

Ashtabula County Airport Authority
REGULAR BOARD MEETING
 Thursday, February 08, 2024 08:00AM EST

Board Members Present

Dwight Bowden, President
 George Toth, Vice President
 John Ambrose
 Phil Anderson (T)
 Don Ballard (T)
 Lance Bushweiler (T)
 Eric Cornelius
 Barbara Ford (T)
 John Morrison (T)

Others Present

David Pontius, Andrews & Pontius LLC
 Nicole Bryan, Michael Baker International
 JP Ducro, Ashtabula County Commissioner (T)
 Kate Reedy, Spire Institute (T)
 Doug Powell, Tenant (T)
 Kate Burke-Rosales, NEORA

*(T) Teleconference Participant

The meeting was called to order at 8:00AM EST by President Bowden. At the request of the President, Secretary confirmed a quorum.

Commissioner Ducro entered the meeting via teleconference at 8:01AM EST.

January Consent Agenda:

Meeting Minutes: January 11, 2024 Regular Meeting

Fuel Sales	100LL	Jet A
January	(gallons)	(gallons)
2024	28.47	1,791.00
2023	186.95	1,076.00
2022	304.61	3,000.00

Bank Account Balances: \$283,873.85

Cash Reconciliation Book Balance: \$295,532.01

Profit & Loss Report:

Net Ordinary Income -\$22,631.38
 Net Income \$46,706.88

Profit & Loss Budget vs. Actual Report YTD:

Net Ordinary Income -\$22,631.38
 Net Income \$46,706.88

Bond Payment: None

Ashtabula County Appropriation: \$75,000.00

Accounts Payable / Bills: \$3,068.92

Gifts and Donations:

\$3,000.00 Fidelity Charitable – American Electric / MFG Light
 \$9,300.00 OAA Annual Conference Sponsorship

Obstructions: All tower owners are in the process of correcting issues.

Feature	Condition	Number	Start Date UTC	End Date UTC	Status
Obstruction	HZY OBST STACK (ASN UNKNOWN) 415433N0804611W (8.12NM NNW HZY) UNKNOWN (400...	08/025	08/21/2023 1130	02/21/2024 2359	Active
Obstruction	HZY OBST TOWER LGT (ASR 1058984) 414955.00N0804515.40W (4.1NM NW HZY) 1202...	01/005	01/06/2024 1320	04/05/2024 0500	Active
Obstruction	HZY OBST TOWER LGT (ASR 1046104) 415500.00N0803258.50W (10.7NM NE HZY) 109...	01/007	01/09/2024 1800	04/08/2024 0500	Active
Obstruction	HZY OBST TOWER LGT (ASR 1211490) 413616.20N0804244.00W (10.5NM S HZY) 1380...	01/008	01/09/2024 2205	04/08/2024 0500	Active
Obstruction	HZY OBST TOWER LGT (ASR 1263610) 413206.70N0804156.40W (14.7NM S HZY) 1411...	12/010	12/25/2023 1803	04/23/2024 1803	Active
Obstruction	HZY OBST TOWER LGT (ASR 1011703) 415402.50N0803502.40W (9.0NM NE HZY) 1149...	02/001	02/02/2024 0110	05/01/2024 0500	Active
Services	HZY SVC AUTOMATED WX BCST SYSTEM CHANGED TO 440-576-0219 2402061900-240506...	02/002	02/06/2024 1900	05/06/2024 2359	Active
Obstruction	HZY OBST TOWER LGT (ASR 1019692) 413806.00N0803825.00W (8.9NM SSE HZY) 127...	02/003	02/06/2024 0356	06/05/2024 0356	Active

MOTION to approve the Consent Agenda for January moved by Eric Cornelius, seconded by John Ambrose; discussion: none; roll-call: Ambrose "yes", Ballard "yes", Bushweiler "yes", Cornelius "yes", Ford "yes", Toth "yes", Bowden "yes", motion carried.

Phil Anderson, John Morrison, and Kate Reedy entered the meeting via teleconference at 8:02AM EST.

Interim Approvals

MOTION to accept a private donation in the amount of \$9,300.00 for an Ohio Aviation Association (OAA) Sponsorship moved by John Ambrose, seconded by Eric Cornelius. Discussion: Sponsorship is for the entire year and includes four registrations for the annual conference in Columbus. Trustees should contact the Secretary-Treasurer if interested in attending. Roll-call: Ballard "yes", Bushweiler "yes", Cornelius "yes", Ford "yes", Morrison "yes", Toth "yes", Ambrose "yes", Anderson "yes", Bowden "yes", motion carried.

MOTION to authorize the purchase of a replacement security light fixture for the MFG Hangar in the amount of \$3,012.00, to be paid by a private donation moved by Eric Cornelius, seconded by Don Ballard; discussion: Consulting Engineer sent utility drawings to American Electric. Roll-call: Bushweiler "yes", Cornelius "yes", Ford "yes", Morrison "yes", Toth "yes", Ambrose "yes", Anderson "yes", Ballard "yes", Bowden "yes", motion carried.

Safety & Equipment

Deicing Truck training is in process. There has not been an opportunity to deice an aircraft this season.

Purchase Order was issued to Gardiner for system diagnosis. R&D replaced an igniter switch and control board for the boiler. The natural gas line was not working properly; John Morrison was able to make the necessary adjustment for it to work.

Ashton to schedule server room cleanup. The firewall was renewed for one more year. It will need to be updated in 2025 and will cost approximately \$5,000.

Fire Inspection: T-hangar emergency lights have been installed in the T-hangars. Building J mechanical room ceiling is in progress.

M-B Company to schedule the broom truck audit and Snow Lizard repairs. M-B has shipped parts that were received by the airport.

Obstruction light on the mast on Building J is out. Per AC 70-760-1M, 5.8 Group of Obstructions states that only the highest structure within 150ft of a group of obstructions need to be lighted. It is recommended to replace the bulb in the event the obstruction light is out.

Replacement light fixtures for outside the Terminal have been ordered from NEO Electrical Supply Co with additional bulbs.

Today the Ashtabula County Safety Council will be having a safety luncheon and will be discussing *Ohio's Recreational Marijuana Law and How It Affects your Business*. President Bowden and Dave Pontius will be attending on behalf of the airport.

Commissioner's Report

The Commissioners will have their last budget meeting today and will soon be releasing the final county budget. Commissioner Ducro confirmed that there is a mid-year review of the budget. Additional appropriation requests can be made throughout the year. Property taxes have increased in Ashtabula County due to the state triennial update which resulted in higher millage appraisals. Homeowners can challenge the valuation by reaching out to the County Auditor. President Bowden thanked the Commissioner for participating in the conference call with USDA representatives yesterday.

Committee Reports

Hangar Leases – Bushweiler, Ford, Morrison, Toth:

MOTION to approve leases for Liljenberg in D-5, Rich in B-4 & E-7, Kovach in F-4, Lesky in B-6, McDowell in B-5, Heidinger in D-2, Graf in E-10, Ballard in B-8, Kipp in E-4, moved by Eric Cornelius, seconded by Lance Bushweiler. Discussion: McDowell gave notice to leave at the end of March. Don Ballard recused himself from the vote. Transient tenant Winco Powerline vacated Hangar G. Roll-call: Cornelius "yes", Ford "yes", Morrison "yes", Toth "yes", Ambrose "yes", Anderson "yes", Bushweiler "yes", Bowden "yes", motion carried.

Wildlife Committee – Bushweiler:

Migratory Bird Depredation and Deer Damage Permits have been filed. ODNR currently does not have a Wildlife Officer for Ashtabula County.

Annual EPA Report for Stormwater Discharge General Permit, Routine Facility Inspection, and Quarterly Visual Assessments have been completed.

Marketing Working Group – Bushweiler, Anderson: A direct mailer list of approximately 1500 aircraft owners was created. The design will be made in-house with printing and mailing outsourced to a local vendor.

Financial Oversight Working Group – Ambrose, Anderson:

Temporary county appropriation was received in the amount of \$75,000.

Yuhasz Brothers land management lease payment was received.

SAM.gov (System for Award Management) annual entity registration was renewed.

HR Working Group – Bushweiler, Toth:

The working group has had discussions with several applicants.

Former employee Dan Ludwig made a Records Request for 2023 Meeting Minutes, which was emailed to him by the Secretary/Treasurer on 02/07/2024.

Growth Partnership Trustee Report – Reedy: Executive meeting will be held at the end of February. President Bowden noted that an invitation was extended to Greg Myers for an AAM Conference in Westlake with no response provided.

Aviation Education Initiative Working Group – Ambrose, Bowden, Bushweiler, Cornelius, Ford: Presenters are confirming for the Career Day. A coordination meeting is to be scheduled with the airport, Atech, and Leadership. Secretary/Treasurer to schedule in-school presentations with students.

Fuel Working Group – Anderson, Bushweiler, Cornelius, Koleno: 100LL is currently \$7.19 & Jet A+ is \$6.30. President Bowden noted that it was discussed during the recent USDA conference call that the ACAA determines fuel and rent rates, and that it is the intent of the Board to become self-sufficient in order to repay the revenue bond.

Critical Care Transportation Hub – Ambrose, Bushweiler, Morrison, Stackhouse, Pontius: John Morrison reported that UH is exploring the option of leasing the housing unit directly. If approved by their legal, it would require a change in the lease between UH and the airport. John Morrison and Dave Pontius will meet to discuss potential details. John Morrison offered to donate the expense of this project's legal fees moving forward. President Bowden suggested a similar lease may exist for the Wastewater Treatment Plant that can be used as a template.

Inventory Report (02/062024)

100LL Avgas: 3,840 gallons

Jet A w/Prist: Truck 2,300 gallons / Tank 8,325 gallons / Total of 10,625 gallons

Diesel: 428 gallons

Unleaded Gas: 211 gallons

Engineer/Consultant's Report

Task Orders

TO #16 ASOS Relocation: The ASOS is officially relocated. National Weather Service (NWS) reports that the data is good and the FTI line issue has been sorted. Financial backup from the FAA is required to close the ODOT grant out.

TO #01 Fence Design: 30% of the drawings are ready for review. It was suggested to plan a short meeting to discuss the design and any changes.

TO #03 Airfield Remarkings: Bid documents are ready for review. ODOT provided comments for the first submission regarding the VOR checkpoint that was removed and the helipad. The final submission is due 03/15/2024.

MOTION to authorize Michael Baker International Nicole Bryan to post the final submission for the Airfield Remarkings Project into ODOT BlackCat moved by Eric Cornelius, seconded by Lance Bushweiler; discussion: none; roll-call: Ford "yes", Morrison "yes", Toth "yes", Ambrose "yes", Anderson "yes", Ballard "yes", Bushweiler "yes", Cornelius "yes", Bowden "yes", motion carried.

TO #04 2042 Grant Administration: The fully executed agreement is on SharePoint.

State Capital Budget: Notification was received that the project made the top request list for District 65 on 01/10/2024.

Fire Inspection Report: The emergency egress plug lights have been installed in all T-hangars.

SWP3 Annual Report: The EPA confirmed receipt of the annual report on 01/16/2024.

7460-1 for June 29th 5K: The case was submitted on 01/17/2024 and assigned Aeronautical Study Number (ASN) 2024-AGL-477-NRA.

MOTION to authorize the Secretary/Treasurer to advertise the Request for Statement of Qualifications for consultants for the Bipartisan Infrastructure Law (BIL) funded deice truck acquisition on or after 03/15/2024, moved by Dwight Bowden, seconded by Eric Cornelius, discussion: There were no submissions received for the first request. Roll-call: Morrison "yes", Toth "yes", Ambrose "yes", Anderson "yes", Ballard "yes", Bushweiler "yes", Cornelius "yes", Ford "yes", Bowden "yes", motion carried.

Barbara Ford exited the meeting at 9:15AM.

Legal Counsel's Report

Report has been uploaded to SharePoint and noted below:

UHHS: No new update to report.

USDA: In advance of the conference call meeting held on 02/07/2024 and at President Bowden's request, David Pontius of Andrews & Pontius LLC, drafted a letter to Mr. McCracken of the USDA summarizing the request for an in-person meeting with a USDA representative empowered to act on an Offer of Settlement.

President Bowden and the Secretary/Treasurer Kate Burke-Rosales attended the conference call on 02/07/2024 with USDA representatives from the state and federal level and Commissioner Ducro. President Bowden thanked Commissioner Ducro for contacting USDA representative Jonathan McCracken and facilitating the initial conference call to discuss the Offer of Settlement. Following introductions, President Bowden re-stated the purpose of the call as reflected in the letter from Mr. Pontius.

President Bowden stated that the Ashtabula County Airport Authority (ACAA) was created in 1965 as an Ohio Regional Airport Authority and, as an Ohio Regional Airport Authority, it's relationship with county government and the breadth of legal rights; the ability to enter contracts, acquire property, sue, and exercise the right of eminent domain, to name a few. In addition, it was noted that the airport property and equipment are titled to the ACAA. The airport staff are employed and supervised by the ACAA.

President Bowden stated that in October of 2022, he contacted former Ohio State Representative John Patterson, an advocate of the airport, regarding the ACAA being placed in the Treasury Offset Program or "Do Not Pay" list which prohibits the FAA from issuing an active grant to the ACAA for the rehabilitation of a taxiway. Mr. Patterson shared that the ACAA USDA Revenue Bond matter had been forwarded to USDA Headquarters. Based on this remark, President Bowden attempted to arrange an in-person meeting with a USDA representative empowered to act on an Offer of Settlement and appealed to Senator Brown, Senator Vance, and Representative Joyce for their assistance.

During a September 2023 visit by Representative Joyce to Ashtabula County, he asked President Bowden to modify the request for an in-person meeting to a virtual meeting. President Bowden agreed to modify the request contingent on the vetting of the USDA representative in advance of the meeting.

There was a discussion on the definition of revenues. The legal position obtained from three independent legal firms and supported and reported by the Ohio Auditor of State is that revenues are derived from the sale of goods and services. The USDA stated there was a sub-agreement the ACAA signed that supersedes the revenue bond documents. The sub-agreement includes the expansion of revenues to include charitable donations and grants. The USDA compared the ACAA to fire companies and hospice organizations which use donations to repay loan obligations. President Bowden noted that the ACAA financials are based on enterprise accounting which does not include charitable donations as compared to those which may be used by a 501(c)3.

President Bowden noted that the ACAA is subject to FAA grant assurances or obligations which clearly states how the assets and property of the ACAA can be used. It was noted that the facility is viewed by the FAA as a unified asset.

Secretary-Treasurer Burke-Rosales took strong exception to grants being considered revenues. President Bowden supported her position by noting the ACAA budgets do not include either charitable donations or grants.

At the close of the conference call, the USDA stated it will forward copies of the agreement documents as well as information regarding how to request a specific ask, i.e., Offer of Settlement.

Miscellaneous: Reviewed numerous emails, correspondence, reports, and other documents; participated in numerous email exchanges and telephone conferences with Board members; and monitored other matters as presented by the Board and/or Secretary/Treasurer.

Commissioner Ducro, Don Ballard, and Kate Reedy exited the meeting at 8:57AM EST.

President's Report

MOTION to approve travel expenses for Secretary/Treasurer to attend the OAA Annual Conference moved by John Ambrose, seconded by Eric Cornelius; discussion: She will be using one of the complimentary registrations. Roll-call: Toth "yes", Ambrose "yes", Anderson "yes", Ballard "yes", Bushweiler "yes", Cornelius "yes", Ford "yes", Morrison "yes", Bowden "yes", motion carried.

President Bowden reported that the Board is actively seeking applications for the seat to be vacated by Phil Anderson.

Operations Manual and Employee Handbook are being updated. Schneider Smeltz Spieth Bell (SSSB) reviewed and made recommendations for the Drug Policy regarding recreational marijuana.

It was confirmed that the County Commissioner's Association of Ohio's (CCAO) public policy funding is supported by means of Fuel Sales Tax. President Bowden requested the OAA meet with the CCAO to discuss.

Growth Partnership shared available leadership courses, which have been posted to SharePoint for anyone interested.

President Bowden and Secretary/Treasurer attended the Critical Infrastructure Modernization Forum centered around Advanced Air Mobility (AAM) on 01/29/2024.

The scheduled Zoning Board airport tour was cancelled pending the receipt of additional information. Information regarding Senate Bill 52 was provided to the Commissioner. This bill gives Ohio county government the right to adopt a resolution on the sighting of significant wind and solar projects.

The ASOS has a sensor that needs to be replaced. The weather system is not currently reporting dew point, humidity, and density altitude. The NWS was contacted, and personnel were on site 01/29/2024. The sensor should be available to install next week.

Bureau of Workers Compensation (BWC) Sandy Gealy responded to an inquiry that the airport qualifies for several programs.

The Summary of Grants, Donations, and County Appropriations spreadsheet was updated through 12/31/2023 and posted to SharePoint.

Secretary/Treasurer filed an application through AOPA for a CAA Employee Scholarship for flight training. President Bowden and Eric Cornelius provided references on behalf of the ACAA as employer.

President Bowden requested a quote from Michael Baker International regarding crafting a plan to monitor and control tree obstructions to remain a compliant facility, to be funded by a private donation. The 34:1 surface is currently free of obstructions.

A restroom trailer has been reserved for the solar eclipse. It was suggested to provide a boxed lunch to tenants for a Tenant Appreciation Day.

The Annual Board Meeting is scheduled for 04/11/2024 and President Bowden requested that Trustees plan to attend in person.

Public Comments: None to report.

Old Business: None to report.

Executive Session: None to report

New Business: None to report.

Adjournment

The next regular board meeting is scheduled for 03/14/2024 at 8:00AM EST. Meeting adjourned at 9:07AM, moved by Dwight Bowden, seconded by Eric Cornelius.



Kate Burke-Rosales
Ashtabula County Airport Authority, Secretary/Treasurer

