I. CALL TO ORDER

II. ROLL CALL
   A. _____ Lou Patten (Chairman)
   B. _____ Verrill Norwood (Vice Chairman)
   C. _____ Lynn DeVault (Secretary/Treasurer)
   D. _____ Robbie Garrison
   E. _____ Steve Wright

III. ACCEPTANCE OF MINUTES (March 10, 2017)

IV. UPDATES
   A. Director’s Report (Mark Fidler)
      a. Accident at Jetport
   B. FBO Report (Contour Aviation)

V. UNFINISHED BUSINESS
   A. Discussion of Airport Authority Schedule – Bi-Monthly Meetings beginning May 2017 (Pages 1-2)
   B. Work/Planning Session for Future Planning at Jetport – May 19, 2017

VI. NEW BUSINESS
   A. Runway Extension Construction Bid Project
      1. Recommendation from PDC
      2. Motion to Approve and Accept Runway Extension Construction Bid as Recommended by PDC
      3. Motion Authorizing Chairman to Sign Letter Awarding Contract to Lowest Bidder
VII. BOARD MEMBER REPORTS

A. Lou Patten  
B. Verrill Norwood  
C. Lynn DeVault  
D. Robbie Garrison  
E. Steve Wright

VIII. ADJOURNMENT

Next Scheduled Meeting – May 19, 2017

Informational Attachments:

Payments (Page 3)  
Authority Attendance Log (Page 4)
CHAPTER 6

ATTENDANCE REQUIREMENT FOR ALL BOARDS AND COMMISSIONS

SECTION

2-601. Attendance requirement for all boards and commissions appointed by the mayor or city council.

2-601. Attendance requirement for all boards and commissions appointed by the mayor or city council. (1) Intent and purpose; applicability. It is the intent of the city council and the mayor that the appointed members of all boards and commissions attend meetings as much as possible in order to contribute effectively. However, it is also recognized that appointed members may miss meetings from time to time due to various reasons.

The purpose of this section is to provide for attendance requirements for members of all boards and commissions appointed by either the city council or the mayor.

This section is intended to be applicable to all boards and commissions whose members are appointed by either the mayor or the city council. It is recognized that the members of some boards and commissions are appointed by the city council, and the members of some boards and commissions are appointed by the mayor.

It is also recognized that the mayor has certain statutory authority over the appointment and removal of members of the planning commission, and to the extent that there is any conflict between any state statutory provisions relating to the planning commission and this section, the provisions of state law will take precedence and control.

(2) General rule applicable to members of all boards and committees. The appointed term of any member who fails to comply with the applicable attendance requirements set forth herein shall automatically expire and the member shall then be replaced with another appointee, unless the member is re-appointed in accordance with the provisions of subsection (3).

(3) Effect of removal; reappointment of removed members. As a general rule, any member whose term expires due to lack of compliance with the applicable attendance requirements for that board or commission shall not be eligible for reappointment to said board or commission for at least one (1) year.

However, if a board member's term expires due to lack of attendance caused by personal health reasons or other exceptional circumstances, the member may be eligible for reappointment without waiting a full year. However, to be eligible for reappointment without waiting a full year, the member must petition the mayor or the city council in writing for reinstatement as a member of said board or commission. The petition for reinstatement shall be addressed
to the mayor if the mayor is responsible for making the appointment. The petition for reinstatement shall be addressed to the city council if the city council is responsible for making the appointment.

In the written petition, the member must demonstrate to the mayor or the city council that the member's failure to comply with the applicable attendance requirements was due to personal health reasons or other exceptional circumstances, and that the member's health has improved or the other exceptional circumstances have been resolved and that the member will be able to meet the applicable attendance requirements if they are re-appointed.

Upon receipt of the member's written petition, the mayor or the city council may re-appoint the member without waiting a full year if the mayor or the city council determine, in the exercise of their discretion, that the member's failure to meet the applicable attendance requirements was due to personal health reasons or other exceptional circumstances and that the member will likely be able to meet the applicable attendance requirements if they are re-appointed.

Neither the mayor nor the city council are under any obligation to re-appoint any member who is removed for failing to meet the applicable attendance requirements.

(4) Attendance requirements for boards and commissions that hold regular monthly meetings. Any member who misses one-half (1/2) of all regularly scheduled monthly meetings within any six (6) month period (January through June, or July through December) of a calendar year shall be removed and their term shall automatically expire.

(5) Attendance requirements for boards and commissions that hold regular meetings less than monthly (boards and commissions that hold regular meetings every other month, or quarterly, or semi-annually). Any member who misses two (2) consecutive regular meetings within one (1) calendar year (January through December) shall be removed and their term shall automatically expire.

(6) Boards and commissions that do not hold regular meetings but meet on an as needed basis. Any member who misses two (2) consecutive meetings within one (1) calendar year (January through December) shall be removed and their term shall automatically expire. (as added by Ord. of 11/25/96; and replaced by Ord. #2007-39, Nov. 2007, Ord. #2007-45, Nov. 2007, and Ord. #2009-06, Feb. 2009)
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Ending Balance: 1,499.95
### Municipal Airport Authority-Attendance Log

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Note: Work Sessions are not a Regular Meeting-Attendance not Required.
Be it recorded that the Cleveland Municipal Airport Authority met in a regular session on Friday, March 10, 2017, at 9:00 a.m. in the Cleveland Municipal Council Room.

**MEMBERS PRESENT:** Lou Patten, Verrill Norwood and Lynn DeVault

**MEMBERS ABSENT:** Robbie Garrison and Steve Wright

**CITY STAFF:** John Kimball (City Attorney), Joe Fivas (City Manager), Renea Brown (Secretary), Mark Fidler (Airport Manager), Shawn McKay (Finance Director), Kristi Powers (Support Services Manager) and Melinda Carroll (Assistant City Manager)

**FBO STAFF:** Allen Howell

**CONSULTANTS:** None

**GUESTS:** None

**MEDIA:** Larry Bowers (Daily Banner)

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**CALL TO ORDER**
The meeting was called to order by the Chairman, Lou Patten, at 9:01 a.m.

**ROLL CALL**
Chairman Patten called the roll and is recorded above as **Members Present.**

**ACCEPTANCE OF MINUTES**
Chairman Patten called for a motion to accept the minutes from the January 20, 2017, meeting. Verrill Norwood so moved, seconded by Lynn DeVault and was unanimously passed.

**UPDATES**
Director’s Report
Runway Extension Update
Mark Fidler reported he and Chairman Patten attended the TAC meeting in Nashville on February 16th. Representative Kevin Brooks was also in attendance. At the meeting, Mark presented the justification for the proposed extension. He discussed both the local economic development and restrictive aircraft performance issues related to the existing runway of 5,500 feet. Following some basic questions, the
body voted unanimously to support our $2,250,000 request. Together with our local match of $250,000, we now have the funds necessary to move forward with construction of the extension.

Mark supplied a copy of the construction schedule. It is very aggressive with the bid advertisement date on February 22nd, the pre-bid scheduled on March 14th; and the bid opening on March 28th. They plan to execute the contractual agreements with the general contractor on April 21st and move ahead as quickly as possible. The projected time for completion is estimated at 120 days.

In addition to the construction schedule timeline, Mark also provided a copy of the Advertisement for Bid, the Construction Safety Plan and the Engineer’s Estimate for Probable Construction Costs.

As of now, four contractors have pulled plans for the project which typically means there is interest in the project and will hopefully result in competitive bids.

Mark wanted to publicly thank Representative Brooks for his assistance with this project.

Chairman Patten asked Melinda Carroll if a called meeting was needed for the awarding of the contract or would voting at the next scheduled meeting on April 21st be sufficient. Melinda said to expedite it, she would recommend a called meeting but that is the choice of the Board. John Kimball suggested moving their regular meeting date instead of having a called meeting due to not being able to discuss anything other than what the called meeting is for. Chairman Patten rescheduled the regular meeting for April 7th instead of the 21st.

Director’s Report
Customs Update
Mark advised since the last meeting, the Customs and Border Protection facility installation at the Jetport has received some attention by CBP Headquarters thanks to the efforts of Chairman Patten. Mr. Patten had contacted Claire McVay, the Field Representative/Outreach Coordinator with Senator Corker’s office. She, in turn, contacted Matthew Smith with their DC office.

On February 15th, he was contacted by CBP’s Austin Williams from the Chattanooga Port and Pat McComber from the Memphis CBP. Both assured him that CBP had not forgotten the request for our GAF facility at the Jetport. Both gentlemen advised the transition of the Trump Presidential administration is partially responsible for some of the delays due to the immigration laws and alien retention policy changing almost on a weekly basis.

On Tuesday, he received a call from CBP’s Pat McComber. Mr. McComber agreed to allow Chattanooga CBP services at the Jetport. It will be a landing only facility; and certain conditions and limitations must be met. These include a limit of total passengers and crew to a maximum of ten persons; an international garbage refusal disposal handling arrangement; and a letter of agreement between the Jetport and CBP. He will be working closely with the CBP staff in Chattanooga, Memphis, New Orleans and Washington on the specifics of the agreement and methods of compliance with CBP protocol.

Board Member DeVault asked what was involved with the garbage refuse disposal. Mark said there had to be trained personnel that would go through the aircraft. They have to be signed off by the Department of Agriculture, Customs and Border Protection and other government agencies. They collect the refuse which will be placed in bags or boxes that meet their standards and then stored in a secure location until
it is picked up. It can only be picked up by certain contractors who have experience in this. One such company is called Stericycle which we will probably use. They come, pick it up and take it to an autoclave where it is burned. The charge for doing this in Chattanooga is $975.00 per aircraft.

Board Member Norwood asked if more than ten people could be on board. Mark said not per the terms of the agreement at this time. Mr. Norwood asked Ms. DeVault if the Jones Airways aircraft hold more than ten people. She replied that it held fourteen, but they could live with the limits of the agreement. Mark said if there are more than ten occupants, they must land in Chattanooga.

Before the final agreement is signed, Board Member DeVault would like Mark to check with businesses around the area like Bayer and Whirlpool. If they found it useful, given that they have international operations, there might be justification to ask for additional people. She would like to be sure this would accommodate the users at the airport. Mark advised the Chattanooga office is only staffed by two people at this time. They are using this as an incentive for headquarters to increase their staffing. Ten is the maximum they can handle efficiently right now with the staff they have.

**Director’s Report**

**Financial Reports**

The January and February financial reports have been distributed. The video advertising payment by Life Care Centers came through in January; and 1st Tennessee Bank paid their portion in February. He will be invoicing The Bank of Cleveland next month for their pledge amount.

Board Member DeVault asked if the Jetport was making an effort to sell more video advertising. Mark said yes; however, it is very difficult. Jones Airways has withdrawn their interest, and he has been talking to Priester; but it’s a hard sell. Ms. DeVault asked if he was working with Patrick on getting Priester on board. He said no. He was working with him to get Jones Airways back involved. She said she would use Patrick to help with Priester and she will give him a contact at headquarters for the other.

Board Member DeVault asked if there was a new lease and new hangar at the Jetport. Chairman Patten advised it was Michael Quayle’s. He had signed a lease some time ago, but is just now building his hangar. Mark said the door was offloaded two days ago and the rest should be offloaded possibly today. It should take a couple of weeks to complete.

Chairman Patten noted the Jetport was quickly running out of property to have hangars built. Mark said depending on the size, there may only be four more spots available. The runway extension will give a little more space to the northeast. Chairman Patten said currently there is space north of the t-hangars available; this could be used for two more rows of hangars. Board Member DeVault asked if some of that free space was going to be reserved for additional t-hangars. Chairman Patten said another row of t-hangars and a row of smaller corporate hangars is what has been discussed for that area. There will most likely be a work session to discuss this further. Board Member DeVault asked if this was on the new ALP. Mark said yes. He has the hangars scheduled for either the FY 2018 or 2019 Capital Improvements budget so the City knows he may be requesting funding at that time.

Board Member DeVault suggested having a work session to look at a list of the corporate community and people at the airport, and look at the layout the way it is now and possibly tailoring it; or at least let people know that in 2018 or 2019, there might be availability. She asked Mark about the firm out of Alaska. Mark said they did not do anything anywhere. They were looking to build a location for transport category airliners which could be handled with the extension. Ms. DeVault would like to work
on soliciting some additional people so the Jetport can continue to grow; and would like to review the ALP with PDC.

Chairman Patten expressed his excitement over the approval of the runway extension. Mark noted the shared portion was decreased by 50% and the Engineers Cost Estimate came in about $58,000 less than originally thought.

Board Member DeVault inquired about space to the south. Mark said the only usable space was to the far south which was not viable; it is actually bottom land used as a retention pond.

Mark is currently in talks with someone regarding the space reserved for a large hangar located near the fuel farm. This is the only large hangar spot left on the field. If anyone else comes in wanting to build a large hangar, we may have to forgo building our next set of t-hangars on its designated spot and allow them to develop a structure on that location north of the existing t-hangar. It will be less expensive for someone to build on that spot than to move them further to the north. They can tie in to the existing taxiway and use the existing infrastructure.

**FBO Report**

Allen Howell reported:
- February was a good month. December and January were slow, but this was experienced across all of their locations. The reason for this is believed to be seasonality.
- Fuel sales are now more in line with how they were in the fall.
- Currently, there are three empty t-hangars.
- Habitat for Humanity is having a fundraiser. They are donating two Discovery Flights for the silent auction.
- Flight training is going good. There is a lot of demand. However, they are struggling with a lack of qualified flight instructors; and with pilot shortage, they are having a hard time finding instructors in this area. They have talked to several retired flight instructors. One is a retired MTSU professor who lives in Lafayette, Georgia. They are hoping he will help supplement what Nora is currently doing.
- Nora will be transitioning out of the FBO General Manager position over the next thirty to sixty days. She is not leaving the company, but has a desire to go back to flying full time. She will continue to flight instruct. The flying she will be doing for CFM will leave her available fifteen to twenty days a month where she can flight instruct. She likes it in addition to flying corporate airplanes.

They are interviewing for her replacement looking both within the company and outside for the best fit. Chairman Patten suggested speaking with Cleveland State and Lee University to see if they might be interested in having a flight class. Board Member DeVault said Patrick was working on something with Cleveland State, possibly in maintenance. Chairman Patten said Bill Seymour with Cleveland State is always looking for ways to expand the programs at the college. Allen said everyone is competing for a small group of pilots. They are in high demand and it would be good for young people to hear about it. In addition, the starting pay has almost doubled in the last three years for regional airline pilots. He feels Cleveland State would be a good, logical program.

They have rebranded their name to Contour Aviation and Contour Flight Support. That is a DBA; their
corporate name is still Corporate Flight Management. This is a name they feel more accurately reflects what they do. There are no changes in leadership or ownership.

He asked to be included in the Authority’s work session. He can provide information on airport development.

UNFINISHED BUSINESS
Voice of Evangelism – Non Payment of Fuel Flowage Fees
Board Member Norwood met with Kevin Wright on February 20th regarding the issue of non-payment of the fuel flowage fees. According to Mr. Norwood, Mr. Wright is basically citing court cases where the fuel flowage fee is considered by the courts as a tax and; therefore, VOE, who is a 501C, is not subject to it. Mr. Wright is supposed to be sending a letter to Chairman Patten outlining his position and disclosing the court cases. As of this morning, the letter still had not arrived. He will report back to Mr. Wright that the letter needs to be received by April 1st. Mr. Norwood did say that Mr. Wright has been away lately flying for both John Sheehan and VOE as well as working for G.E.

Chairman Patten advised if the letter has not been received by April 1st, then they will make other decisions.

Discussion on Time Limit for Construction of Hangars on Leased Lots
Chairman Patten advised this was discussed some at the last meeting. The reason this came about was over Southeast Jet Center. They had started construction but was taking a long time. They came to the last meeting and said part of the issue was the weather; and were hoping to finish up quick.

In last month’s discussion, it was agreed that the Authority did have the power, if someone is being unreasonable with delay, to do something about it. No action is required at this moment; he just wanted to revisit it. Mark Fidler said Southeast Jet Center removed the scaffolding from the front of the building; and were getting ready to start excavation to prepare for their driveway installation, but decided not to do it right now. With current conditions, it would create a mud hole and discharge muddy water into the stream. Once the weather dries up some, work will resume. The retention wall is already in place.

Board Member DeVault suggested possibly having the responsible party provide a timeline when they submit their plans that way the Authority would have a point of reference to argue if the delay was reasonable or unreasonable.

Mark provided a couple of documents. One is the land lease that states the lessee agrees to begin construction of the hangar within twelve months. The other is a section of the minimum standards for construction that says the Authority has the right to terminate the lease if they find the Lessee is not making progress within a reasonable amount of time.

Board Member DeVault said “reasonable” is open to interpretation; that is why it occurred to her to have a timetable that the Lessee would provide. It would be a good way to see if they are meeting that timetable or are unreasonably delayed.

John Kimball suggested, if this comes up again and they think someone is taking too long, somewhere in the lease it says you will notify them that ‘you think they are in breach of the agreement’ and give them the opportunity to fix it.
NEW BUSINESS
Retro Motion Authorizing the Chairman to Sign a Grant in the Amount of $2,500,000 (90/10 Match) for Construction and Remainder of Engineering Costs for the 700’ Runway Extension
Chairman Patten called for a motion to authorize him to sign a grant in the amount of $2,500,000 (90/10 match) for the construction and remainder of engineering costs for the runway extension. Verrill Norwood so moved, seconded by Lynn DeVault and was unanimously passed.

Consideration for Don Robinson, M.D, to use Jetport Facilities for FAA Flight Physicals
Dr. Don Robinson has been in private practice, but is now leaving that to go to work for the VA in Chattanooga. He has been providing flight physicals for pilots here and in the area. He is the only certified flight doctor in Cleveland. Dr. Robinson has asked for consideration for space to offer physicals at the Jetport.

Chairman Patten said the question is if there should be a charge and what it would be. Mark said there were two things pointed out to Dr. Robinson. His requested time to do this was afterhours. He has been made aware that CFM has a fee for staying open afterhours. Also, they did not want to start providing free business space for anyone wanting to operate a business out of the Jetport. He is charging a fee for the physicals; so in fairness, this can’t be allowed to happen without some sort of compensation to the Jetport and/or CFM.

Board Member DeVault asked if he would have to leave his equipment on site. Chairman Patten said Dr. Robinson told him he would probably bring the equipment every visit. Ms. DeVault said the reason she was asking is because if he brings everything that he needs and nothing has to be stored, then it seems like they could charge him twice what they pay the FBO. Then he could decide if that was cost effective for him. Mark said he suggested he rent the small conference room downstairs. The cost is $20.00 per hour or $100.00 a day. The FBO fee for afterhours is $95.00 for the duration of the event within reason. Mr. Norwood interjected saying that in itself Dr. Robinson could not afford.

Chairman Patten said if he did the physicals on Saturdays or Sundays during the day, it would be during operating hours. Ms. DeVault said that sounded like the right solution. He could possibly rent the conference room once a month during regular business hours...that would be affordable. Mr. Norwood said Dr. Robinson was not sure yet. He has to get approval from the VA to do it, then he has to get his own malpractice insurance. So, this is something that may or may not come about.

Board Member DeVault said even though it may not happen, the Authority could still provide him with an affirmative response. “The airport is open on Saturdays and Sundays. The conference room is generally available. You may reserve it, as anyone could, for $20.00 an hour. Otherwise, if it has to be afterhours, there will be an additional charge.” Those are the facts and she wouldn’t make any special accommodations especially if it’s still a wish and a hope. If this ends up happening and he wants to rent the little room next to the conference room so he can leave his eye charts and such, then we can figure out some rental rate; and then he would have to negotiate with the FBO if he wanted to use it afterhours, otherwise he could use it anytime the airport is open.

Allen Howell said they would be willing to work with him. If he doesn’t finish a physical and it lags on after closing, they won’t charge him a full call out fee. They will just charge whatever they have to pay their employee.
Other
Mark reported that yesterday the installation team came to the cell tower located to the south of the airport and began installation of the position lighting on the tower. There are four LED lights; one on the top and three mid-mast that will flash and come on at night. They are powered by a photocell. The best part is this is being done at no cost to us. He would like to thank Crown Castle and Jim Voigts, the tower operations manager, for accepting full responsibility for the project even though they did not have to.

BOARD MEMBER REPORTS
Lou Patten – He received an email from Frank Lot with BLF Marketing out of Clarksville, TN. According to the letter, he has worked with the Clarksville Regional Airport…they are renaming, rebranding signs, websites, market positions and special events; and they helped them improve their business. He also included they had done a lot of work with Southern Heritage Bank. Lee Stewart, with SHB, has called him and highly recommended this group.

Board Member DeVault said the Authority was solicited by another group out of Atlanta that specialized in airport marketing at one point. Does he feel they need to do more marketing? Lou said if the Board wanted him to, he could have Mark get with them to do a presentation. The Board agreed. He will give Mark the email to follow up with them.

He would like to suggest moving the Authority meetings to every other month since they are cancelling every other one anyway. However, with the contract needing to be approved in April, possibly after that, they could go to every other month. It doesn’t seem like there are “critical” meetings and it would be easier on the staff. Ms. DeVault liked the idea and suggested that possibly all members go to the construction progress meetings. He would also like to schedule a work session to discuss the ALP with PDC on the same day they are in town for the progress meeting. For now, the May meeting will remain on the books and the schedule will be decided at the April meeting. He would like to meet odd months so they are always meeting in January.

Verrill Norwood – None

Lynn DeVault – None

Robbie Garrison – Absent

Steve Wright – Absent

Adjournment
Chairman Patten scheduled the next monthly meeting for April 7th at 9:00 a.m. Since there was no further discussion, Chairman Patten adjourned the meeting at 10:07 a.m.

Respectfully submitted,

Renea Brown,
Recording Secretary
Handouts:
Financial Reports for January and February
  • Expenditure Report
  • Operating Revenues & Expenses
  • CFM Fuel Sales
Runway Extension Advertisement for Bid
Runway Extension Tentative Project Timeline
Runway Extension Engineers Opinion of Probable Construction Cost
Runway Extension Project Plan Holders List
Runway Extension Construction Safety Plan
Minimum Standards Section Regarding Time Frame for Construction
Hangar & Lease Agreement Section Regarding Time Frame for Construction

Information Attachments:
1. Grant for $2,500,000 for Construction and Remainder of Engineering Costs for the Runway Extension
2. Payments
3. Authority Attendance Log