The only issue Mr. Dunlap had was with the wording regarding the renewal option.

Ms. Knapp stated she had a couple questions, the first being the actual lease itself, exhibit C TERM: This

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Lease shall be for an initial term of two years commencing on the 1<sup>st</sup> day of January, 2015 and ending on the 31<sup>st</sup> day of December, 2016, unless this Lease is sooner terminated as hereinafter provided. Lease shall continue on a month-to-month basis after the initial six month term. Mr. Arnold explained this is based off a template that Ms. Kasper had approved in the beginning of the year. Mr. Arnold stated that the template is six months, Mr. Arnold eliminate this sentence, and there is no month-to-month. Ms. Knapp then questioned the CONTINGENCY: This special lease agreement is contingent upon a resolution from the Huron County Airport Authority, Board of Commissioners of Huron County, and approval from the Federal Aviation Administration. This special lease agreement is void without these three documents accommodating this lease. Ms. Knapp stated she did not see the resolution from the Airport Authority. Mr. Arnold stated he does have this and will email it to Ms. Knapp.

Ms. Knapp stated that when she was reading through what the FAA sent over, it says the policy is still in draft form and it is not an official policy. Mr. Arnold stated that is correct, they are being pro-active, this will work its way through the system which could take up to 9 months. Ms. Knapp questioned there could be changes to the official policy from the paperwork that is being submitted? Mr. Arnold stated he knows the proposal goes to Detroit, Detroit sits just out of our jurisdiction, they will send out to compliance, compliance is the one who approves it, and then it will come back to us. Mr. Bauer questioned is this change in policy for the Huron County Airport? Mr. Arnold stated this is a general policy change.

Ms. Knapp questioned exhibit B: This means any non-aeronautical use on airport property will require FAA approval, does that include the farming operations as well? Mr. Arnold stated that the FAA has ever come back about and mentioned anything about. Mr. Arnold stated he would find out.

Discussion in regards to the ODOT capital improvement paperwork, Ms. Knapp questioned if the FAA received a copy of the ODOT capital improvement paperwork. Mr. Arnold stated he believes ODOT sends it up to the FAA. Ms. Knapp brought to Mr. Arnold's attention some errors that need to be corrected. The first being on Attachment A: it shows the Congressional District: 8<sup>th</sup>, the other paperwork shows the 4<sup>th</sup> District. Mr. Arnold stated he would get that changed. Ms. Knapp stated the land acquisition she does not understand this as well as the local matches are coming from. Mr. Arnold stated the local matches is 10% of the local cost. Mr. Bauer stated this was at the top of his list, Ms. Knapp questioned what are the source of these funds for instants the rehabilitate runway \$210,000.00 Total cost with a local match of \$21,000.00 where is this local match coming from. Mr. Arnold stated the Airport has a grant fund with is currently sitting at \$17,753.00 which has been for 2-3 years. Mr. Arnold stated the other \$3,000.00 the Airport will allocate. Mr. Dunlap questioned if this was Airport money. Mr. Arnold stated yes. Mr. Bauer questioned if this was money from the Friends of the Airport. Mr. Arnold stated no. Mr. Bauer stated he would not sign anything from the Friends of the Airport. Mr. Arnold stated that it is a nonprofit design for raising funds but for this project, because based on the timelines the tree stumps couldn't be added, everything must be done in stages. The only project that can be done in FY 2015 will be the runway rehabilitation at an estimate of \$208,000.00. Because this will be the only project, the airport will not need to borrow from the friends group. Ms. Knapp wanted to clarify the \$17,775.00 is an established grant fund that is in the Airports possession, the \$3,000.00 then can be allocated from their General Funds or wherever. Mr. Arnold stated this was correct. Mr. Bauer asked that Ms. Kasper validate where the money came from. Ms. Kasper stated she would ask the Auditor for that, however the Auditor is not the fiscal agent for the Airport no longer. Mr. Arnold stated the fund was at \$2,000.00, it was agreed that the funds from the closures for Summit Motorsport the funds would be allocated to the grant fund. Mr. Bauer asked if this shows as a line item in the budget. Mr. Arnold stated yes it does. Mr. Bauer stated he would like to see that. Mr. Arnold stated he would sent it on today.

Ms. Knapp stated one of the things she was confused with when looking over the capital improvement plan checklist is the 2016-2025 cast in stone? Mr. Arnold stated no, it a prediction/forecast. Ms. Knapp questioned this could change? Mr. Arnold stated this changes all the time. Mr. Arnold stated that he was told there was some confusion regarding the land acquisition, he approached the Engineer at their meeting, that the Airport did not acquire any additional lands, they fill an avigation agreement should be able to accomplish things instead of owning it out right. Ms. Knapp questioned what is the purpose of the land acquisition? Mr. Arnold stated the FAA policy is when you approach corridor the FAA wants you to own the simple runway protection zone. Ms. Knapp questioned on attachment D it shows \$60,000.00 in tree obstruction removal, who owns the property where the trees are? Ms. Knapp stated that the paperwork really doesn't say. Ms. Knapp questioned how a grant can be awarded for a project that is on someone else's property. Mr. Dunlap stated that there is nothing addressing the stump removal either. Mr. Arnold explained that the 7.6 acres on the east of Rte. 601, the trees along the eastern edge does sit on the Airport

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property. Mr. Arnold stated he walked out there with the adjoining land owner Harry Timmins, who showed Mr. Arnold where the stakes are and where the surveys were completed, this all airport land. Mr. Arnold stated the south side is owned by Tom Schaffer, the north side changed hands last year so the name of the owner was unavailable. All the trees along the Airport property could be removed, it would take a letter of authorization in order to enter onto the neighbor's property, and these trees are on the property line which one – two feet that is in question whether it is on Airport property or Mr. Schaffer's property, a survey would need to be done to determine where. The Airport sent out letters to Mr. Schaffer and the owner on the northern side as a letter of agreement to remove these trees for safety reasons. Mr. Arnold explained that ODOT provided a diagram the height of the trees could be no higher than 60 ft. the trees are currently at 90 ft. Mr. Arnold stated that if they reduce the height, they can stay in compliance rather than removing the trees. Mr. Dunlap questioned what if the landowner states they don't want the trees cut? Mr. Arnold stated then we don't cut them, the Airport has no jurisdiction to cut them.

Mr. Arnold stated that they contacted the Engineer regarding having the tree stumps removed on the west side of the Airport to convert that to farmland, however the Engineer stated it is not an eligible project to use FAA money for, because the trees are no longer a factor because the trees are gone, only the stump remains. On the southwest corner that borders with Mr. Linder, Mr. Linder did provide the Airport verbal approval to remove the trees, but done professionally including the removal of the stumps. Again the Engineering Company stated that they could not merge projects together.

Mr. Dunlap questioned if Mr. Arnold's understanding of the application is that nothing is in stone that this is just entering our horse into the race. Mr. Arnold stated that is correct. Mr. Dunlap stated that we can then go back and change all the stuff the Commissioners are concerned about? Mr. Arnold stated on future pre-applications, yes. Mr. Dunlap asked how many pre-applications are there before they receive the money. Mr. Arnold stated it is done annually. This current application is for the runway rehabilitation.

Mr. Arnold stated on the ACIT the only other thing the Commissioners have stressed a wildlife hazard assessment that all airports have been doing, this is an FAA mandate. Mr. Bauer questioned when the application is due, Mr. Arnold stated mid-July 2015. Mr. Bauer asked if it would take a couple months for the application to be approved. Mr. Arnold stated that was correct. Mr. Dunlap and Mr. Bauer asked if the project would be completed in 2016. Mr. Arnold stated the runway rehabilitation will be completed in the fall of FY 2015. Mr. Dunlap questioned what happens if this project is not completed in 2015 due to bad weather. Mr. Arnold stated the funds would be forfeited that were received in 2012 at the same time the Airport allocated another \$150,000.00 for FY 2016. Mr. Arnold stated either use it or loss it.

Ms. Knapp questioned the \$2,000.00 who does this go to? Mr. Arnold stated he did not know. Mr. Arnold stated that it might go to Delta for administrating the project. Mr. Dunlap questioned did the consultant prepare the paperwork? Mr. Arnold stated that was correct. Ms. Knapp questioned are further inspections and permits needed for the project to be completed, it is not noted in the paperwork, is it safe for her to assume that all the other fees are included in the amount? Mr. Arnold stated this is a question that will need to be directed to Delta Airport.

Mr. Dunlap asked that Mr. Arnold notify the Commissioners regarding any records requests that come before the airport.

Mr. Bauer stated the he would approve the signing of the pre-application, however he will not vote or sign anything that has to do with the Friends of the Airport, it opens up a can of worms that he will not go to.

***Tom Dunlap moved to sign the pre-application to send to the FAA prepared by Delta Consultants. Gary W. Bauer seconded the motion. The roll being called upon its adoption, the vote resulted as follows:***

***Aye – Gary W. Bauer***

***Aye - Tom Dunlap***

***Absent – Joe Hintz***

Mr. Bauer questioned Ms. Kasper regarding a request from the City of Norwalk for permissive tax funds for the interchange at Benedict Ave. and Elm St., he has a concern anytime they have approved these kind of funds they are usually requested before the project is done, and this project is done. Mr. Bauer questioned if they have any legal ramifications proving this project is done? Ms. Kasper asked if this could

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be forwarded to her for review. Ms. Kasper would like to review the contract with Frontier, Cheryl Nolan and Vickie Ziemba.

At 10:37 a.m. Gary W. Bauer moved to adjourn. Tom Dunlap seconded the motion. The meeting stood adjourned.

**IN THE MATTER OF OPEN SESSION**

The board Huron County Commissioners hereby attest that all actions and deliberations of the Board legally required to be public were conducted in an open session on this date and that the foregoing minutes represent the official action of the Board.

**IN THE MATTER OF CERTIFICATION**

The Clerk to the Board does hereby attest that the foregoing is a true and correct record of all actions taken by the Board of Huron County Commissioners on December 30, 2014.

**IN THE MATTER OF ADJOURNING**

The meeting was called to order at 9:00 a.m. With no further business to come before the Board, the meeting was adjourned at 10:37 a. m.

**Signature on File**