Bentonville Municipal Airport
Advisory Board Meeting
Thursday, July 7, 2022 @ 3:00 pm
305 SW "A" Street – Planning Commission Chambers
(& VIA ZOOM WEBINAR)

MINUTES

Call to Order, Welcome & Pledge of Allegiance – *Dr. Richard Ham, Chairman*

Dr. Richard Ham opened the meeting with a welcome and the Pledge of Allegiance. A list of members and attendees is attached to these minutes.

I. Old Business:

- Approval of Minutes from June 2, 2022

Lisa Kelley made a motion to approve the minutes from the June 2, 2022 meeting. Dennis Cherry made a second to the motion. The motion was approved.

- Updates on Geese Control and Goose Dog – *Robin Fields and Maverick*

Robin Fields appeared via Zoom and reported that he has seen very few geese in the last few weeks. He is still seeing a few ducks. The baby geese that he had reported on last month are gone now. He said things were going well and his end.

II. New Business:

- Engineering and Construction Updates - *Chris Maestri – Garver Engineers*

Adam White appeared for Chris Maestri, as Chris was in Europe on vacation. Mr. White gave us an update on the current projects.

EAST TAXIWAY TO THE SOUTH

Mr. White reported that the big news last month was that we had some positive feedback with the FAA on keeping the mid-field connectors. They have that coordination all finalized. We will keep the south connector. Mr. White said that they will demo out the north connector. Tri-Star is scheduling that for next week. That is the last item to do to close out this project, and then we will get our final reimbursement from the FAA. Mr. White said that we still have to take on the maintenance, plus some safety upgrades that we have to do and some additional lighting. We will tie that in when the Runway Widening Project happens and we have an electrician on site to do that work. We just can't use FAA grants to do the maintenance, but since it is a small area we could tag it with State grants that we use to do maintenance around the airfield anyway. He said that we are going to an information sign that is EXIT ONLY on the apron side and then install wig wags at the hold bar to create some more alertness for pilots in the apron that they will be approaching a runway right there.

GAME COMPOSITE EXPANSION

Mr. White said that there are not any real updates on this project. They are still working on the north side of the building. He thinks that the date to wrap up this project is still on for December of this year for the construction. They are starting to do some of the apron work on the airfield side, and a lot of things are going up vertically. The project seems to be moving along well.

RUNWAY 36 EXTENSION

Mr. White said that the only thing missing here is to get some grass established on the shoulders. He has spoken with C.R. Crawford about it and they are just waiting on a window where we see some rain in the forecast so when they put the seed down it can actually get a little water to get established. We are looking to close this project out once this gets done. All else is done.

RUNWAY WIDENING

They have been working with the Purchasing Department and re-advertise for bids on Sunday with the planned bid opening date of August 4, 2022. We were already advertising for bids in May, but canceled the bid opening because of feedback from contractors that they were all too busy to bid it at that time. The contractors think that it is a more favorable time now and so they will put it out for bid again and they will keep us posted. Mr. White said that they open bids an hour before the next Airport Advisory Board meeting on August 4th. So, the plan would be to bring those bids to you in August and then move forward with an FAA grant application based on bids after the August board meeting and then getting that approved through City Council later in August. Hopefully, the grant aware will be in September and then the plan would be to delay construction through the winter and then into late spring of 2023 to knock it out.

The last bit of good news today, Adam said, is the City did receive both grants that we applied for through the Arkansas Division of Aeronautics. At their June meeting we got approval for both the 80/20 and the 90/10 grants. They were focused on the hangar development, so now we have our funding secured for that project. Our plan is that as soon as we get a contractor on board for the runway project, hopefully the contractor would be willing to then bid the work to do the hangar development since they will be on site doing the same type of work on the runway widening. Then we will put that project out for bid and get it underway. It will probably be close the same timeline, as far as construction goes, as the runway widening project. It was about $400,000.00 in grant funds that we got approved through the state a few weeks ago.

At this time, Mr. White asked for any questions. Mr. Dennis Cherry asked about the status of the north end tunnel. Mr. White said this project is still on hold. From what Chris Maestri told him before he left for vacation, Chris had talked with their contact at Blue Crane and it is still on hold. It is just not the highest priority right now for the people that are funding that project.

- Updates from the Field – *Chad Cox, Will Gunselman*

Will Gunselman and Chad Cox both appeared before the board to give updates from the field. Will started with good news regarding fuel. Last year in June they sold 28,742 gallons of fuel. This June they sold 37,615 gallons….their best month ever. Will explained that they hosted three fantastic events in June. The UP.SUMMIT which brought in a lot of jets. They had the MMOPA which also used some jet fuel, and then they finished off the month with a TBM Group that came in. All these people came into town and bought gasoline, stayed in our hotels, ate at our restaurants, and they left really happy. He thanked Airport Manager Debbie Griffin and Transportation Director Dennis Birge for being instrumental at getting some east side gate repairs done. Will reported that they have several runway lights that are out. He said that probably 15 of them need electrical work, so they wanted to keep us in the loop about that. Will said they wanted us to be aware that they saw a guy today enter in on the west side in between the Brian Baldwin complex and the other hangar that they built through the entryway there. He went around the circular apron checking out some planes and then went out off of "I" Street. He said to let them know if there is something they can do to get the gate project moving. They are seeing some people coming in. This particular man was on a bicycle. He said they find people in that hangar quite a bit. He would like this to be high priority that we get something in place over there sooner than later. Chad mentioned that we have this money for the infrastructure for more hangars. In the Airport Design Standards, it is a little bit buried that there are obligations of the hangar owners to help in the safety of those hangars. Dr. Ham asked if we have good signage there, and do we need more? Will said possibly. He said that we have jets landing 18 that go to the end and are unfamiliar with the airport and they are taking a left on Bravo, which ultimately leads to a congested area where they are not able to turn around. Will said they think it is important to put some sort of marking on or around the existing signage that says, "FBO this way" using arrows to show the way to go. Will said potentially we need two signs on A1 and A2, and maybe markings on the runway. There are no markings on the ground now. Chad said it was not an urgent matter, but it was really going to be a real inconvenience for someone sometime. It was decided for Chad and Will to get Dennis Birge a description and he will get the information to David Mills and see what we can do.

Dr. Ham mentioned what a great day it was on the Community Day event at the field. It was a lot of fun, generated a lot of activity, and opened people's eyes about what was going on at the airport.

- City of Bentonville Updates – *Debbie Griffin, Airport Manager – Dennis Birge will report*

    - Patton Lease Assignment

Mr. Birge brought up the Patton Lease Assignment. This is actually just a reassignment and has the same parameters of the original lease. All members had looked over it. Lisa Kelley raised a question about our vetting process. She said that in the past on ground leases, we had obtained a lot more information before the board took any action. But, she said, that we don't really do that when we have a reassignment. Bonnie Bridges said that this was a great Debbie Griffin question. Ms. Kelley said that she felt whatever vetting we did the first time around, we should do the second time around. Dr. Ham asked the Administrative Assistant to put this item on the agenda for next month. Dennis Cherry asked the question that if we approved this reassignment today and then did due diligence and received information that made the board wish they had not approved it, did we have any options. Bonnie Bridges said that if we got the information back before this went to City Council in two weeks, then yes. Dr. Ham asked if we could approve this reassignment today contingent upon satisfactory results of due diligence back to the board before it went to City Council. Bonnie said they could do that.
Dennis Cherry made a motion that the board approve the proposal to City Council based on the positive results of due diligence. Lisa Kelley gave a second to that motion. Motion was approved.

    - Grant Application Update

Mr. Birge said that Adam White has already brought up the fact that we were approved for the two grant applications.

- Ordinance 2014-103

Bonnie Bridges reported on the Ordinance and said she had incorporated everything that we went over last month. She left the membership of the board at five (5), added secretarial duties would be provided by city staff, added the sub-committee allowance under Meetings, changed the terms for board members are appointed by the Mayor and affirmed by the City Council which is in line with current practices, and just cleaned it up. She said that nothing substantive has changed. She said that she did take out the provision in Sub-section C, under Article I about the ground or hangar leases, except for a pre-existing lease. So, if they have a pre-existing lease before they are on the board that it would be fine, but they can't enter into a lease after the fact. Bonnie then said she would have the Administrative Assistant email the clean version out to all the members, so that those not present today will have a copy of the clean version. Then we can vote on it next time if it is acceptable.

III. Other Business:

- Master Plan Discussion

Dr. Ham said that he has been through the Master Plan several times now and he thinks we really just need to spend some time cleaning it up. He suggests that we set a date certain, a meeting certain to come back with our suggestions and/or input and discuss it. He asked if September was long enough for the board to read over and get their discussion items ready. Dr. Ham said he wanted to hear what everyone thought, but he thinks this is rather a Committee of the Whole kind of thing, as he thinks everybody needs to look at it, not a sub-committee, so we should just plan on putting some time into it. Dennis Cherry wonders if the entity that put the Master Plan together in the first place should have an opportunity to look at it and make their recommendations. They may be aware of things or see things that we are just not aware of. No one was sure of who we contracted with. Bonnie Bridges said she could find out. Mr. Cherry also wondered how much it would cost for them to review and update. Dr. Ham said it could be $25K to $50K. Dr. Ham says he just sees things in it that mostly just need tweaking. He said the most of the verbiage is good. The last update was done in July of 2016. Ms. Kelley asked if we could get others input that might be interested in this update. Bonnie Bridges said that when we get the meeting date set, we can send out a public notice and publish it so the community has an idea of what's happening.

IV. Closing:

- Schedule AAB Meeting for August 2022
  - ***Proposed Meeting Day: Thursday, August 4, 2022 @ 3:00 pm***

Dr. Ham said at the last meeting we talked about a couple of times a year meeting out at the airport. Chad has offered to host the meeting for us. Dr. Ham asked if the September meeting would be good and Chad said we could. He confirmed that we can record the meeting, do Zoom, etc. The board was in favor of this. No formal vote.

They discussed the meeting for August, and agreed on the August 4, 2022 @3:00 pm. All present members were good with this date.

- Motion to Adjourn

Lisa Kelley made a motion to adjourn. Dennis Cherry gave a second to the motion. Motion approved.

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AIRPORT ADVISORY BOARD ATTENDANCE LIST

DATE: July 7, 2022

NAME	AFFILITATION	PRESENT	ABSENT
Adam White	Garver	✓	
Beverly Shepherd	Administrative Assistant - AAB	✓	
Bonnie Bridges	Legal	✓	
Camille Thompson	Legal	—	—
Chad Cox	Bentonville Airport Manager	✓	
Chris Maestri	Garver		✓
Chris Sooter	Ex Officio Board Member	✓	
Dan Weese	Bentonville City Engineer		✓
Debbie Griffin	Director of Administration - Airport		✓
Dennis Birge	Bentonville Transportation Director	✓	
Dennis Cherry	Board Member - AAB	✓	
Ellen Norvell	City Engineer		✓
Ginny Lantz	Garver		✓
Lisa Kelley	Board Member - AAB	✓	
Mark Slaughter	Board Member - AAB		✓
Mayor Stephanie Orman	City of Bentonville		✓
Mayor's Assistant	City of Bentonville		✓
Mike Frost	Vice-Chairman - AAB		✓
Mike Jones	Democrat-Gazette		✓
Richard Ham	Chairman - AAB	✓	
Robin Fields & Maverick	Goose Dog Handler	✓	
Will Gunselman	Summit Aviation	✓	
Laura Johnson	Patton Lease Assignment	✓	

ORDINANCE NO. 2014-103

AN ORDINANCE REPEALING ARTICLES 1 AND 2 OF ORDINANCE NO. 2010-27 AND ADOPTING REVISED OPERATING POLICIES AND PROCEDURES FOR THE AIRPORT ADVISORY BOARD

WHEREAS, Ordinance No. 2005-40 created the Airport Advisory Board and established operating policies and procedures for said board and,

WHERAS, Ordinance No. 2010-27 amended Ordinance No. 2005-40

WHEREAS, the operating policies and procedures need to be updated and amended;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BENTONVILLE, ARKANSAS:

Section 1: That Articles 1 and 2 of Ordinance No. 2010-27 shall be and the same are hereby repealed.

Section 2: That the Operating Policies and Procedures for the Airport Advisory Board in the following Attachment "A", three copies of which are on file with the City Clerk, and which is hereby adopted by reference as though it were copied herein fully.

Section 3: This ordinance shall be in full force and effect 30 days from the date of its passage and approval.

PASSED and APPROVED this 26th day of Aug. 2010

APPROVED:

Bob McCaslin

Mayor

ATTEST:

Linda Spence

City Clerk

ATTATCHMENT A
ORDINANCE NO. 2014-103

OPERATING POLICIES AND PROCEDURES
AIRPORT ADVISORY BOARD

ARTICLE 1. COMPOSITION: The Board shall be composed of five members. All members shall be qualified electors of the City of Bentonville.

a. A City Council member shall be an ex-officio member of the Board.

b. At least two (2) of the five members shall be experienced in aviation, preferably holding some type of pilot aeronautical rating, provided, however, that if there is not any citizen experienced in aviation holding some type of pilot's aeronautical rating who is available or willing to serve on such board, then the Mayor may waive this requirement.

c. Other than the ex-officio position, no member of the Board shall hold any elective or other appointive office under the municipal, county, state, or federal government deemed to be in direct conflict with this Board, while a member of the Board, neither shall any such member be a candidate for any elective office while a member of the Board. No member of the board shall have a financial interest in any aeronautical enterprise located at the airport while a member of the Board. No member shall have a personal interest in any business of the Board or any contract with the Board or the City pertaining to the Airport. However, in no instance shall a member be prohibited from using airport facilities or services as a customer of an aeronautical enterprise at the Airport, or from having a pre-existing ground lease or hangar lease with the City.

ARTICLE 2: TERMS OF OFFICE. Board members shall be appointed by the Mayor and affirmed by the City Council in accordance with the following:

a. The Board first appointed and confirmed, shall serve for terms of one (1), two (2), three (3), four (4), and five (5) years each, to be designated by the Mayor.

b. Upon expiration of their respective terms, their successors shall be appointed by the Mayor and affirmed by the City Council for a term of three (3) years. No Board member shall be eligible to serve more than two full terms in succession.

ARTICLE 3: REMOVAL. Any Board member may be removed at any time by a majority of the elected members of the City Council. The Mayor may also remove from office any Board member upon approval by the City Council.

ARTICLE 4: OFFICERS. At the first meeting following the appointment of members, the Board shall elect from among its membership a chair and vice-chair. City staff will provide secretarial support such as minute taking, agenda publishing, scheduling meetings, etc. The officers shall serve two-year terms. No member shall serve more than two consecutive two-year terms as chairperson without interruption of at least a two-year period.

a. The chairperson is the principal officer and will preside at all meetings and shall rule on all matters of procedure regarding the order of business, motion, voting, etc. He or she shall appoint the necessary sub-committees to establish the goals and meet the objectives of the Board. The chairperson shall have a vote in all matters of business.

b. The vice-chairperson will serve in the same capacity as the chairman in the event the chairman is absent or in the event of his or her inability or refusal to act.

c. The secretary shall serve in the same capacity as the chairperson in the event that both the chairperson and vice-chairperson are absent or unable to refuse to act. Secretarial support, provided by the City, shall ensure the official minutes of the Board meetings are taken and properly maintained in one or more books provided for that purpose. He or she shall ensure that all notices are given as required by law, and shall be the official custodian of the records of the Board. The secretarial support provided by the City shall also ensure the Board's regular meeting agendas are properly distributed to the Board members and the Mayor at least seven days prior to the meeting. Routine matters may also be delegated to regular City staff.

ARTICLE 5: DUTIES. The Airport Advisory Board shall:

a. Review the City staff prepared five-year Capital Improvement Plan (CIP) plan, as needed, and recommend for City Council approval/amendments.

b. Review the City staff prepared five-year Airport Improvement Plan (AIP), and recommend for approval, to the FAA by March 1 and September 1 of each year updating as necessary to properly reflect airport grant programs.

c. Review the City staff prepared annual budget and recommend for approval to the Mayor by August 1st.

d. Review the City staff prepared bi-annual report, concerning airport performance, revenues and expenditures, and customer service, and submit to the Mayor and City Council for approval.

e. Review such other City staff prepared reports as may be determined by the Mayor or City Council.

ARTICLE 6: MEETINGS.

a. The Board shall meet once each month at a location in the City of Bentonville designated by the Board.

b. Special meetings may be called by the chairman or any three of the Board members at any time after 24 hours' prior written notice designating the time and place of such meeting.

c. All requirements of the laws of the State of Arkansas concerning open meetings and notice shall be met.

d. A quorum shall consist of any three Board members. All actions of the Board shall be upon a vote of not less than a majority of the members present. All Board members except the ex-officio member shall be entitled to vote upon all matters. No member may vote by proxy.

e. The chairperson may, as needed from time to time, form sub-committees to research projects and make recommendations to the Board.

ARTICLE 7: AUTHORITY OF THE BOARD. All decisions of such Board are subject to final consideration by the City Council or Mayor as appropriate or required by resolution, ordinance, or statute. Provided; however, it is the intention of the City Council that all items within the scope of authority of the Board be submitted to the Board for consideration and recommendation prior to submission to the City Council for those matters which require Council action. The Mayor is authorized to provide available staff to administer the airport and to assist the Board, as approved through City budget and expenditure processes.

ARTICLE 8: LIMITATIONS OF AUTHORITY. The authority of the Board is expressly limited to the specific responsibilities and duties contained herein and nothing herein shall be construed or interpreted to:

a. Grant the Board authority over the operation of any department department, division, office, officer, or employee of the City except as may be requested by the Mayor or City Council in special circumstances.

b. Diminish the responsibility of the Mayor in resolving conflicts which may arise over what specific items may be within the scope of authority of the Board.

c. Diminish the authority of the City Council over funding, operations, fixed assets, indebtedness, budget, and other areas as applicable under Arkansas law.

d. Create a commission under any state law regarding the creation of autonomous committees or commissions.

Assignment of Ground Lease Agreement

The assignment of a certain Lease Agreement (the "Assignment") is made this _________day of _____________, 20__ between Steve Patton and Anita Patton (the "Assignor") and Stephen Innes and Inna Innes (the "Assignee")

Effective _______________, 20__ the assignor assigns his interest in the Lease Agreement with Bentonville for property identified as Patton Bentonville Airport Hangar at 2400 SW Aviation St. to the Assignee. Full legal description is as follows:

A TRACT OF LAND LYING 140' NORTH OF AND WITH THE WEST LINE IN LINE WITH AN EXISTING HANGAR AT THE BENTONVILLE MUNICIPAL AIRPORT. SAID TRACT BEING ON THE WEST SIDE OF SW AVIATION STREET AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT A POINT S78°31'58"E 305.57 FEET FROM AN NGS MONUMENT,

SAID POINT ALSO LYING S34°00'35"E 1,988.39 FEET FROM BENTONVILLE GPS MONUMENT #64,

SAID POINT BEING THE NW CORNER OF A PROPOSED BUILDING WHICH WILL BE UTILIZED AS AN AIRPLANE HANGER;

THENCE ALONG THE NORTH SIDE OF THE PROPOSED BUILDING S87°43'04"E 70.00 FEET;

THENCE CONTINUING ALONG THE EAST SIDE OF SAID BUILDING S02°16'56"W 60.00 FEET;

THENCE CONTINUING ALONG THE SOUTH SIDE OF SAID BUILDING N87°43'04"W 70.00 FEET;

THENCE CONTINUING ALONG THE WEST SIDE OF SAID BUILDING N02°16'56"E 60.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 4,200 SF, MORE OR LESS.

The Assignee fully agrees to, accepts all terms, conditions of the Bentonville Municipal Airport Land Lease Agreement, and agrees to honor and adhere to these terms and conditions for the duration of the Agreement.

By:_________________________________ Date:____________________
Steven Patton

By:_________________________________ Date:____________________
Anita Patton

By:_________________________________ Date:____________________
Stephen Innes

By:__________________________________ Date:____________________
Inna Innes

This assignment is with the recommendation of the Airport Advisory Board and the permission of the City Council of Bentonville, AR, in accordance with the "Assignment" paragraph of the Agreement, attached.

By: __________________________________ Date:_____________________
Stephanie Orman, Mayor
City of Bentonville

Attest:___________________________________ Date:_____________________
Kirby Romines, City Clerk
City of Bentonville

Acknowledgement

State of Arkansas)
) SS.
County of Benton)

On this day before me, a Notary Public, duly commissioned, qualified and acting within and for the County and State aforesaid, personally appeared the within named________________, to me well known, who acknowledged himself to be the _____________of________________, the Lessee in the above and forgoing Lease Agreement, and that he, in such capacity, being authorized so to do, executed the forgoing instrument for the purposes therein contained, by signing the name of said limited liability company by himself as such officer.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this _____day of ___________2022

____
Notary Public

My Commission Expires: